

SB0103 – Public Middle, High, and Charter Schools – Start Time for Instruction

Chair and members of the Committee:

I support SB0103 because later school start times are grounded in student health, safety, and learning. I am submitting testimony **in support with amendments** because implementation must explicitly protect students with disabilities—particularly students experiencing **school avoidance** related to anxiety, autism, trauma, depression, chronic health conditions, or sleep disorders.

Why the General Assembly must act

SB0103 establishes statewide minimum start times beginning in the 2028–2029 school year, but it also allows waivers and leaves substantial discretion to local implementation.

In theory, districts should implement these changes in compliance with IDEA and COMAR. In practice, many do not.

Too often, school-level staff are empowered to enforce attendance and discipline policies **without adequate understanding of disability law**, while families bear the burden of correcting those errors—often through complaints or due process. The General Assembly should not assume local implementation will be consistent, lawful, or equitable without statutory safeguards.

Why this matters for students with disabilities

For students with disabilities, schedule changes can directly affect:

- IEP and related service delivery
- specialized transportation
- behavior intervention plans and mental health supports
- attendance responses for disability-related barriers

When disability needs are not centered, implementation decisions can escalate conflict instead of improving access.

School avoidance is not misconduct

School avoidance is frequently a symptom of unmet disability-related needs—not defiance. Students experiencing school avoidance may present with anxiety, panic, shutdowns, fatigue, or trauma responses. When schools respond with truancy threats or punitive attendance enforcement instead of individualized supports, students deteriorate and families are pushed into unnecessary conflict.

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Why safeguards are necessary — real-world impact

I want to explain why this cannot be left to local discretion alone. In my own district, a middle school start time was changed from 8:35 a.m. to 8:00 a.m. During that transition year, my child—who has documented disabilities—struggled significantly. Despite my documenting disability-related tardies and absences, I received truancy-threatening emails and texts from the school.

This experience is not unique. It reflects a systemic issue: **school staff often do not understand IDEA or COMAR requirements, yet they are empowered to enforce attendance policies.** Families are then placed in the impossible position of defending legally protected needs while being treated as noncompliant.

This is precisely why the General Assembly must act. Legislation cannot rely on assumptions that districts will “handle this correctly.”

Amendments needed to protect students and reduce conflict

1. Disability-centered implementation requirement

Require districts to implement start-time changes in a manner that **ensures continuity of IEP and Section 504 services**, including related services and specialized transportation, without reduction or delay.

2. School avoidance safeguards (supports before consequences)

Require that when a student has disability-related attendance barriers, including school avoidance, districts must prioritize:

- IEP/504 review
- individualized supports and mental health interventions
- gradual re-entry plans when appropriate before applying punitive attendance responses.

3. Waiver guardrails and transparency

Because SB0103 allows waivers for “compelling reasons,” require that any waiver application include:

- a disability impact statement (effect on students with IEPs/504s and transportation)
- public notice and opportunity for parent input

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- a mitigation plan to prevent harm to students with disabilities

4. Parent notice and procedural clarity

Require written notice to families regarding:

- transportation changes
- service schedule impacts
- how parents may request an IEP or 504 review if access is affected

Closing

I support SB0103 and the goal of healthier school schedules. But later start times must not come at the cost of access, equity, or increased conflict for families of children with disabilities. Without explicit safeguards, implementation risks repeating patterns where families are punished for disability-related needs while trying to exercise their procedural rights.

I respectfully urge the Committee to issue a **FAVORABLE WITH AMENDMENTS** report and ensure SB0103 includes clear, enforceable protections for students with disabilities and those experiencing school avoidance.

Respectfully submitted,

Alicia Baines

Maryland Parent & Special Education Advocate