

HOUSE BILL 1190

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1r0656
CF 1r0655

By: **Howard County Delegation**

Introduced and read first time: February 8, 2021

Assigned to: Ways and Means

Committee Report: Favorable

House action: Adopted

Read second time: March 8, 2021

CHAPTER _____

1 AN ACT concerning

2 **Howard County – Board of Education – Redetermination of Geographic**
3 **Attendance Area**

4 **Ho. Co. 05–21**

5 FOR the purpose of requiring the Howard County Board of Education to submit a certain
6 annual report on the program capacity of each permanent school facility, beginning
7 in a certain school year; requiring the county board to submit a certain report to the
8 General Assembly and the Howard County Delegation to the General Assembly
9 under certain circumstances; requiring the county board to implement certain
10 processes set out in a certain policy to make a certain assessment; requiring the
11 county board to submit a certain report to the General Assembly and the Howard
12 County Delegation regarding the outcome of a certain assessment under certain
13 circumstances; defining certain terms; and generally relating to the target utilization
14 of permanent school facilities in Howard County.

15 BY adding to
16 Article – Education
17 Section 4–138
18 Annotated Code of Maryland
19 (2018 Replacement Volume and 2020 Supplement)

20 Preamble

21 WHEREAS, In an effort to ensure that every child in Howard County receives an

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 outstanding education, it is important for the Howard County Board of Education to review
2 and alter geographic attendance area boundaries from time to time to ensure that school
3 capacity issues are adequately addressed; and

4 WHEREAS, These redistricting efforts must carefully balance overcrowding and
5 vacancy issues with the maintenance of community stability to ensure minimal disruption
6 for children and their families; now, therefore,

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

9 **Article – Education**

10 **4–138.**

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

13 **(2) “PROGRAM CAPACITY” MEANS THE PROGRAM CAPACITY SET BY**
14 **THE HOWARD COUNTY SCHOOL SYSTEM’S POLICY 6010 OR ITS SUCCESSOR POLICY.**

15 **(3) “TARGET UTILIZATION” MEANS THE TARGET UTILIZATION SET BY**
16 **THE HOWARD COUNTY SCHOOL SYSTEM’S POLICY 6010 OR ITS SUCCESSOR POLICY.**

17 **(B) THIS SECTION APPLIES ONLY IN HOWARD COUNTY.**

18 **(C) BEGINNING IN THE 2021–2022 SCHOOL YEAR, THE HOWARD COUNTY**
19 **BOARD OF EDUCATION SHALL SUBMIT AN ANNUAL REPORT TO THE GENERAL**
20 **ASSEMBLY AND THE HOWARD COUNTY DELEGATION TO THE GENERAL ASSEMBLY,**
21 **IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT ARTICLE, ON THE**
22 **PROGRAM CAPACITY OF EACH PERMANENT SCHOOL FACILITY BASED ON THE RATES**
23 **FOR ELEMENTARY, MIDDLE, AND HIGH SCHOOLS SET BY THE COUNTY BOARD.**

24 **(D) (1) IF STUDENT ENROLLMENT AT A PERMANENT SCHOOL FACILITY IS**
25 **NOT WITHIN 10% OF TARGET UTILIZATION, THE COUNTY BOARD SHALL REPORT TO**
26 **THE GENERAL ASSEMBLY AND THE HOWARD COUNTY DELEGATION TO THE**
27 **GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2–1257 OF THE STATE GOVERNMENT**
28 **ARTICLE, EACH YEAR THE PERMANENT SCHOOL FACILITY IS NOT WITHIN 10% OF**
29 **THE TARGET UTILIZATION ON A PLAN TO ADJUST STUDENT ENROLLMENT TO MEET**
30 **TARGET UTILIZATION.**

31 **(2) (I) IF STUDENT ENROLLMENT AT A PERMANENT SCHOOL**
32 **FACILITY IS NOT WITHIN 20% OF TARGET UTILIZATION, THE COUNTY BOARD SHALL**
33 **IMPLEMENT THE PROCESSES SET OUT IN THE HOWARD COUNTY PUBLIC SCHOOL**

1 **SYSTEM’S POLICY 6010, OR ITS SUCCESSOR POLICY, TO ASSESS THE NEED FOR A**
2 **REDETERMINATION OF THE GEOGRAPHIC ATTENDANCE AREA.**

3 **(II) IF THE OUTCOME OF THE ASSESSMENT UNDER**
4 **SUBPARAGRAPH (I) OF THIS PARAGRAPH IS NOT A REDETERMINATION OF THE**
5 **GEOGRAPHIC ATTENDANCE AREA, THE COUNTY BOARD SHALL SUBMIT A REPORT TO**
6 **THE GENERAL ASSEMBLY AND THE HOWARD COUNTY DELEGATION TO THE**
7 **GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT**
8 **ARTICLE, THAT INCLUDES:**

9 **1. AN EXPLANATION OF THE REASON A**
10 **REDETERMINATION WAS NOT APPROPRIATE; AND**

11 **2. A PLAN TO ADJUST STUDENT ENROLLMENT TO MEET**
12 **TARGET UTILIZATION.**

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
14 1, 2021.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.