

HOUSE BILL 1069

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By: **Delegates Healey, Barve, Boteler, George, Hixson, Howard, Ivey, A. Miller, Summers, Swain, V. Turner, and A. Washington**

Introduced and read first time: February 8, 2013

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Beginning of School Year – After Labor Day**

3 FOR the purpose of prohibiting public schools and publicly funded prekindergarten
4 programs from opening for pupil attendance before the day after Labor Day; and
5 generally relating to the beginning of the school year after Labor Day.

6 BY repealing and reenacting, with amendments,
7 Article – Education
8 Section 7–103
9 Annotated Code of Maryland
10 (2008 Replacement Volume and 2012 Supplement)

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

13 **Article – Education**

14 7–103.

15 (a) Except as provided in subsections (b), (e), and (f) of this section, each
16 public school under the jurisdiction of a county board:

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

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 (3) May not be open on Saturdays, Sundays, or holidays in order to
4 meet the 180–day or 1,080–hour requirement of this subsection; AND

5 **(4) MAY NOT BE OPEN FOR PUPIL ATTENDANCE BEFORE THE DAY**
6 **AFTER LABOR DAY.**

7 (b) (1) If a county board submits a written application to the State Board
8 that describes a demonstrated effort by the county board to comply with subsection (a)
9 of this section, the State Board may permit:

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

11 (ii) Exceptions from the requirement that the school year be
12 completed within a 10–month period;

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

14 (iv) Schools to be open on holidays.

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

17 (i) Natural disaster;

18 (ii) Civil disaster; or

19 (iii) Severe weather conditions.

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

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

25 (c) (1) The following days are public school holidays:

26 (i) Thanksgiving Day and the day after;

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

28 (iii) Martin Luther King, Jr. Day;

29 (iv) Presidents' Day;

1 (v) The Friday before Easter and from then through the
2 Monday after Easter;

3 (vi) Memorial Day; and

4 (vii) Primary and general election days.

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

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

10 (i) Washington's Birthday;

11 (ii) Lincoln's Birthday;

12 (iii) Veterans' Day;

13 (iv) Columbus Day;

14 (v) Arbor Day; and

15 (vi) Any other day of national significance.

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

19 (i) Calvert;

20 (ii) Caroline;

21 (iii) Dorchester;

22 (iv) Kent;

23 (v) Talbot; and

24 (vi) Worcester.

25 (d) Except as provided in subsection (e) of this section, the State Board shall
26 divide the school year into the terms it considers appropriate.

1 (e) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard,
2 Montgomery, and Prince George’s counties, and the Board of School Commissioners of
3 Baltimore City, may elect to operate one or more schools within the county or
4 Baltimore City on a year-round basis, provided that the 180-day and the minimum
5 hour requirements under this section are met.

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

8 (f) [Publicly] **EXCEPT AS PROVIDED IN SUBSECTION (A)(4) OF THIS**
9 **SECTION, PUBLICLY** funded prekindergarten programs are not subject to the
10 requirements of subsection (a) of this section.

11 **SECTION 2. AND BE IT FURTHER ENACTED,** That this Act shall take effect
12 July 1, 2013.