

HOUSE BILL 1027

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4lr2794

By: **Delegates Fisher, Adams, Arentz, Arikan, Chisholm, Grammer, Howard, Hutchinson, Jacobs, Kipke, Mangione, McComas, Metzgar, M. Morgan, Nawrocki, Otto, Schmidt, Szeliga, and Wivell**

Introduced and read first time: February 5, 2024

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 parents or legal guardians of students
6 who attend a failing school; requiring a failing school to retain the failing school
7 designation until the school receives a certain rating for a certain number of school
8 years; requiring students who are attending a failing school to be provided the
9 opportunity to attend an alternative school; requiring a parent or legal guardian of
10 a student who attends a failing school to notify the county board of a decision to
11 continue attending the school or to attend an alternative school, a boarding school,
12 or a military boarding school; establishing the Broadening Options and
13 Opportunities for Students Today Program to provide certain scholarships for
14 certain students; requiring each county board to provide a list of available military
15 boarding school options to the parent or legal guardian of certain students; requiring
16 a parent or legal guardian of a certain student to notify the county board of a decision
17 to continue attending the school or to attend a military boarding school; requiring
18 the local school system of a certain student to pay for the student to attend a certain
19 military boarding school; and generally relating to alternative school options.

20 BY adding to
21 Article – Education
22 Section 5–244 and 5–245
23 Annotated Code of Maryland
24 (2022 Replacement Volume and 2023 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



Article – Education

5-244.

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

(2) “ALTERNATIVE SCHOOL” MEANS:

(I) A PUBLIC SCHOOL THAT IS NOT A FAILING SCHOOL IN THE SAME COUNTY;

(II) A NONPUBLIC SCHOOL; OR

(III) A BOARDING SCHOOL, INCLUDING A MILITARY BOARDING SCHOOL.

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

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

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

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

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

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

(II) A LIST OF AVAILABLE ALTERNATIVE SCHOOL OPTIONS.

(2) A SCHOOL SHALL CONTINUE TO BE DESIGNATED A FAILING

1 SCHOOL UNTIL THE SCHOOL RECEIVES AT LEAST A TWO-STAR RATING FOR 2
2 CONSECUTIVE SCHOOL YEARS.

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

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

9 (I) CONTINUE ATTENDING THE CURRENT SCHOOL; OR

10 (II) ATTEND A PARTICULAR ALTERNATIVE SCHOOL.

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

13 (2) THE PURPOSE OF THE PROGRAM IS TO PROVIDE:

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

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

19 (3) THE DEPARTMENT SHALL ADMINISTER THE PROGRAM.

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

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

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

27 5-245.

28 (A) EACH COUNTY BOARD SHALL PROVIDE A LIST OF AVAILABLE MILITARY
29 BOARDING SCHOOL OPTIONS TO THE PARENT OR LEGAL GUARDIAN OF EACH

1 **STUDENT WHO:**

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

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

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

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

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

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

15 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**
16 **1, 2024.**