

Chapter 247

(House Bill 39)

AN ACT concerning

Education – Orange Ribbon for Healthy School Hours – Establishment

FOR the purpose of establishing the Orange Ribbon for Healthy School Hours certification within the State Department of Education beginning in a certain school year; providing for the purpose of the Orange Ribbon for Healthy School Hours certification; authorizing a local school system to submit to the Department an application for a certain certification; requiring that the Department grant a certain certification to a local school system that meets certain requirements; establishing the requirements for a local school system to ~~receive~~ qualify for an Orange Ribbon for Healthy School Hours certification; authorizing the Department to grant a certain limited certification to a local school system under certain circumstances; establishing the qualifications for an Orange Ribbon for Healthy School Hours – Commended certification and an Orange Ribbon for Healthy School Hours – Honorable Mention certification; requiring the State Board of Education to establish certain criteria on or before a certain date and provide certain information to certain local school systems on or before a certain date; requiring an Orange Ribbon for Healthy School Hours certification to be renewed each year under certain circumstances; requiring the Department to adopt certain regulations; defining a certain term; and generally relating to the Orange Ribbon for Healthy School Hours certification.

BY adding to

Article – Education

Section 7–121

Annotated Code of Maryland

(2014 Replacement Volume and 2015 Supplement)

Preamble

WHEREAS, Adolescent sleep deprivation is a statewide public health crisis; and

WHEREAS, Early school start times are recognized as a major but remediable contributor to adolescent sleep deprivation; and

WHEREAS, The American Academy of Pediatrics recommends that middle schools and high schools start the school day no earlier than 8:30 a.m. for the sake of students' health, safety, and academic success; and

WHEREAS, The Department of Health and Mental Hygiene and the State Department of Education routinely advise local school systems of the health and academic benefits of later school start times and encourage local school systems to conduct feasibility

studies regarding the implementation of a school start time of no earlier than 8:00 a.m.; and

WHEREAS, The Department of Health and Mental Hygiene has expressed concern that “~~by leaving school start times a matter for each local jurisdiction,~~ the State risks letting local resistance trump a strong body of scientific evidence that sleep is critical to health and academic achievement”; and

WHEREAS, Extensive and costly efforts by local school systems since the 1990s have failed to overcome local resistance to school start times that are consistent with accepted evidence about the health and safety needs of students; and

WHEREAS, Local feasibility studies as recommended by the Department of Health and Mental Hygiene and the State Department of Education involve unnecessary and wasteful expenditures of time, money, and human resources and only replicate an already extensive body of evidence about the implementation of school hours for the sake of students’ health, safety, and academic success in Maryland and nationwide; now, therefore,

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

Article – Education

7–121.

(A) IN THIS SECTION, “HEALTHY SCHOOL START TIME” MEANS A SCHOOL STARTING TIME OF NO EARLIER THAN 8:00 A.M.

(B) (1) BEGINNING IN THE 2017–2018 SCHOOL YEAR, THERE IS AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION IN THE DEPARTMENT.

(2) THE PURPOSE OF THE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION IS TO RECOGNIZE A LOCAL SCHOOL SYSTEM THAT CREATES, IMPLEMENTS, AND ENFORCES SCHOOL START TIMES THAT ARE CONSISTENT WITH THE SCHOOL START TIMES RECOMMENDED BY THE DEPARTMENT, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND THE AMERICAN ACADEMY OF PEDIATRICS.

(C) (1) A LOCAL SCHOOL SYSTEM MAY SUBMIT TO THE DEPARTMENT AN APPLICATION FOR THE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION.

(2) THE DEPARTMENT SHALL GRANT THE APPROPRIATE ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION TO A LOCAL SCHOOL SYSTEM THAT MEETS THE REQUIREMENTS OF THIS SECTION.

~~(c)~~ (d) TO ~~RECEIVE~~ QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION, A LOCAL SCHOOL SYSTEM:

(1) MAY NOT HAVE:

(i) AN ELEMENTARY SCHOOL IN THE LOCAL SCHOOL SYSTEM THAT REQUIRES A STUDENT TO:

- 1. BE IN CLASS BEFORE 8:00 A.M.; AND**
- 2. BOARD A SCHOOL BUS BEFORE 7:00 A.M.; AND**

(ii) A MIDDLE OR HIGH SCHOOL IN THE LOCAL SCHOOL SYSTEM THAT REQUIRES A STUDENT TO:

- 1. BE IN CLASS BEFORE 8:30 A.M.; AND**
- 2. BOARD A SCHOOL BUS BEFORE 7:30 A.M.; AND**

(2) SHALL:

(i) CONDUCT AT LEAST TWO TARGETED AND TELEVISED PUBLIC EDUCATION FORUMS FOR STUDENTS, PARENTS, TEACHERS, AND SCHOOL STAFF ON THE NECESSITY OF HEALTHY SCHOOL START TIMES, THE CONSEQUENCES OF CHRONIC SLEEP DEPRIVATION, AND THE HEALTH AND SAFETY IMPACT OF ALIGNING SCHOOL START TIMES WITH ADOLESCENT SLEEP PATTERNS;

(ii) 1. INFORM THE FOLLOWING STAKEHOLDERS OF THE IMPORTANCE OF HEALTHY SCHOOL START TIMES:

- A. TEACHERS;**
- B. PARENTS;**
- C. STUDENTS;**
- D. ADMINISTRATORS;**
- E. SCHOOL STAFF;**

- F. TRANSPORTATION PROVIDERS;
- G. ATHLETIC DIRECTORS;
- H. LOCAL BUSINESS OWNERS;
- I. COACHES;
- J. CHILD CARE PROVIDERS;
- K. LOCAL EMPLOYERS OF STUDENTS;
- L. CITY OR COUNTY AGENCIES THAT PROVIDE SERVICES OR OPPORTUNITIES TO STUDENTS; AND
- M. ORGANIZATIONS THAT USE LOCAL SCHOOL SYSTEMS' FIELDS AND FACILITIES ON A REGULAR BASIS; AND

2. ENGAGE THE STAKEHOLDERS LISTED IN ITEM 1 OF THIS ITEM IN CONVERSATIONS TO DISCUSS POSSIBLE CONTRAINDICATIONS OF ALTERING CURRENT SCHOOL START TIMES; AND

(III) NOTIFY THE PUBLIC AND STAKEHOLDERS OF ANY CHANGES TO SCHOOL START TIMES.

(E) (1) IF THE DEPARTMENT DETERMINES THAT A LOCAL SCHOOL SYSTEM DOES NOT MEET ALL OF THE REQUIREMENTS UNDER SUBSECTION (D) OF THIS SECTION, THE DEPARTMENT MAY GRANT A LIMITED CERTIFICATION IF THE LOCAL SCHOOL SYSTEM MEETS THE REQUIREMENTS FOR THE LIMITED CERTIFICATION UNDER PARAGRAPH (2) OR (3) OF THIS SUBSECTION.

(2) TO QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS – COMMENDED CERTIFICATION, A LOCAL SCHOOL SYSTEM SHALL:

(I) MEET THE REQUIREMENTS UNDER PARAGRAPH (3) OF THIS SUBSECTION;

(II) HAVE IMPLEMENTED AND MAINTAINED A SCHOOL DISTRICT-WIDE SCHOOL TIME CHANGE THAT MOVED THE SCHOOL DISTRICT SCHEDULE CLOSER TO THE HOURS SET FORTH IN SUBSECTION (D) OF THIS SECTION;
~~OR~~ AND

(III) PROVIDE EVIDENCE OF PROGRESS TOWARD MEETING THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION.

(3) TO QUALIFY FOR AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS – HONORABLE MENTION CERTIFICATION, A LOCAL SCHOOL SYSTEM SHALL:

(I) HAVE ESTABLISHED A SCHOOL STUDY TASK FORCE WITHIN 2 YEARS AFTER THE DATE OF THE LOCAL SCHOOL SYSTEM’S APPLICATION FOR INITIAL CERTIFICATION OR RENEWAL OF A CERTIFICATION TO REVIEW POSSIBLE SOLUTIONS FOR HEALTHY SCHOOL START TIMES; AND

(II) 1. MEET THE REQUIREMENT UNDER SUBSECTION (D)(2)(I) OF THIS SECTION; OR

2. PROVIDE EVIDENCE OF A PLAN TO MOVE THE LOCAL SCHOOL SYSTEM TOWARD MEETING ALL OF THE REQUIREMENTS OF SUBSECTION (D) OF THIS SECTION.

~~(D)~~ **(F)** (1) ON OR BEFORE OCTOBER 1, 2016, THE STATE BOARD SHALL ESTABLISH CRITERIA THAT A LOCAL SCHOOL SYSTEM MUST MEET TO PROVE THAT THE LOCAL SCHOOL SYSTEM IS ENFORCING SCHOOL START TIMES THAT ARE CONSISTENT WITH RECOMMENDATIONS FROM THE DEPARTMENT, THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE, AND THE AMERICAN ACADEMY OF PEDIATRICS.

(2) ON OR BEFORE DECEMBER 1, 2016, THE STATE BOARD SHALL PROVIDE EACH LOCAL SCHOOL SYSTEM WITH:

(I) INFORMATION ON METHODS OF EFFICIENTLY ALTERING CURRENT SCHOOL START TIMES TO BE CONSISTENT WITH RECOMMENDATIONS; AND

(II) THE CRITERIA ESTABLISHED IN PARAGRAPH (1) OF THIS SUBSECTION.

~~(E)~~ **(G)** AN ORANGE RIBBON FOR HEALTHY SCHOOL HOURS CERTIFICATION GRANTED UNDER SUBSECTION (D) OR (E) OF THIS SECTION SHALL BE RENEWED EACH YEAR IF THE LOCAL SCHOOL SYSTEM PRESENTS EVIDENCE THAT THE LOCAL SCHOOL SYSTEM IS IN COMPLIANCE WITH THIS SECTION.

~~(F)~~ **(H)** THE DEPARTMENT SHALL ADOPT REGULATIONS TO CARRY OUT THE REQUIREMENTS OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, April 26, 2016.