

# SENATE BILL 128

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By: **Senators Pinsky and King**

Introduced and read first time: January 18, 2019

Assigned to: Education, Health, and Environmental Affairs

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Committee Report: Favorable

Senate action: Adopted

Read second time: February 8, 2019

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

1 AN ACT concerning

2 **County Boards of Education – School Year – Start and End Dates**

3 FOR the purpose of repealing a provision of law that authorized a county board of education  
4 to extend the length of the school year for a certain number of days without approval  
5 from the State Board of Education; requiring each county board to set the start date  
6 and end date of the school year for the public schools in the county each year; making  
7 conforming changes; and generally relating to the start date and end date of the  
8 school year and county boards of education.

9 BY repealing and reenacting, with amendments,  
10 Article – Education  
11 Section 7–103  
12 Annotated Code of Maryland  
13 (2018 Replacement Volume and 2018 Supplement)

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

16 **Article – Education**

17 7–103.

18 (a) Except as provided in subsections (b), [(e)] **(F)**, and [(f)] **(G)** of this section,  
19 each public school under the jurisdiction of a county board:

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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.



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

4 (ii) If normal school attendance is prevented because of conditions  
5 described in subsection (b) of this section, shall be open for at least 1,080 hours during a  
6 10-month period;

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

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

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

14 (i) [The following adjustments:

15 1. An increase] **ADJUSTMENTS** in the length of the school  
16 year [for more school days than the number of days extended by a county board under  
17 paragraph (3) of this subsection; or

18 2. A decrease in the length of the school year];

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

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

22 (iv) Schools to be open on holidays.

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

25 (i) Natural disaster;

26 (ii) Civil disaster; or

27 (iii) Severe weather conditions.

28 (3) [A county board may extend the length of the school year for up to 5  
29 school days beyond June 15 without approval from the State Board.

1           (4) 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 under  
3 paragraph [(1)(i)2] **(1)(I)** of this subsection.

4           **[(5)] (4)** In case of emergency, the State Board may open schools on  
5 holidays.

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

7                   (i) Thanksgiving Day and the day after;

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

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

10                  (iv) Presidents' Day;

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

13                  (vi) Memorial Day; and

14                  (vii) Primary and general election days.

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

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

20                   (i) Washington's Birthday;

21                   (ii) Lincoln's Birthday;

22                   (iii) Veterans' Day;

23                   (iv) Columbus Day;

24                   (v) Arbor Day; and

25                   (vi) Any other day of national significance.

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

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

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

9 (E) NOTWITHSTANDING ANY OTHER PROVISION OF LAW AND SUBJECT TO  
10 THE REQUIREMENTS OF THIS SECTION, EACH COUNTY BOARD SHALL SET THE START  
11 DATE AND END DATE OF THE SCHOOL YEAR FOR THE PUBLIC SCHOOLS IN THE  
12 COUNTY EACH YEAR.

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

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

20 [(f)] (G) Publicly funded prekindergarten programs are not subject to the  
21 requirements of subsection (a) of this section.

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
23 1, 2019.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.