



Lillian M. Lowery, Ed.D.
State Superintendent of Schools

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TO: Members of the State Board of Education
FROM: Lillian M. Lowery, Ed.D. *lmlowery*
DATE: September 24, 2013
SUBJECT: COMAR 13A.04.15 Digital Learning (Adoption)

PURPOSE:

To seek adoption of the amendments to COMAR 13A.04.15 Digital Learning that were proposed on May 21, 2013. The original regulation was adopted as final on February 26, 2013.

EXECUTIVE SUMMARY:

In November 2012, COMAR 13A.04.15 was presented to the Board and was granted permission to publish. On January 2, 2013, the Department received comments from the National Federation for the Blind in Maryland (NFBM). A hold was placed on the regulation by the AELR Committee. MSDE and the NFBM collaborated to improve the regulation by including specific language related to accessibility for individuals with disabilities. In February 2013, the Board moved to approve the regulation. It was then determined that the language added referred to guidelines that had not been referenced.

On May 21, 2013, an amendment was presented to the Board that included referenced Web Content Accessibility Guidelines 2.0 Level AA and corrected a typographical error in the "Blended Learning" definition. Permission from the Board was granted to publish the amendment. During the published period, no comments were received.

ACTION:

We are seeking Board adoption of the amended COMAR 13A.04.15 Digital Learning to support the work of educators as they follow procedures for reviewing credit bearing online courses in preparation for final approval on the MSDE Master List.

Attachments

Opportunity for Public Comment

Comments may be sent to Sally Dorman, School Climate and Safety Team Leader, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0294 TTY: 410-333-6442, or email to opcomments@msde.state.md.us, or fax to 410-333-8148. Comments will be accepted through August 26, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on September 24, 2013, at 200 West Baltimore Street, Baltimore, MD 21201.

Editor's Note on Incorporation by Reference
Pursuant to State Government Article, §7-207, Annotated Code of Maryland, The Maryland State Department of Education Emergency Planning Guidelines for Local School Systems and Schools (April 2013), has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 40:1 Md. R. 9 (January 11, 2013), and is available online at www.dpd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.02 Definitions.

A. (text unchanged)

B. Terms Defined.

(1) (text unchanged)

(2) "Emergency plan" means a plan for each school system and each public school within the school system that addresses mitigation, preparation, response, and recovery to an emergency including responding to:

(2) "School emergency plan" means a plan for each public school grounds within the local school system that addresses mitigation, prevention, preparation, response, and recovery to an emergency including responding to:

(a)—(b) (text unchanged)

(3) "Central administration emergency plan" means a plan for each local school system and the SEED School that addresses mitigation, prevention, preparation, response, and recovery to an emergency including responding to:

(a) Violent or traumatic events on school grounds during regular school hours or during school-sponsored activities; or

(b) Events in the community that affect normal school functioning.

[(3)] (4)— [(4)] (5) (text unchanged)

(6) "Public school grounds" means local school system owned or leased buildings, the SEED School, and the land that surrounds the school building.

(7) "SEED School" means the residential boarding education program operated under the supervision of the Department.

.03 Incorporation by Reference.

The Maryland State Department of Education Emergency Planning Guidelines for Local School Systems and Schools (April 2013) is incorporated by reference.

[.03] .04 Emergency Plan.

A. In consultation with other health and safety officials in the local community, each local school system [school] and the SEED School shall develop an emergency plan for [each] all public school grounds

to include maintenance, transportation, and central administration office under its jurisdiction that:

(1) Deals with the contingencies of man-made, technological, and natural hazards; [and]

(2) Confirms to the requirements of this chapter; [.] and

(3) Aligns with the Maryland State Department of Education Emergency Planning Guidelines for Local School Systems and Schools (April 2013).

[B. Each public school emergency plan shall be on file in each public school system.]

B. Each local school system and the SEED School shall ensure that:

(1) Each school facility under its jurisdiction has a school emergency plan that meets the criteria outlined in the MSDE Emergency Planning Guidelines for Local School Systems and Schools (April 2013) and that a copy of each school emergency plan is on file at the central administration office.

(2) A central administration emergency plan that meets the criteria outlined in the MSDE Emergency Planning Guidelines for Local School Systems and Schools (April 2013) is on file in each school grounds under its jurisdiction.

C. Each local school system and the SEED School shall develop and implement an annual schedule of drills for each school grounds within the system. In addition to fire drills, the following drills shall be conducted annually:

- (1) Evacuation;
- (2) Shelter in place;
- (3) Reverse evacuation;
- (4) Lock down;
- (5) Drop, cover, and hold; and
- (6) Severe weather.

[.04] .05 Annual Certification.

[Each local superintendent of schools shall certify annually in writing to the State Superintendent of Schools that the requirements of this chapter are being implemented.]

A. By September 30 of each year, each local superintendent of schools and the Head of the SEED School shall certify to the State Superintendent that the requirements of this chapter are being implemented.

B. By September 30 of each year, each local superintendent of schools and the Head of the SEED School shall send a copy of the local school system's central administration emergency plan to the State Superintendent of Schools, if updated from the previous year.

LILLIAN M. LOWERY, Ed.D.
State Superintendent of Schools

Subtitle 04 SPECIFIC SUBJECTS

13A.04.15 Digital Learning

Authority: Education Article, §§2-205 and 7-1002, Annotated Code of Maryland

Notice of Proposed Action

[13-199-P-1]

The Maryland State Board of Education proposes to amend Regulation .02, adopt new Regulation .03, amend and recodify existing Regulations .03 and .06 to be Regulations .04 and .07, and recodify existing Regulations .04 and .05 to be Regulations .05 and .06 under COMAR 13A.04.15 Digital Learning. This action was considered at the Maryland State Board of Education meeting on May 21, 2013.

Statement of Purpose

The purpose of this action is to incorporate by reference the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008) and correct the definition of "Blended Course."

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Valerie Emrich, Director of Instructional Technology, Maryland State Department of Education, 200 West Baltimore Street, Baltimore, Maryland 21201, or call 410-767-0382 TTY: 410-333-6442, or email to vemrich@msde.state.md.us, or fax to 410-333-2128. Comments will be accepted through August 26, 2013. A public hearing has not been scheduled.

Open Meeting

Final action on the proposal will be considered by the Maryland State Board of Education during a public meeting to be held on August 27, 2013, at 200 West Baltimore Street, Baltimore, Maryland 21201.

Editor's Note on Incorporation by Reference

Pursuant to State Government Article, §7-207, Annotated Code of Maryland, the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008) has been declared a document generally available to the public and appropriate for incorporation by reference. For this reason, it will not be printed in the Maryland Register or the Code of Maryland Regulations (COMAR). Copies of this document are filed in special public depositories located throughout the State. A list of these depositories was published in 40:1 Md. R. 9 (January 11, 2013), and is available online at www.dsd.state.md.us. The document may also be inspected at the office of the Division of State Documents, 16 Francis Street, Annapolis, Maryland 21401.

.02 Definitions.

- A. (text unchanged)
- B. Terms Defined.

(1) (text unchanged)

(2) "Blended course" means one in which less than [20] 80 percent of the instruction is conducted online. Such a course is also referred to as a "hybrid course."

(3)—(6) (text unchanged)

.03 Incorporation by Reference.

The Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008) is incorporated by reference.

[.03] .04 Approval Requirements.

A. Credit-bearing online courses provided to students by a local education agency (LEA) are subject to Department approval by a committee to ensure that the course meets instructional standards and is in compliance with the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

B. (text unchanged)

C. All online professional development courses offered by vendors to local education agencies are subject to Department approval by a

committee to ensure that the course meets instructional standards and is in compliance with the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

[.06] .07 Accessibility.

The Department shall only approve courses and digital learning resources that are accessible and meet the technology standards outlined in Section 508 of the Rehabilitation Act and COMAR 13A.05.02.13H and the Web Content Accessibility Guidelines (WCAG) 2.0 Level AA (December 2008).

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State Superintendent of Schools

Title 17
DEPARTMENT OF BUDGET
AND MANAGEMENT
Subtitle 04 PERSONNEL SERVICES
AND BENEFITS

17.04.13 State Employees' Health Benefits

Authority: State Personnel and Pensions Article, §§2-303 and 4-106, Annotated Code of Maryland

Notice of Proposed Action

[13-201-F]

The Secretary of Budget and Management proposes to amend Regulations .03 and .03-1 under COMAR 17.04.13 State Employees' Health Benefits.

Statement of Purpose

The purpose of this action is to permit domestic partners enrolled in the State Employee and Retiree Health and Welfare Benefits Program as of June 30, 2013, to continue their health benefits coverage throughout the 2014 Calendar Plan Year. This action serves to provide domestic partners with a sufficient transition period prior to the repeal of domestic partner benefits. Emergency regulations were submitted simultaneously to implement these changes in time for the short Plan Year that begins July 1, 2013. Under the Civil Marriage Protection Act same sex couples may now legally marry in Maryland, thus obviating the need to provide coverage for same sex domestic partners.

Comparison to Federal Standards

There is no corresponding federal standard to this proposed action.

Estimate of Economic Impact

The proposed action has no economic impact.

Economic Impact on Small Businesses

The proposed action has minimal or no economic impact on small businesses.

Impact on Individuals with Disabilities

The proposed action has no impact on individuals with disabilities.

Opportunity for Public Comment

Comments may be sent to Anne Timmons, Director, Employee Benefits Division, Department of Budget and Management, 301 W. Preston Street, 5th Floor, Baltimore, MD 21201, or call 410 767-4710, or email to EBD.mail@maryland.gov, or fax to 410 333-7122.