

HOUSE BILL 1190

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11r0656
CF 11r0655

By: **Howard County Delegation**

Introduced and read first time: February 8, 2021

Assigned to: Ways and Means

A BILL ENTITLED

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

25 WHEREAS, These redistricting efforts must carefully balance overcrowding and
26 vacancy issues with the maintenance of community stability to ensure minimal disruption

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 for children and their families; now, therefore,

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

4 **Article – Education**

5 **4–138.**

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

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

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

12 (B) THIS SECTION APPLIES ONLY IN HOWARD COUNTY.

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

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

26 (2) (I) IF STUDENT ENROLLMENT AT A PERMANENT SCHOOL
27 FACILITY IS NOT WITHIN 20% OF TARGET UTILIZATION, THE COUNTY BOARD SHALL
28 IMPLEMENT THE PROCESSES SET OUT IN THE HOWARD COUNTY PUBLIC SCHOOL
29 SYSTEM’S POLICY 6010, OR ITS SUCCESSOR POLICY, TO ASSESS THE NEED FOR A
30 REDETERMINATION OF THE GEOGRAPHIC ATTENDANCE AREA.

31 (II) IF THE OUTCOME OF THE ASSESSMENT UNDER
32 SUBPARAGRAPH (I) OF THIS PARAGRAPH IS NOT A REDETERMINATION OF THE
33 GEOGRAPHIC ATTENDANCE AREA, THE COUNTY BOARD SHALL SUBMIT A REPORT TO

1 THE GENERAL ASSEMBLY AND THE HOWARD COUNTY DELEGATION TO THE
2 GENERAL ASSEMBLY, IN ACCORDANCE WITH § 2-1257 OF THE STATE GOVERNMENT
3 ARTICLE, THAT INCLUDES:

4 1. AN EXPLANATION OF THE REASON A
5 REDETERMINATION WAS NOT APPROPRIATE; AND

6 2. A PLAN TO ADJUST STUDENT ENROLLMENT TO MEET
7 TARGET UTILIZATION.

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
9 1, 2021.