

HOUSE BILL 1039

F1
HB 1180/25 – W&M

6lr2832

By: **Delegates Fisher, Arian, Chisholm, Grammer, M. Morgan, Nawrocki, and Szeliga**

Introduced and read first time: February 9, 2026

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Primary and Secondary Schools – Alternative School Options**
3 **(Right to Learn Act)**

4 FOR the purpose of requiring, on or before a certain date each year, each county board of
5 education to provide certain information to the parent or legal guardian of a student
6 who attends a failing school; requiring that a failing school continue to be designated
7 as a failing school until certain conditions are met; requiring that a student who is
8 attending a failing school be provided the opportunity to attend an alternative school;
9 establishing the Broadening Options and Opportunities for Students Today Program
10 to provide certain scholarships for certain students; requiring each county board to
11 provide a list of available military boarding school options to the parent or legal
12 guardian of a certain student; requiring a parent or legal guardian of a certain
13 student to notify the county board of a student’s decision to continue attending the
14 school or to attend an alternative school or military boarding school; requiring the
15 local school system of a certain student to pay for the student to attend a certain
16 military boarding school; and generally relating to alternative school options.

17 BY adding to
18 Article – Education
19 Section 5–244 and 5–245
20 Annotated Code of Maryland
21 (2025 Replacement Volume and 2025 Supplement)

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

24 **Article – Education**

25 **5–244.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **(2) “ALTERNATIVE SCHOOL” MEANS:**

4 **(I) A PUBLIC SCHOOL THAT IS:**

5 **1. NOT A FAILING SCHOOL; AND**

6 **2. LOCATED IN THE SAME COUNTY AS A FAILING SCHOOL**
7 **IN WHICH A STUDENT IS ENROLLED;**

8 **(II) A NONPUBLIC SCHOOL; OR**

9 **(III) A BOARDING SCHOOL, INCLUDING A MILITARY BOARDING**
10 **SCHOOL.**

11 **(3) “FAILING SCHOOL” MEANS A SCHOOL THAT HAS BEEN GIVEN ONE**
12 **STAR UNDER THE STAR RATING SYSTEM FOR AT LEAST THE PRIOR 3 CONSECUTIVE**
13 **SCHOOL YEARS.**

14 **(4) “PROGRAM” MEANS THE BROADENING OPTIONS AND**
15 **OPPORTUNITIES FOR STUDENTS TODAY PROGRAM.**

16 **(5) “STAR RATING SYSTEM” MEANS THE SYSTEM THAT AWARDS A**
17 **SCORE TO A PUBLIC SCHOOL UNDER THE STATE ACCOUNTABILITY SYSTEM**
18 **ADOPTED BY THE STATE BOARD AS REQUIRED BY THE FEDERAL EVERY STUDENT**
19 **SUCCEEDS ACT.**

20 **(6) “TOTAL PER PUPIL AMOUNT” MEANS THE COUNTY BOARD PER**
21 **PUPIL SPENDING FOR THE EDUCATION AID PROGRAMS UNDER THIS SUBTITLE.**

22 **(B) (1) ON OR BEFORE JANUARY 1 EACH YEAR, AND BASED ON THE STAR**
23 **RATINGS AWARDED UNDER THE STAR RATING SYSTEM DURING THE IMMEDIATELY**
24 **PRECEDING DECEMBER, EACH COUNTY BOARD SHALL PROVIDE THE FOLLOWING**
25 **INFORMATION TO THE PARENT OR LEGAL GUARDIAN OF EACH STUDENT WHO**
26 **ATTENDS A FAILING SCHOOL:**

27 **(I) NOTIFICATION THAT THE SCHOOL IS A FAILING SCHOOL;**
28 **AND**

29 **(II) A LIST OF AVAILABLE ALTERNATIVE SCHOOL OPTIONS.**

1 **(2) A SCHOOL SHALL CONTINUE TO BE DESIGNATED AS A FAILING**
2 **SCHOOL UNTIL THE SCHOOL RECEIVES AT LEAST A TWO-STAR RATING FOR 2**
3 **CONSECUTIVE SCHOOL YEARS.**

4 **(C) (1) A STUDENT ATTENDING A FAILING SCHOOL SHALL BE PROVIDED**
5 **THE OPPORTUNITY TO ATTEND AN ALTERNATIVE SCHOOL.**

6 **(2) ON OR BEFORE APRIL 1 OF THE YEAR IN WHICH A PARENT OR**
7 **LEGAL GUARDIAN RECEIVES INFORMATION UNDER SUBSECTION (B) OF THIS**
8 **SECTION, THE PARENT OR LEGAL GUARDIAN OF THE STUDENT SHALL NOTIFY THE**
9 **COUNTY BOARD OF THE STUDENT'S DECISION TO:**

10 **(I) CONTINUE ATTENDING THE CURRENT SCHOOL; OR**

11 **(II) ATTEND A PARTICULAR ALTERNATIVE SCHOOL.**

12 **(D) (1) THERE IS A BROADENING OPTIONS AND OPPORTUNITIES FOR**
13 **STUDENTS TODAY PROGRAM.**

14 **(2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE:**

15 **(I) SCHOLARSHIPS FOR STUDENTS WHO ARE ELIGIBLE FOR**
16 **THE FREE AND REDUCED PRICE LUNCH PROGRAM TO ATTEND A NONPUBLIC**
17 **SCHOOL; AND**

18 **(II) RIGHT TO LEARN SCHOLARSHIPS FOR STUDENTS WHO**
19 **ATTEND A FAILING SCHOOL AND CHOOSE TO ATTEND A NONPUBLIC SCHOOL.**

20 **(3) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.**

21 **(4) (I) FOR EACH STUDENT WHO RECEIVES A RIGHT TO LEARN**
22 **SCHOLARSHIP UNDER THE PROGRAM, THE APPLICABLE COUNTY BOARD SHALL**
23 **REMIT FUNDS TO THE DEPARTMENT EQUAL TO THE TOTAL PER PUPIL AMOUNT.**

24 **(II) THE DEPARTMENT SHALL RETURN ANY UNUSED FUNDS**
25 **REMITTED UNDER THIS PARAGRAPH TO THE COUNTY BOARD.**

26 **(5) THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT**
27 **THE PROVISIONS OF THIS SUBSECTION.**

28 **5-245.**

1 **(A) EACH COUNTY BOARD SHALL PROVIDE A LIST OF AVAILABLE MILITARY**
2 **BOARDING SCHOOL OPTIONS TO THE PARENT OR LEGAL GUARDIAN OF EACH**
3 **STUDENT WHO:**

4 **(1) THE SCHOOL ADMINISTRATOR DETERMINES IS VIOLENT; OR**

5 **(2) RECEIVES CONTINUOUS DISCIPLINARY ACTION, AS DETERMINED**
6 **BY THE SCHOOL ADMINISTRATOR.**

7 **(B) A PARENT OR LEGAL GUARDIAN WHO RECEIVES A LIST OF AVAILABLE**
8 **MILITARY BOARDING SCHOOL OPTIONS UNDER SUBSECTION (A) OF THIS SECTION**
9 **SHALL NOTIFY THE COUNTY BOARD OF THE STUDENT'S DECISION TO:**

10 **(1) CONTINUE ATTENDING THE CURRENT SCHOOL; OR**

11 **(2) ATTEND A MILITARY BOARDING SCHOOL.**

12 **(C) THE LOCAL SCHOOL SYSTEM OF A STUDENT WHO THE SCHOOL**
13 **ADMINISTRATOR DETERMINES IS VIOLENT OR HAS RECEIVED CONTINUOUS**
14 **DISCIPLINARY ACTION SHALL PAY FOR THE STUDENT TO ATTEND A MILITARY**
15 **BOARDING SCHOOL INCLUDED ON THE LIST PROVIDED UNDER SUBSECTION (A) OF**
16 **THIS SECTION.**

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
18 1, 2026.