

Chapter 396

(House Bill 1190)

AN ACT concerning

Howard County – Board of Education – Redetermination of Geographic Attendance Area

Ho. Co. 05–21

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

BY adding to

Article – Education

Section 4–138

Annotated Code of Maryland

(2018 Replacement Volume and 2020 Supplement)

Preamble

WHEREAS, In an effort to ensure that every child in Howard County receives an outstanding education, it is important for the Howard County Board of Education to review and alter geographic attendance area boundaries from time to time to ensure that school capacity issues are adequately addressed; and

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

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

Article – Education

4–138.

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

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

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

(B) THIS SECTION APPLIES ONLY IN HOWARD COUNTY.

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

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

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

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

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

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

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

Enacted under Article II, § 17(c) of the Maryland Constitution, May 30, 2021.