

EMERGENCY BILL

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6lr2485

By: Delegate Getty

Introduced and read first time: February 6, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Required Number of School Days**

3 FOR the purpose of altering provisions of law mandating a certain minimum number of
4 days that public schools shall be open; specifying that a day on which schools are
5 closed during a state of emergency shall be deemed to be a day on which schools
6 were open; and making this Act an emergency measure.

7 BY repealing and reenacting, with amendments,
8 Article - Education
9 Section 7-103
10 Annotated Code of Maryland
11 (1992 Replacement Volume and 1995 Supplement)

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

14 **Article - Education**

15 7-103.

16 (a) Except as provided in subsections (b) [and (e)], (C), AND (F) of this section,
17 each public school under the jurisdiction of a county board:

18 (1) (i) Shall be open for pupil attendance for at least 180 actual school
19 days and a minimum of 1,080 school hours during a 10-month period in each school year;
20 or

21 (ii) If normal school attendance is prevented because of conditions
22 described in subsection (b) of this section, shall be open for at least 1,080 hours during a
23 10-month period; and

24 (2) Shall be open for pupil attendance a minimum of 3 hours during each
25 school day; and

26 (3) May not be open on Saturdays, Sundays, or holidays in order to meet the
27 180 day or 1,080 hour requirement of this subsection.

28 (B) FOR PURPOSES OF MEETING THE 180 DAY REQUIREMENT OF SUBSECTION
29 (A) OF THIS SECTION, A DAY ON WHICH SCHOOLS ARE CLOSED DURING A STATE OF

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1 EMERGENCY DECLARED BY THE GOVERNOR SHALL BE DEEMED A DAY ON WHICH
2 SCHOOLS ARE OPEN.

3 [(b)] (C) (1) If a county board submits a written application to the State Board
4 that describes a demonstrated effort by the county board to comply with subsection (a) of
5 this section, the State Board may permit:

6 (i) Adjustments in the length of the school year;

7 (ii) Exceptions from the requirement that the school year be
8 completed within a 10-month period;

9 (iii) Adjustments in the length of the school day; and

10 (iv) Schools to be open on holidays.

11 (2) These adjustments may be granted only if normal school attendance is
12 prevented because of:

13 (i) Natural disaster;

14 (ii) Civil disaster; or

15 (iii) Severe weather conditions.

16 (3) Education funding from State or local sources may not be reduced if
17 there are less than 180 school days in any year because of an approved application under
18 this subsection.

19 (4) In case of emergency, the State Board may open schools on holidays.

20 [(c)] (D) (1) The following days are public school holidays:

21 (i) Thanksgiving Day and the day after;

22 (ii) Christmas Eve and from then through January 1;

23 (iii) The Friday before Easter and from then through the Monday after
24 Easter;

25 (iv) Memorial Day; and

26 (v) Primary and general election days.

27 (2) If the federal and State observances of a holiday are on different days,
28 the board of education of each county shall determine which date shall be the date of
29 observance for the public schools within the county.

30 (3) The public schools shall devote a part of the day to appropriate exercises
31 for the following days:

32 (i) Washington's Birthday;

33 (ii) Lincoln's Birthday;

34 (iii) Veterans' Day;

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- 1 (iv) Columbus Day;
- 2 (v) Martin Luther King Day;
- 3 (vi) Arbor Day; and
- 4 (vii) Any other day of national significance.

5 (4) Notwithstanding any other provisions of this article, the public schools,
6 in the following counties, may remain open and in session on primary and general election
7 days:

- 8 (i) Calvert;
- 9 (ii) Caroline;
- 10 (iii) Dorchester;
- 11 (iv) Kent;
- 12 (v) Talbot; and
- 13 (vi) Worcester.

14 [(d)] (E) Except as provided in subsection [(e)] (F) of this section, the State
15 Board shall divide the school year into the terms it considers appropriate.

16 [(e)] (F) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard,
17 and Montgomery Counties, and the Board of School Commissioners of Baltimore City,
18 may elect to operate one or more schools within the county or BaltimoreCity on a
19 year-round basis, provided that the 180 day and the minimum hour requirements under
20 this section are met.

21 (2) Nothing in this section precludes a county board from conducting a
22 year-round pilot study or program that is funded by the county board.

23 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
24 measure, is necessary for the immediate preservation of the public health and safety, has
25 been passed by a ye and nay vote supported by three-fifths of all the members elected to
26 each of the two Houses of the General Assembly, and shall take effect from the date it is
27 enacted.