
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 49 (H.513). Education

An act relating to making miscellaneous changes to education law

Sec. 1 contains legislative findings and purpose, including that the purpose of the act is to make useful changes to the merger timelines and allowable governance structures under Act 46 without weakening or eliminating that Act's fundamental phased merger and incentive structures and requirements, and that nothing in the act should be interpreted to suggest that it is acceptable for a school district to fail to take reasonable and robust action to seek to meet the goals of Act 46.

Secs. 2–23 contain provisions designed to provide flexibility in achieving the goals of Act 46, which include:

- creating new incentivized merger structures (the Three-by-One Side-by-Side Structure and the Two-by-Two-by-One Side-by-Side Structure), and more flexibility in the existing Side-by-Side Structure, by replacing the requirement that one side operate kindergarten through grade 12 with the requirement that each side have a model of operating schools or paying tuition that is different from the model of the other
- extending the deadlines for submitting alternative governance proposals to the Secretary of Education and for the vote of the electorate on a merger proposal
- amending the guidelines for alternative governance structures, which includes reducing the average daily membership guideline from 1,100 to 900
- requiring the Secretary of Education to provide feedback on alternative governance proposals and to provide the opportunity for districts to amend their proposals in response to that feedback
- permitting the State Board of Education to approve an alternative governance proposal at any time on or before November 30, 2018 (prior to the issuance of the statewide plan)

Secs. 24–47 contain other miscellaneous changes to education law, which include:

- exempting superintendents and headmasters from the responsibility of performing criminal background checks on private prekindergarten programs and exempting flexible pathways partners from criminal record check requirements

- requiring the Agency of Education to consider and make recommendations on the criteria used for determining weighted long-term membership of a school district
- creating the Approved Independent Schools Study Committee to consider and make recommendations on the criteria to be used by the State Board of Education for the approval of an independent school and directing the State Board of Education to suspend further development of amendments to its Rules for Approval of Independent Schools, pending receipt of the report of the Committee, and to develop further these amendments after considering the Committee's report
- protecting public kindergarten through grade 12 students' and public postsecondary students' freedom of expression in school-sponsored media

Multiple effective dates, beginning on May 23, 2017