

# SENATE BILL 153

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7lr0884

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By: **Senators King, DeGrange, Feldman, Guzzone, Kagan, Lee, Madaleno, Manno, Peters, Smith, Young, and Zucker**

Introduced and read first time: January 16, 2017

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 24, 2017

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Public Schools – Length of School Year Adjustment – State of Emergency**

3 FOR the purpose of authorizing a county board of education to adjust the length of the  
4 school year for up to a certain number of school days without applying for a certain  
5 waiver if normal school attendance is prevented because of conditions that require  
6 the Governor to declare a state of emergency; prohibiting education funding from  
7 certain sources from being reduced under certain circumstances; and generally  
8 relating to a length of school year adjustment by a county board of education for a  
9 state of emergency.

10 BY repealing and reenacting, with amendments,  
11 Article – Education  
12 Section 7–103  
13 Annotated Code of Maryland  
14 (2014 Replacement Volume and 2016 Supplement)

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

17 **Article – Education**

18 7–103.

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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.



(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;

(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.

(b) (1) **(I) [If] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION, 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)] 1.** Adjustments in the length of the school year;

**[(ii)] 2.** Exceptions from the requirement that the school year be completed within a 10-month period;

**[(iii)] 3.** Adjustments in the length of the school day; and

**[(iv)] 4.** Schools to be open on holidays.

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

**[(i)] 1.** Natural disaster;

**[(ii)] 2.** Civil disaster; or

**[(iii)] 3.** Severe weather conditions.

**(2) IF NORMAL SCHOOL ATTENDANCE IS PREVENTED BECAUSE OF CONDITIONS THAT REQUIRE THE GOVERNOR TO DECLARE A STATE OF EMERGENCY UNDER § 14-107 OF THE PUBLIC SAFETY ARTICLE, A COUNTY BOARD MAY ADJUST THE LENGTH OF THE SCHOOL YEAR UP TO 5 SCHOOL DAYS WITHOUT APPLYING FOR A WAIVER UNDER PARAGRAPH (1) OF THIS SUBSECTION.**

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

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

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

6           (i) Thanksgiving Day and the day after;

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

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

9           (iv) Presidents' Day;

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

12          (vi) Memorial Day; and

13          (vii) Primary and general election days.

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

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

19          (i) Washington's Birthday;

20          (ii) Lincoln's Birthday;

21          (iii) Veterans' Day;

22          (iv) Columbus Day;

23          (v) Arbor Day; and

24          (vi) Any other day of national significance.

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

28          (i) Calvert;

- 1 (ii) Caroline;
- 2 (iii) Dorchester;
- 3 (iv) Kent;
- 4 (v) Talbot; and
- 5 (vi) Worcester.

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

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

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

15 (f) Publicly funded prekindergarten programs are not subject to the  
 16 requirements of subsection (a) of this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
 18 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.