

HOUSE BILL 288

F1

(PRE-FILED)

6lr0176
CF SB 218

By: **Chair, Ways and Means Committee (By Request – Departmental – Education)**

Requested: September 29, 2025

Introduced and read first time: January 14, 2026

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 3, 2026

CHAPTER _____

1 AN ACT concerning

2 **State Superintendent of Schools – Prolonged State of Emergency – Authority to**
3 **Declare**

4 FOR the purpose of authorizing the State Superintendent of Schools to declare a prolonged
5 state of emergency for an event that prevents regular, in-person attendance at a
6 public school for a specified period of time, subject to certain requirements; and
7 generally relating to the State Superintendent of Schools and a prolonged state of
8 emergency for public schools.

9 BY renumbering

10 Article – Education

11 Section 7-14A-02 through 7-14A-09

12 to be Section 7-14A-03 through 7-14A-10, respectively

13 Annotated Code of Maryland

14 (2025 Replacement Volume and 2025 Supplement)

15 BY repealing and reenacting, without amendments,

16 Article – Education

17 Section 7-14A-01(a) and (e)

18 Annotated Code of Maryland

19 (2025 Replacement Volume and 2025 Supplement)

20 BY repealing and reenacting, with amendments,

21 Article – Education

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 Section 7-14A-01(c) ~~and 7-14A-02~~
 2 Annotated Code of Maryland
 3 (2025 Replacement Volume and 2025 Supplement)

4 BY adding to
 5 Article – Education
 6 Section 7-14A-02
 7 Annotated Code of Maryland
 8 (2025 Replacement Volume and 2025 Supplement)

9 BY repealing and reenacting, with amendments,
 10 Article – Education
 11 Section 7-14A-03 and 7-14A-10
 12 Annotated Code of Maryland
 13 (2025 Replacement Volume and 2025 Supplement)
 14 (As enacted by Section 1 of this Act)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
 16 That Section(s) 7-14A-02 through 7-14A-09 of Article – Education of the Annotated Code
 17 of Maryland be renumbered to be Section(s) 7-14A-03 through 7-14A-10, respectively.

18 ~~SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY~~
 19 ~~OF MARYLAND,~~ SECTION 2. AND BE IT FURTHER ENACTED BY THE GENERAL ASSEMBLY
 19 OF MARYLAND, That the Laws of Maryland read as follows:

20 **Article – Education**

21 7-14A-01.

22 (a) In this subtitle the following words have the meanings indicated.

23 (c) “Prolonged state of emergency” means a state of emergency declared by the
 24 [Governor under Title 14 of the Public Safety Article] **STATE SUPERINTENDENT UNDER**
 25 **§ 7-14A-02 OF THIS SUBTITLE** that prevents regular, in-person attendance at a public
 26 school for at least 14 consecutive school days.

27 (e) “Virtual education” means academic instruction:

28 (1) In which one or more technologies are used to deliver a significant
 29 portion of the teaching to students entirely or primarily online; and

30 (2) In which students and instructors participate remotely from separate
 31 locations.

32 **7-14A-02.**

1 (A) ON WRITTEN REQUEST OF A COUNTY SUPERINTENDENT OR A
2 DETERMINATION BY THE STATE SUPERINTENDENT THAT IMMEDIATE ACTION IS
3 NECESSARY, THE STATE SUPERINTENDENT MAY DECLARE A PROLONGED STATE OF
4 EMERGENCY THAT PREVENTS REGULAR, IN-PERSON ATTENDANCE AT A PUBLIC
5 SCHOOL FOR AT LEAST 14 CONSECUTIVE SCHOOL DAYS DUE TO:

6 (1) A NATURAL DISASTER;

7 (2) A CIVIL DISASTER;

8 (3) A PUBLIC HEALTH EMERGENCY; OR

9 (4) A SPECIFIC SECURITY THREAT IDENTIFIED BY FEDERAL, STATE,
10 OR LOCAL LAW ENFORCEMENT.

11 (B) IN MAKING A DECLARATION OF A PROLONGED STATE OF EMERGENCY
12 UNDER THIS SECTION, THE STATE SUPERINTENDENT SHALL:

13 (1) CONSULT THE GOVERNOR, AND IF APPROPRIATE:

14 (I) THE MARYLAND DEPARTMENT OF EMERGENCY
15 MANAGEMENT;

16 (II) THE DEPARTMENT OF STATE POLICE; OR

17 (III) THE MARYLAND DEPARTMENT OF HEALTH;

18 (2) ISSUE THE DECLARATION IN WRITING;

19 (3) INDICATE IN THE DECLARATION:

20 (I) THE NATURE OF THE EMERGENCY; AND

21 (II) THE SPECIFIC LOCAL SCHOOL SYSTEMS OR INDIVIDUAL
22 SCHOOLS THREATENED OR AFFECTED, UNLESS THE EMERGENCY IS STATEWIDE IN
23 NATURE; AND

24 (4) DISSEMINATE THE DECLARATION PROMPTLY BY MEANS
25 CALCULATED TO PUBLICIZE THE CONTENTS OF THE DECLARATION.

26 (C) IF AN EMERGENCY THREATENS OR AFFECTS A PARTICULAR SCHOOL
27 WITHIN A LOCAL SCHOOL SYSTEM, THE STATE SUPERINTENDENT MAY DECLARE A
28 PROLONGED STATE OF EMERGENCY FOR THAT SCHOOL.

1 **(D) (1) A PROLONGED STATE OF EMERGENCY DECLARED IN**
 2 **ACCORDANCE WITH THIS SECTION MAY BE TERMINATED BY:**

3 **(I) A JOINT RESOLUTION BY THE GENERAL ASSEMBLY;**

4 **(II) AN AFFIRMATIVE VOTE BY THE STATE BOARD; OR**

5 **(III) A DECISION BY THE STATE SUPERINTENDENT.**

6 **(2) IF A PROLONGED STATE OF EMERGENCY IS TERMINATED BY ANY**
 7 **METHOD LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE**
 8 **SUPERINTENDENT SHALL ISSUE A DECLARATION DISSEMINATED PROMPTLY BY**
 9 **MEANS CALCULATED TO PUBLICIZE THE TERMINATION OF THE PROLONGED STATE**
 10 **OF EMERGENCY.**

11 **(E) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO LIMIT OR**
 12 **INTERFERE WITH THE RESPONSIBILITIES OF THE SECRETARY OF HEALTH UNDER**
 13 **TITLE 18 OF THE HEALTH – GENERAL ARTICLE IN THE EVENT OF A PUBLIC HEALTH**
 14 **EMERGENCY.**

15 ~~7-14A-02.~~ 7-14A-03.

16 (a) If there is a prolonged state of emergency **AFFECTING THE LOCAL SCHOOL**
 17 **SYSTEM**, a county board may transition ~~the~~ **ONE OR MORE** public schools in the county to
 18 virtual education under an approved virtual education plan, subject to the limitations of
 19 this section.

20 (b) (1) (i) On or before June 1, 2024, a county board shall, in consultation
 21 with county administrators and school staff, adopt a virtual education plan for use during
 22 a prolonged state of emergency **AFFECTING THE LOCAL SCHOOL SYSTEM.**

23 (ii) A county board shall use the county board's continuity of learning
 24 plan in effect during the 2020–2021 school year to form a virtual education plan.

25 (2) A virtual education plan shall include the following components:

26 (i) A staffing and personnel assignment plan;

27 (ii) A student instruction plan;

28 (iii) A student assessment and learning support plan;

29 (iv) A social and emotional learning plan;

30 (v) A community communications plan;

- 1 (vi) A technology plan;
- 2 (vii) A nutritional and health services plan; and
- 3 (viii) A plan for return to in-person instruction.

4 (c) A county board shall update the virtual education plan every 2 years.

5 (d) (1) If a prolonged state of emergency AFFECTING THE LOCAL SCHOOL
 6 SYSTEM requires the cessation of in-school attendance at a public school and the county
 7 board determines virtual education is required, a county board immediately shall
 8 implement the virtual education plan and transition the public school to virtual education.

9 (2) (i) A county board may adjust the virtual education plan to fit the
 10 specific needs of the schools affected and the specific circumstances of the emergency.

11 (ii) A county board shall submit an adjusted plan to the State Board
 12 as soon as practicable.

13 (e) (1) Within 10 calendar days of receipt of a virtual education plan, the State
 14 Board shall:

15 (i) Accept the plan; or

16 (ii) Return the plan to the county board for specific modification.

17 (2) If an adjusted virtual education plan is returned, the county board shall
 18 modify and resubmit the plan within 5 calendar days after the date the plan is returned.

19 (f) The county board shall publish the most recent version of the virtual
 20 education plan on the county board's website.

21 ~~(g) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO LIMIT OR~~
 22 ~~INTERFERE WITH THE RESPONSIBILITIES OF THE SECRETARY OF HEALTH UNDER~~
 23 ~~TITLE 18 OF THE HEALTH GENERAL ARTICLE IN THE EVENT OF A PUBLIC HEALTH~~
 24 ~~EMERGENCY.~~

25 7-14A-10.

26 The State Board shall adopt regulations to carry out the provisions of this subtitle,
 27 including establishing minimum criteria for the adoption and implementation of virtual
 28 education plans by a county board during a prolonged state of emergency AFFECTING THE
 29 LOCAL SCHOOL SYSTEM.

30 SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
 31 July 1, 2026.