

HOUSE BILL 39

F1

(PRE-FILED)

6lr0883
CF SB 224

By: **Delegate A. Miller**

Requested: October 8, 2015

Introduced and read first time: January 13, 2016

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 17, 2016

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 Hours –
13 Commended certification and an Orange Ribbon for Healthy School Hours –
14 Honorable Mention certification; requiring the State Board of Education to establish
15 certain criteria on or before a certain date and provide certain information to certain
16 local school systems on or before a certain date; requiring an Orange Ribbon for
17 Healthy School Hours certification to be renewed each year under certain
18 circumstances; requiring the Department to adopt certain regulations; defining a
19 certain term; and generally relating to the Orange Ribbon for Healthy School Hours
20 certification.

21 BY adding to

22 Article – Education

23 Section 7–121

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.



1 Annotated Code of Maryland
2 (2014 Replacement Volume and 2015 Supplement)

3 Preamble

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

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

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

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

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

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

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

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

29 **Article – Education**

30 **7–121.**

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

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

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

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

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

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

18 **(1) MAY NOT HAVE:**

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

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

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

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

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

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

27 **(2) SHALL:**

28 **(I) CONDUCT AT LEAST TWO TARGETED AND TELEVISED**
29 **PUBLIC EDUCATION FORUMS FOR STUDENTS, PARENTS, TEACHERS, AND SCHOOL**
30 **STAFF ON THE NECESSITY OF HEALTHY SCHOOL START TIMES, THE CONSEQUENCES**

1 OF CHRONIC SLEEP DEPRIVATION, AND THE HEALTH AND SAFETY IMPACT OF
2 ALIGNING SCHOOL START TIMES WITH ADOLESCENT SLEEP PATTERNS;

3 (II) 1. INFORM THE FOLLOWING STAKEHOLDERS OF THE
4 IMPORTANCE OF HEALTHY SCHOOL START TIMES:

5 A. TEACHERS;

6 B. PARENTS;

7 C. STUDENTS;

8 D. ADMINISTRATORS;

9 E. SCHOOL STAFF;

10 F. TRANSPORTATION PROVIDERS;

11 G. ATHLETIC DIRECTORS;

12 H. LOCAL BUSINESS OWNERS;

13 I. COACHES;

14 J. CHILD CARE PROVIDERS;

15 K. LOCAL EMPLOYERS OF STUDENTS;

16 L. CITY OR COUNTY AGENCIES THAT PROVIDE SERVICES
17 OR OPPORTUNITIES TO STUDENTS; AND

18 M. ORGANIZATIONS THAT USE LOCAL SCHOOL SYSTEMS'
19 FIELDS AND FACILITIES ON A REGULAR BASIS; AND

20 2. ENGAGE THE STAKEHOLDERS LISTED IN ITEM 1 OF
21 THIS ITEM IN CONVERSATIONS TO DISCUSS POSSIBLE CONTRAINDICATIONS OF
22 ALTERING CURRENT SCHOOL START TIMES; AND

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

25 (E) (1) IF THE DEPARTMENT DETERMINES THAT A LOCAL SCHOOL
26 SYSTEM DOES NOT MEET ALL OF THE REQUIREMENTS UNDER SUBSECTION (D) OF
27 THIS SECTION, THE DEPARTMENT MAY GRANT A LIMITED CERTIFICATION IF THE

1 LOCAL SCHOOL SYSTEM MEETS THE REQUIREMENTS FOR THE LIMITED
 2 CERTIFICATION UNDER PARAGRAPH (2) OR (3) OF THIS SUBSECTION.

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

5 (I) MEET THE REQUIREMENTS UNDER PARAGRAPH (3) OF THIS
 6 SUBSECTION;

7 (II) HAVE IMPLEMENTED AND MAINTAINED A SCHOOL
 8 DISTRICT-WIDE SCHOOL TIME CHANGE THAT MOVED THE SCHOOL DISTRICT
 9 SCHEDULE CLOSER TO THE HOURS SET FORTH IN SUBSECTION (D) OF THIS SECTION;
 10 OR

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

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

15 (I) HAVE ESTABLISHED A SCHOOL STUDY TASK FORCE WITHIN
 16 2 YEARS AFTER THE DATE OF THE LOCAL SCHOOL SYSTEM’S APPLICATION FOR
 17 INITIAL CERTIFICATION OR RENEWAL OF A CERTIFICATION TO REVIEW POSSIBLE
 18 SOLUTIONS FOR HEALTHY SCHOOL START TIMES; AND

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

21 2. PROVIDE EVIDENCE OF A PLAN TO MOVE THE LOCAL
 22 SCHOOL SYSTEM TOWARD MEETING ALL OF THE REQUIREMENTS OF SUBSECTION (D)
 23 OF THIS SECTION.

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

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

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

1 (II) THE CRITERIA ESTABLISHED IN PARAGRAPH (1) OF THIS
2 SUBSECTION.

3 ~~(F)~~ (G) AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS
4 CERTIFICATION GRANTED UNDER SUBSECTION (D) OR (E) OF THIS SECTION SHALL
5 BE RENEWED EACH YEAR IF THE LOCAL SCHOOL SYSTEM PRESENTS EVIDENCE THAT
6 THE LOCAL SCHOOL SYSTEM IS IN COMPLIANCE WITH THIS SECTION.

7 ~~(F)~~ (H) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT
8 THE REQUIREMENTS OF THIS SECTION.

9 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
10 1, 2016.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.