

# 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.



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

24         ~~(3) (2) A COUNTY BOARD THAT AUTHORIZES A COUNTY~~  
25 ~~SUPERINTENDENT TO PROVIDE A VIRTUAL EDUCATION DAY~~ SHALL ADEQUATELY  
26 DESIGN THE VIRTUAL EDUCATION DAY MODEL BEFORE IMPLEMENTATION OF THE  
27 FIRST VIRTUAL EDUCATION DAY.

28           SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
29 1, 2022.