HOUSE BILL 389

F1 5lr1310
CF 5lr0678

By: **Delegates Healey, D. Barnes, Beidle, Beitzel, Carozza, Chang, Fennell, Frush, Gaines, Ghrist, Glass, Glenn, Haynes, Long, Miele, Otto, Parrott, Sophocleus, Walker, and A. Washington**
Introduced and read first time: February 6, 2015
Assigned to: Ways and Means

A BILL ENTITLED

AN ACT concerning

Education – Beginning of School Year – After Labor Day

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

BY repealing and reenacting, with amendments,
Article – Education
Section 7–103
Annotated Code of Maryland
(2014 Replacement Volume and 2014 Supplement)

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

Article – Education

7–103.

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

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

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

EXPLANATION: **CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**
[Brackets**]** indicate matter deleted from existing law.

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

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

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

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

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

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

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

(iv) Schools to be open on holidays.

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

(i) Natural disaster;

(ii) Civil disaster; or

(iii) Severe weather conditions.

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

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

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

(i) Thanksgiving Day and the day after;

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

(iii) Martin Luther King, Jr. Day;

(iv) Presidents' Day;

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

(vi) Memorial Day; and

(vii) Primary and general election days.

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

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

(i) Washington's Birthday;

(ii) Lincoln's Birthday;

(iii) Veterans' Day;

(iv) Columbus Day;

(v) Arbor Day; and

(vi) Any other day of national significance.

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

(i) Calvert;

(ii) Caroline;

(iii) Dorchester;

(iv) Kent;

(v) Talbot; and

(vi) Worcester.

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

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

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

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

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2015.