

HOUSE BILL 1624

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By: **Delegates M. Fisher, Adams, Anderton, Arentz, Arikan, Beitzel, Chisholm, Ciliberti, Clark, Corderman, Cox, Griffith, Hartman, Hornberger, Impallaria, Jacobs, Kipke, Kittleman, Krebs, Long, Malone, Mangione, McComas, Metzgar, Miller, Morgan, Otto, Reilly, Rose, Saab, Shoemaker, and Szeliga**

Introduced and read first time: February 20, 2020

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Primary and Secondary Schools – Alternative School Options**
3 **(Right to Learn Act)**

4 FOR the purpose of requiring, on or before a certain date each year, each county board of
5 education to provide certain information to the parents or legal guardians of students
6 who attend a failing school under certain circumstances; requiring a failing school to
7 retain that designation until a certain condition is met; requiring students who are
8 attending a failing school to be provided the opportunity to attend an alternative
9 school; requiring a parent or legal guardian of a certain student to notify the county
10 board of a certain decision by the student on or before a certain date; establishing
11 the Broadening Options and Opportunities for Students Today Program; providing
12 for the purpose of the Program; requiring the State Department of Education to
13 administer the Program; requiring a certain county board to remit certain funds to
14 the Department under certain circumstances; requiring the Department to return
15 certain unused funds to a certain county board; requiring the Department to adopt
16 certain regulations; defining certain terms; and generally relating to alternative
17 school options for students who attend failing schools.

18 BY adding to
19 Article – Education
20 Section 5–222
21 Annotated Code of Maryland
22 (2018 Replacement Volume and 2019 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

5-222.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) “ALTERNATIVE SCHOOL” MEANS:

(I) A PUBLIC SCHOOL THAT IS NOT A FAILING SCHOOL IN THE SAME COUNTY; OR

(II) A NONPUBLIC SCHOOL.

(3) “FAILING SCHOOL” MEANS A SCHOOL THAT HAS BEEN GIVEN ONE STAR UNDER THE STAR RATING SYSTEM FOR AT LEAST THE PRIOR 3 CONSECUTIVE SCHOOL YEARS.

(4) “PROGRAM” MEANS THE BROADENING OPTIONS AND OPPORTUNITIES FOR STUDENTS TODAY PROGRAM.

(5) “STAR RATING SYSTEM” MEANS THE SYSTEM THAT AWARDS A SCORE TO A PUBLIC SCHOOL UNDER THE STATE ACCOUNTABILITY SYSTEM ADOPTED BY THE STATE BOARD AS REQUIRED BY THE FEDERAL EVERY STUDENT SUCCEEDS ACT.

(6) “TOTAL PER PUPIL AMOUNT” MEANS THE COUNTY BOARD PER PUPIL SPENDING FOR THE EDUCATION AID PROGRAMS UNDER THIS SUBTITLE.

(B) (1) ON OR BEFORE JANUARY 1 EACH YEAR, AND BASED ON THE STAR RATINGS RELEASED DURING THE IMMEDIATELY PRECEDING DECEMBER, EACH COUNTY BOARD SHALL PROVIDE THE FOLLOWING INFORMATION TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT WHO ATTENDS A FAILING SCHOOL:

(I) NOTIFICATION THAT THE SCHOOL IS A FAILING SCHOOL;
AND

(II) A LIST OF AVAILABLE ALTERNATIVE SCHOOL OPTIONS.

(2) A SCHOOL SHALL CONTINUE TO BE DESIGNATED A FAILING SCHOOL UNTIL THE SCHOOL RECEIVES AT LEAST A TWO-STAR RATING FOR 2 CONSECUTIVE SCHOOL YEARS.

(C) (1) A STUDENT ATTENDING A FAILING SCHOOL SHALL BE PROVIDED

1 THE OPPORTUNITY TO ATTEND AN ALTERNATIVE SCHOOL.

2 (2) ON OR BEFORE APRIL 1 OF THE YEAR IN WHICH A PARENT OR
3 LEGAL GUARDIAN RECEIVES INFORMATION UNDER SUBSECTION (B) OF THIS
4 SECTION, THE PARENT OR LEGAL GUARDIAN OF THE STUDENT SHALL NOTIFY THE
5 COUNTY BOARD OF THE STUDENT'S DECISION TO:

6 (I) CONTINUE ATTENDING THE CURRENT SCHOOL; OR

7 (II) ATTEND A PARTICULAR ALTERNATIVE SCHOOL.

8 (D) (1) THERE IS A BROADENING OPTIONS AND OPPORTUNITIES FOR
9 STUDENTS TODAY PROGRAM.

10 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE:

11 (I) SCHOLARSHIPS FOR STUDENTS WHO ARE ELIGIBLE FOR
12 THE FREE AND REDUCED PRICE LUNCH PROGRAM TO ATTEND A NONPUBLIC
13 SCHOOL; AND

14 (II) RIGHT TO LEARN SCHOLARSHIPS FOR STUDENTS WHO
15 ATTEND A FAILING SCHOOL AND CHOOSE TO ATTEND A NONPUBLIC SCHOOL.

16 (3) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

17 (4) (I) FOR EACH STUDENT WHO RECEIVES A RIGHT TO LEARN
18 SCHOLARSHIP UNDER THE PROGRAM, THE APPLICABLE COUNTY BOARD SHALL
19 REMIT FUNDS TO THE DEPARTMENT EQUAL TO THE TOTAL PER PUPIL AMOUNT.

20 (II) THE DEPARTMENT SHALL RETURN ANY UNUSED FUNDS
21 REMITTED UNDER THIS PARAGRAPH TO THE COUNTY BOARD.

22 (5) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT
23 THE PROVISIONS OF THIS SUBSECTION.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
25 1, 2020.