

# HOUSE BILL 39

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(PRE-FILED)

6lr0883  
CF 6lr0500

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By: **Delegate A. Miller**

Requested: October 8, 2015

Introduced and read first time: January 13, 2016

Assigned to: Ways and Means

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## A BILL ENTITLED

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; establishing the requirements for a local school system to receive an  
7 Orange Ribbon for Healthy School Hours certification; requiring the State Board of  
8 Education to establish certain criteria on or before a certain date and provide certain  
9 information to certain local school systems on or before a certain date; requiring an  
10 Orange Ribbon for Healthy School Hours certification to be renewed each year under  
11 certain circumstances; requiring the Department to adopt certain regulations;  
12 defining a certain term; and generally relating to the Orange Ribbon for Healthy  
13 School Hours certification.

14 BY adding to

15 Article – Education

16 Section 7–121

17 Annotated Code of Maryland

18 (2014 Replacement Volume and 2015 Supplement)

19 Preamble

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

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

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

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

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

20 **Article – Education**

21 **7–121.**

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

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

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

33 **(C) TO RECEIVE AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS**  
34 **CERTIFICATION, A LOCAL SCHOOL SYSTEM:**

1           **(1) MAY NOT HAVE:**

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

4                           **1. BE IN CLASS BEFORE 8:00 A.M.; AND**

5                           **2. BOARD A SCHOOL BUS BEFORE 7:00 A.M.; AND**

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

8                           **1. BE IN CLASS BEFORE 8:30 A.M.; AND**

9                           **2. BOARD A SCHOOL BUS BEFORE 7:30 A.M.; AND**

10           **(2) SHALL:**

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

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

18                           **A. TEACHERS;**

19                           **B. PARENTS;**

20                           **C. STUDENTS;**

21                           **D. ADMINISTRATORS;**

22                           **E. SCHOOL STAFF;**

23                           **F. TRANSPORTATION PROVIDERS;**

24                           **G. ATHLETIC DIRECTORS;**

25                           **H. LOCAL BUSINESS OWNERS;**

26                           **I. COACHES;**

1                   **J. CHILD CARE PROVIDERS;**

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

3                   **L. CITY OR COUNTY AGENCIES THAT PROVIDE SERVICES**  
4 **OR OPPORTUNITIES TO STUDENTS; AND**

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

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

10                   **(III) NOTIFY THE PUBLIC AND STAKEHOLDERS OF ANY CHANGES**  
11 **TO SCHOOL START TIMES.**

12                   **(D) (1) ON OR BEFORE OCTOBER 1, 2016, THE STATE BOARD SHALL**  
13 **ESTABLISH CRITERIA THAT A LOCAL SCHOOL SYSTEM MUST MEET TO PROVE THAT**  
14 **THE LOCAL SCHOOL SYSTEM IS ENFORCING SCHOOL START TIMES THAT ARE**  
15 **CONSISTENT WITH RECOMMENDATIONS FROM THE DEPARTMENT, THE**  
16 **DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND THE AMERICAN ACADEMY**  
17 **OF PEDIATRICS.**

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

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

22                   **(II) THE CRITERIA ESTABLISHED IN PARAGRAPH (1) OF THIS**  
23 **SUBSECTION.**

24                   **(E) AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION**  
25 **GRANTED UNDER THIS SECTION SHALL BE RENEWED EACH YEAR IF THE LOCAL**  
26 **SCHOOL SYSTEM PRESENTS EVIDENCE THAT THE LOCAL SCHOOL SYSTEM IS IN**  
27 **COMPLIANCE WITH THIS SECTION.**

28                   **(F) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE**  
29 **REQUIREMENTS OF THIS SECTION.**

30                   SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
31 1, 2016.