

# HOUSE BILL 39

F1

(6lr0883)

## ENROLLED BILL

— *Ways and Means/Education, Health, and Environmental Affairs* —

Introduced by **Delegate A. Miller**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this

\_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
Speaker.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

#### 2 **Education – Orange Ribbon for Healthy School Hours – Establishment**

3 FOR the purpose of establishing the Orange Ribbon for Healthy School Hours certification  
4 within the State Department of Education beginning in a certain school year;  
5 providing for the purpose of the Orange Ribbon for Healthy School Hours  
6 certification; authorizing a local school system to submit to the Department an  
7 application for a certain certification; requiring that the Department grant a certain  
8 certification to a local school system that meets certain requirements; establishing  
9 the requirements for a local school system to ~~receive~~ qualify for an Orange Ribbon  
10 for Healthy School Hours certification; authorizing the Department to grant a  
11 certain limited certification to a local school system under certain circumstances;  
12 establishing the qualifications for an Orange Ribbon for Healthy School  
13 Hours – Commended certification and an Orange Ribbon for Healthy School Hours  
14 – Honorable Mention certification; requiring the State Board of Education to  
15 establish certain criteria on or before a certain date and provide certain information

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#### EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 to certain local school systems on or before a certain date; requiring an Orange  
2 Ribbon for Healthy School Hours certification to be renewed each year under certain  
3 circumstances; requiring the Department to adopt certain regulations; defining a  
4 certain term; and generally relating to the Orange Ribbon for Healthy School Hours  
5 certification.

6 BY adding to

7 Article – Education

8 Section 7–121

9 Annotated Code of Maryland

10 (2014 Replacement Volume and 2015 Supplement)

11 Preamble

12 WHEREAS, Adolescent sleep deprivation is a statewide public health crisis; and

13 WHEREAS, Early school start times are recognized as a major but remediable  
14 contributor to adolescent sleep deprivation; and

15 WHEREAS, The American Academy of Pediatrics recommends that middle schools  
16 and high schools start the school day no earlier than 8:30 a.m. for the sake of students'  
17 health, safety, and academic success; and

18 WHEREAS, The Department of Health and Mental Hygiene and the State  
19 Department of Education routinely advise local school systems of the health and academic  
20 benefits of later school start times and encourage local school systems to conduct feasibility  
21 studies regarding the implementation of a school start time of no earlier than 8:00 a.m.;  
22 and

23 WHEREAS, The Department of Health and Mental Hygiene has expressed concern  
24 that ~~“by leaving school start times a matter for each local jurisdiction,~~ the State risks letting  
25 local resistance trump a strong body of scientific evidence that sleep is critical to health  
26 and academic achievement”; and

27 WHEREAS, Extensive and costly efforts by local school systems since the 1990s have  
28 failed to overcome local resistance to school start times that are consistent with accepted  
29 evidence about the health and safety needs of students; and

30 WHEREAS, Local feasibility studies as recommended by the Department of Health  
31 and Mental Hygiene and the State Department of Education involve unnecessary and  
32 wasteful expenditures of time, money, and human resources and only replicate an already  
33 extensive body of evidence about the implementation of school hours for the sake of  
34 students' health, safety, and academic success in Maryland and nationwide; now, therefore,

35 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
36 That the Laws of Maryland read as follows:

## Article – Education

7–121.

(A) IN THIS SECTION, “HEALTHY SCHOOL START TIME” MEANS A SCHOOL STARTING TIME OF NO EARLIER THAN 8:00 A.M.

(B) (1) BEGINNING IN THE 2017–2018 SCHOOL YEAR, THERE IS AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION IN THE DEPARTMENT.

(2) THE PURPOSE OF THE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION IS TO RECOGNIZE A LOCAL SCHOOL SYSTEM THAT CREATES, IMPLEMENTS, AND ENFORCES SCHOOL START TIMES THAT ARE CONSISTENT WITH THE SCHOOL START TIMES RECOMMENDED BY THE DEPARTMENT, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND THE AMERICAN ACADEMY OF PEDIATRICS.

(C) (1) A LOCAL SCHOOL SYSTEM MAY SUBMIT TO THE DEPARTMENT AN APPLICATION FOR THE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION.

(2) THE DEPARTMENT SHALL GRANT THE APPROPRIATE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION TO A LOCAL SCHOOL SYSTEM THAT MEETS THE REQUIREMENTS OF THIS SECTION.

~~(C)~~ (D) TO RECEIVE QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION, A LOCAL SCHOOL SYSTEM:

(1) MAY NOT HAVE:

(I) AN ELEMENTARY SCHOOL IN THE LOCAL SCHOOL SYSTEM THAT REQUIRES A STUDENT TO:

1. BE IN CLASS BEFORE 8:00 A.M.; AND
2. BOARD A SCHOOL BUS BEFORE 7:00 A.M.; AND

(II) A MIDDLE OR HIGH SCHOOL IN THE LOCAL SCHOOL SYSTEM THAT REQUIRES A STUDENT TO:

1. BE IN CLASS BEFORE 8:30 A.M.; AND
2. BOARD A SCHOOL BUS BEFORE 7:30 A.M.; AND

1           **(2) SHALL:**

2                   **(I) CONDUCT AT LEAST TWO TARGETED AND TELEVISED**  
3 **PUBLIC EDUCATION FORUMS FOR STUDENTS, PARENTS, TEACHERS, AND SCHOOL**  
4 **STAFF ON THE NECESSITY OF HEALTHY SCHOOL START TIMES, THE CONSEQUENCES**  
5 **OF CHRONIC SLEEP DEPRIVATION, AND THE HEALTH AND SAFETY IMPACT OF**  
6 **ALIGNING SCHOOL START TIMES WITH ADOLESCENT SLEEP PATTERNS;**

7                   **(II) 1. INFORM THE FOLLOWING STAKEHOLDERS OF THE**  
8 **IMPORTANCE OF HEALTHY SCHOOL START TIMES:**

9                           **A. TEACHERS;**

10                           **B. PARENTS;**

11                           **C. STUDENTS;**

12                           **D. ADMINISTRATORS;**

13                           **E. SCHOOL STAFF;**

14                           **F. TRANSPORTATION PROVIDERS;**

15                           **G. ATHLETIC DIRECTORS;**

16                           **H. LOCAL BUSINESS OWNERS;**

17                           **I. COACHES;**

18                           **J. CHILD CARE PROVIDERS;**

19                           **K. LOCAL EMPLOYERS OF STUDENTS;**

20                           **L. CITY OR COUNTY AGENCIES THAT PROVIDE SERVICES**  
21 **OR OPPORTUNITIES TO STUDENTS; AND**

22                           **M. ORGANIZATIONS THAT USE LOCAL SCHOOL SYSTEMS'**  
23 **FIELDS AND FACILITIES ON A REGULAR BASIS; AND**

24                           **2. ENGAGE THE STAKEHOLDERS LISTED IN ITEM 1 OF**  
25 **THIS ITEM IN CONVERSATIONS TO DISCUSS POSSIBLE CONTRAINDICATIONS OF**  
26 **ALTERING CURRENT SCHOOL START TIMES; AND**

1 (III) NOTIFY THE PUBLIC AND STAKEHOLDERS OF ANY CHANGES  
2 TO SCHOOL START TIMES.

3 (E) (1) IF THE DEPARTMENT DETERMINES THAT A LOCAL SCHOOL  
4 SYSTEM DOES NOT MEET ALL OF THE REQUIREMENTS UNDER SUBSECTION (D) OF  
5 THIS SECTION, THE DEPARTMENT MAY GRANT A LIMITED CERTIFICATION IF THE  
6 LOCAL SCHOOL SYSTEM MEETS THE REQUIREMENTS FOR THE LIMITED  
7 CERTIFICATION UNDER PARAGRAPH (2) OR (3) OF THIS SUBSECTION.

8 (2) TO QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL  
9 HOURS – COMMENDED CERTIFICATION, A LOCAL SCHOOL SYSTEM SHALL:

10 (I) MEET THE REQUIREMENTS UNDER PARAGRAPH (3) OF THIS  
11 SUBSECTION;

12 (II) HAVE IMPLEMENTED AND MAINTAINED A SCHOOL  
13 DISTRICT-WIDE SCHOOL TIME CHANGE THAT MOVED THE SCHOOL DISTRICT  
14 SCHEDULE CLOSER TO THE HOURS SET FORTH IN SUBSECTION (D) OF THIS SECTION;  
15 ~~OR~~ AND

16 (III) PROVIDE EVIDENCE OF PROGRESS TOWARD MEETING THE  
17 REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION.

18 (3) TO QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL  
19 HOURS – HONORABLE MENTION CERTIFICATION, A LOCAL SCHOOL SYSTEM SHALL:

20 (I) HAVE ESTABLISHED A SCHOOL STUDY TASK FORCE WITHIN  
21 2 YEARS AFTER THE DATE OF THE LOCAL SCHOOL SYSTEM'S APPLICATION FOR  
22 INITIAL CERTIFICATION OR RENEWAL OF A CERTIFICATION TO REVIEW POSSIBLE  
23 SOLUTIONS FOR HEALTHY SCHOOL START TIMES; AND

24 (II) 1. MEET THE REQUIREMENT UNDER SUBSECTION  
25 (D)(2)(I) OF THIS SECTION; OR

26 2. PROVIDE EVIDENCE OF A PLAN TO MOVE THE LOCAL  
27 SCHOOL SYSTEM TOWARD MEETING ALL OF THE REQUIREMENTS OF SUBSECTION (D)  
28 OF THIS SECTION.

29 ~~(F)~~ (F) (1) ON OR BEFORE OCTOBER 1, 2016, THE STATE BOARD  
30 SHALL ESTABLISH CRITERIA THAT A LOCAL SCHOOL SYSTEM MUST MEET TO PROVE  
31 THAT THE LOCAL SCHOOL SYSTEM IS ENFORCING SCHOOL START TIMES THAT ARE  
32 CONSISTENT WITH RECOMMENDATIONS FROM THE DEPARTMENT, THE  
33 DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND THE AMERICAN ACADEMY  
34 OF PEDIATRICS.

1           **(2) ON OR BEFORE DECEMBER 1, 2016, THE STATE BOARD SHALL**  
2 **PROVIDE EACH LOCAL SCHOOL SYSTEM WITH:**

3                   **(I) INFORMATION ON METHODS OF EFFICIENTLY ALTERING**  
4 **CURRENT SCHOOL START TIMES TO BE CONSISTENT WITH RECOMMENDATIONS; AND**

5                   **(II) THE CRITERIA ESTABLISHED IN PARAGRAPH (1) OF THIS**  
6 **SUBSECTION.**

7           ~~(E)~~ **(G) AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS**  
8 **CERTIFICATION GRANTED UNDER SUBSECTION (D) OR (E) OF THIS SECTION SHALL**  
9 **BE RENEWED EACH YEAR IF THE LOCAL SCHOOL SYSTEM PRESENTS EVIDENCE THAT**  
10 **THE LOCAL SCHOOL SYSTEM IS IN COMPLIANCE WITH THIS SECTION.**

11           ~~(F)~~ **(H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT**  
12 **THE REQUIREMENTS OF THIS SECTION.**

13           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
14 1, 2016.

Approved:

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Governor.

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Speaker of the House of Delegates.

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President of the Senate.