

SENATE BILL 218

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(PRE-FILED)

6lr0175
CF HB 288

By: **Chair, Education, Energy, and the Environment Committee (By Request – Departmental – Education)**

Requested: September 29, 2025

Introduced and read first time: January 14, 2026

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 15, 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,

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 Article – Education
 2 Section 7–14A–01(c) ~~and 7–14A–02~~
 3 Annotated Code of Maryland
 4 (2025 Replacement Volume and 2025 Supplement)

5 BY adding to
 6 Article – Education
 7 Section 7–14A–02
 8 Annotated Code of Maryland
 9 (2025 Replacement Volume and 2025 Supplement)

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

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

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

21 **Article – Education**

22 7–14A–01.

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

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

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

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

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

33 **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 THREATENED OR
22 AFFECTED, UNLESS THE EMERGENCY IS STATEWIDE IN NATURE; AND

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

25 (C) UNLESS THE EMERGENCY IS STATEWIDE IN NATURE, A DECLARATION
26 OF A PROLONGED STATE OF EMERGENCY MAY NOT APPLY TO A LOCAL SCHOOL
27 SYSTEM THAT IS NOT IDENTIFIED IN THE WRITTEN DECLARATION IN ACCORDANCE
28 WITH SUBSECTION (B)(3)(II) OF THIS SECTION.

1 **(D) NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO LIMIT OR**
2 **INTERFERE WITH THE RESPONSIBILITIES OF THE SECRETARY OF HEALTH UNDER**
3 **TITLE 18 OF THE HEALTH – GENERAL ARTICLE IN THE EVENT OF A PUBLIC HEALTH**
4 **EMERGENCY.**

5 ~~7-14A-02.~~ 7-14A-03.

6 (a) If there is a prolonged state of emergency **AFFECTING THE LOCAL SCHOOL**
7 **SYSTEM**, a county board may transition the public schools in the county to virtual education
8 under an approved virtual education plan, subject to the limitations of this section.

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

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

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

15 (i) A staffing and personnel assignment plan;

16 (ii) A student instruction plan;

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

18 (iv) A social and emotional learning plan;

19 (v) A community communications plan;

20 (vi) A technology plan;

21 (vii) A nutritional and health services plan; and

22 (viii) A plan for return to in–person instruction.

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

24 (d) (1) If a prolonged state of emergency **AFFECTING THE LOCAL SCHOOL**
25 **SYSTEM** requires the cessation of in–school attendance at a public school and the county
26 board determines virtual education is required, a county board immediately shall
27 implement the virtual education plan and transition the public school to virtual education.

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

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

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

5 (i) Accept the plan; or

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

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

9 (f) The county board shall publish the most recent version of the virtual
10 education plan on the county board’s website.

11 ~~(G) 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-10.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.