

SENATE BILL 717

F1

2lr2205

By: **Senators Simonaire and Rosapepe**

Introduced and read first time: February 7, 2022

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 2, 2022

CHAPTER _____

1 AN ACT concerning

2 **Public Schools – Virtual Education Days – Authorization**

3 FOR the purpose of providing that a county board of education may authorize a county
4 superintendent of schools, under certain circumstances, to provide virtual education
5 days to students instead of closing the public schools in the county because of severe
6 weather conditions; requiring the county board to publish the county board's plan for
7 the use of virtual education days on the school system's website and requiring the
8 plan to include certain items; requiring a county superintendent to take certain
9 actions and make certain accommodations if the county superintendent decides to
10 provide a virtual education day for public school students in the county; and
11 generally relating to days of virtual education.

12 BY adding to

13 Article – Education

14 Section 7–103.2

15 Annotated Code of Maryland

16 (2018 Replacement Volume and 2021 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,

18 That the Laws of Maryland read as follows:

19 **Article – Education**

20 **7–103.2.**

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.



(A) SUBJECT TO SUBSECTION (B) OF THIS SECTION, A COUNTY BOARD MAY AUTHORIZE THE COUNTY SUPERINTENDENT, IN CASES OF SEVERE WEATHER CONDITIONS, TO PROVIDE VIRTUAL EDUCATION DAYS TO STUDENTS INSTEAD OF CLOSING THE PUBLIC SCHOOLS IN THE COUNTY DURING A SEVERE WEATHER EVENT.

(B) BEFORE A COUNTY BOARD MAY AUTHORIZE THE COUNTY SUPERINTENDENT TO PROVIDE VIRTUAL EDUCATION DAYS TO STUDENTS IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION, THE COUNTY BOARD SHALL:

(1) DISCUSS THIS TOPIC AT AN OPEN MEETING; AND

(2) VOTE AFFIRMATIVELY TO AUTHORIZE THE COUNTY SUPERINTENDENT TO PROVIDE VIRTUAL EDUCATION DAYS TO STUDENTS DURING A SEVERE WEATHER EVENT.

(C) (1) A COUNTY BOARD SHALL PUBLISH THE COUNTY BOARD'S PLAN FOR THE USE OF VIRTUAL EDUCATION DAYS ON THE SCHOOL SYSTEM'S WEBSITE.

(2) THE COUNTY BOARD'S PLAN PUBLISHED IN ACCORDANCE WITH PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) A PLAN TO ENSURE THAT ATTENDANCE WILL BE TAKEN FOR ALL STUDENTS AND TEACHERS DURING EACH VIRTUAL EDUCATION DAY;

(II) A PLAN TO PROVIDE OPPORTUNITIES FOR STUDENTS TO MAKE UP WORK MISSED DURING VIRTUAL EDUCATION DAYS WHEN THEY RETURN TO IN-PERSON SCHOOL;

(III) A PLAN TO ENSURE THAT ALL STAFF AND STUDENTS, INCLUDING STUDENTS WITH DISABILITIES, HOMELESS STUDENTS, AND ENGLISH LANGUAGE LEARNERS, HAVE THE NECESSARY DEVICES AT HOME FOR VIRTUAL EDUCATION DAYS, INCLUDING ACCESS TO WI-FI; AND

(IV) SPECIFIC STRATEGIES FOR THE CONTINUED IMPLEMENTATION OF INDIVIDUALIZED EDUCATION PROGRAMS DURING THE VIRTUAL EDUCATION DAY, INCLUDING SPECIALLY DESIGNED INSTRUCTION, RELATED SERVICES, SUPPLEMENTARY AIDES AND SERVICES, AND ACCOMMODATIONS.

~~(C)~~ (D) A COUNTY SUPERINTENDENT MAY DECIDE TO PROVIDE A DAY OF VIRTUAL EDUCATION FOR PUBLIC SCHOOL STUDENTS IN THE COUNTY ONLY IF:

(1) THE LOCAL SCHOOL SYSTEM HAS USED ALL THE DAYS INCORPORATED INTO ITS CALENDAR FOR SCHOOL CLOSURES FOR SEVERE WEATHER CONDITIONS;

(2) THE COUNTY BOARD HAS AUTHORIZED THE COUNTY SUPERINTENDENT TO PROVIDE VIRTUAL EDUCATION DAYS TO STUDENTS IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION; AND

(3) THE COUNTY SUPERINTENDENT DETERMINES THAT SEVERE WEATHER CONDITIONS ARE LIKELY TO PREVENT NORMAL ATTENDANCE AT THE PUBLIC SCHOOL.

~~(D)~~ (E) (1) IF A COUNTY SUPERINTENDENT DECIDES TO PROVIDE A VIRTUAL EDUCATION DAY FOR PUBLIC SCHOOL STUDENTS IN THE COUNTY, THE COUNTY SUPERINTENDENT SHALL NOTIFY THE SCHOOL PRINCIPALS AS SOON AS POSSIBLE AFTER THE DECISION IS MADE.

(2) A SCHOOL PRINCIPAL WHO RECEIVES NOTICE OF A VIRTUAL EDUCATION DAY IMMEDIATELY SHALL NOTIFY THE STUDENTS, PARENTS, AND SCHOOL STAFF OF THE IMPLEMENTATION OF THE VIRTUAL EDUCATION DAY.

~~(E)~~ (F) (1) A VIRTUAL EDUCATION DAY SHALL CONSIST OF ~~SYNCHRONOUS~~ NOT LESS THAN 4 HOURS OF SYNCHRONOUS INSTRUCTION, AND ASYNCHRONOUS INSTRUCTION DESIGNED TO MAXIMIZE THE ADVANTAGES OF ONLINE ACCESS.

~~(2) A PUBLIC SCHOOL THAT IMPLEMENTS A VIRTUAL EDUCATION DAY SHALL MAKE ACCOMMODATIONS FOR STUDENTS AND SCHOOL STAFF WHO DO NOT HAVE EASY ACCESS TO THE INTERNET.~~

~~(3)~~ (2) A ~~COUNTY BOARD THAT AUTHORIZES~~ A COUNTY SUPERINTENDENT ~~TO PROVIDE A VIRTUAL EDUCATION DAY~~ SHALL ADEQUATELY DESIGN THE VIRTUAL EDUCATION DAY MODEL BEFORE IMPLEMENTATION OF THE FIRST VIRTUAL EDUCATION DAY.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2022.