

SENATE BILL 218

F1

(6lr0175)

ENROLLED BILL

— *Education, Energy, and the Environment/Ways and Means* —

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

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this _____ day of _____ at _____ o'clock, _____ M.

President.

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

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.

Italics indicate opposite chamber/conference committee amendments.



1 (2025 Replacement Volume and 2025 Supplement)

2 BY repealing and reenacting, without amendments,
 3 Article – Education
 4 Section 7–14A–01(a) and (e)
 5 Annotated Code of Maryland
 6 (2025 Replacement Volume and 2025 Supplement)

7 BY repealing and reenacting, with amendments,
 8 Article – Education
 9 Section 7–14A–01(c) ~~and 7–14A–02~~
 10 Annotated Code of Maryland
 11 (2025 Replacement Volume and 2025 Supplement)

12 BY adding to
 13 Article – Education
 14 Section 7–14A–02
 15 Annotated Code of Maryland
 16 (2025 Replacement Volume and 2025 Supplement)

17 BY repealing and reenacting, with amendments,
 18 Article – Education
 19 Section 7–14A–03 and 7–14A–10
 20 Annotated Code of Maryland
 21 (2025 Replacement Volume and 2025 Supplement)
 22 (As enacted by Section 1 of this Act)

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

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

28 **Article – Education**

29 7–14A–01.

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

31 (c) “Prolonged state of emergency” means a state of emergency declared by the
 32 [Governor under Title 14 of the Public Safety Article] **STATE SUPERINTENDENT UNDER**
 33 **§ 7–14A–02 OF THIS SUBTITLE** that prevents regular, in–person attendance at a public
 34 school for at least 14 consecutive school days.

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

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

3 (2) In which students and instructors participate remotely from separate
4 locations.

5 **7-14A-02.**

6 **(A) ON WRITTEN REQUEST OF A COUNTY SUPERINTENDENT OR A**
7 **DETERMINATION BY THE STATE SUPERINTENDENT THAT IMMEDIATE ACTION IS**
8 **NECESSARY, THE STATE SUPERINTENDENT MAY DECLARE A PROLONGED STATE OF**
9 **EMERGENCY THAT PREVENTS REGULAR, IN-PERSON ATTENDANCE AT A PUBLIC**
10 **SCHOOL FOR AT LEAST 14 CONSECUTIVE SCHOOL DAYS DUE TO:**

11 **(1) A NATURAL DISASTER;**

12 **(2) A CIVIL DISASTER;**

13 **(3) A PUBLIC HEALTH EMERGENCY; OR**

14 **(4) A SPECIFIC SECURITY THREAT IDENTIFIED BY FEDERAL, STATE,**
15 **OR LOCAL LAW ENFORCEMENT.**

16 **(B) IN MAKING A DECLARATION OF A PROLONGED STATE OF EMERGENCY**
17 **UNDER THIS SECTION, THE STATE SUPERINTENDENT SHALL:**

18 **(1) CONSULT THE GOVERNOR, AND IF APPROPRIATE:**

19 **(i) THE MARYLAND DEPARTMENT OF EMERGENCY**
20 **MANAGEMENT;**

21 **(ii) THE DEPARTMENT OF STATE POLICE; OR**

22 **(iii) THE MARYLAND DEPARTMENT OF HEALTH;**

23 **(2) ISSUE THE DECLARATION IN WRITING;**

24 **(3) INDICATE IN THE DECLARATION:**

25 **(i) THE NATURE OF THE EMERGENCY; AND**

26 **(ii) THE SPECIFIC LOCAL SCHOOL SYSTEMS OR INDIVIDUAL**
27 **SCHOOLS THREATENED OR AFFECTED, UNLESS THE EMERGENCY IS STATEWIDE IN**
28 **NATURE; AND**

1 (4) DISSEMINATE THE DECLARATION PROMPTLY BY MEANS
 2 CALCULATED TO PUBLICIZE THE CONTENTS OF THE DECLARATION.

3 ~~(C) UNLESS THE EMERGENCY IS STATEWIDE IN NATURE, A DECLARATION~~
 4 ~~OF A PROLONGED STATE OF EMERGENCY MAY NOT APPLY TO A LOCAL SCHOOL~~
 5 ~~SYSTEM THAT IS NOT IDENTIFIED IN THE WRITTEN DECLARATION IN ACCORDANCE~~
 6 ~~WITH SUBSECTION (B)(3)(I) OF THIS SECTION.~~

7 ~~(D) IF AN EMERGENCY THREATENS OR AFFECTS A PARTICULAR SCHOOL~~
 8 ~~WITHIN A LOCAL SCHOOL SYSTEM, THE STATE SUPERINTENDENT MAY DECLARE A~~
 9 ~~PROLONGED STATE OF EMERGENCY FOR THAT SCHOOL.~~

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

12 (I) A JOINT RESOLUTION BY THE GENERAL ASSEMBLY;

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

14 (III) A DECISION BY THE STATE SUPERINTENDENT.

15 (2) IF A PROLONGED STATE OF EMERGENCY IS TERMINATED BY ANY
 16 METHOD LISTED UNDER PARAGRAPH (1) OF THIS SUBSECTION, THE STATE
 17 SUPERINTENDENT SHALL ISSUE A DECLARATION DISSEMINATED PROMPTLY BY
 18 MEANS CALCULATED TO PUBLICIZE THE TERMINATION OF THE PROLONGED STATE
 19 OF EMERGENCY.

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

24 ~~7-14A-02.~~ 7-14A-03.

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

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

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

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

4 (i) A staffing and personnel assignment plan;

5 (ii) A student instruction plan;

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

7 (iv) A social and emotional learning plan;

8 (v) A community communications plan;

9 (vi) A technology plan;

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

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

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

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

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

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

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

23 (i) Accept the plan; or

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

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

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

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

7-14A-10.

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

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

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.