

**Department of Legislative Services**  
Maryland General Assembly  
2019 Session

**FISCAL AND POLICY NOTE**  
**Third Reader**

House Bill 1078  
Ways and Means

(Delegate Guyton)

Education, Health, and Environmental Affairs

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**Education - Public School Holidays - Presidents' Day and Easter**

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This bill repeals Presidents' Day and the Monday after Easter as being required public school holidays. The bill also adds Presidents' Day to the list of days for which a part of the day must be devoted to appropriate exercises and clarifies that these exercises are only required if the public schools are open and in session on the specified days. **The bill takes effect July 1, 2019.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** Local annual expenditures for operating public schools will not be materially affected. Revenues are not affected.

**Small Business Effect:** Some small businesses may realize decreased Presidents' Day and Easter weekend income during daytime hours.

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**Analysis**

**Current Law/Background:** Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10-month period. However, a local board of education may apply to the State Board of Education for a waiver from these provisions of State law; the application must describe a demonstrated effort by the local board to comply with State law and that the school system calendar included from 3 to 10 days to be used to make up days lost. In response, the State board may permit:

- increases or decreases in the length of the school year (in addition to any adjustment made under the authority of local boards to extend the school year for up to five school days beyond June 15);
- exceptions from the 10-month period requirement;
- adjustments in the length of the school day; and
- schools to be open on holidays.

These adjustments may be granted only if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. After any school system closure, the local school system must notify the State board, within 10 days of reopening, of its plan to make up the missed school days, including the dates of the make-up days.

On August 31, 2016, the Governor issued Executive Order 01.01.2016.09 (later amended by Executive Order 01.01.2016.13) requiring, with few exceptions, the local boards of education to open schools for student attendance no earlier than the Tuesday following the Labor Day holiday and to conclude the school year no later than June 15, beginning in the 2017-2018 school year. Under Chapters 34 and 35 of 2018, a local board of education is authorized to extend the school year for up to five school days beyond June 15 without approval from the State board.

The State has designated several days as public school holidays. They include the following:

- Thanksgiving Day and the day after;
- Christmas Eve through January 1;
- Martin Luther King, Jr. Day;
- Presidents' Day;
- the Friday before Easter through the Monday after Easter;
- Memorial Day; and
- primary and general election days for most counties.

If the federal and State observances of a holiday are on different days, the board of education of each county must determine the date of observance for that holiday. The public schools must devote a part of certain days to exercises that are appropriate to the day.

Under the federal Uniform Monday Holiday Act, Washington's Birthday has been a legal holiday observed on the third Monday in February since 1971. However, this day is commonly referred to as Presidents' Day (or Presidents Day) and commonly considered as either a recognition of both Presidents Lincoln and Washington, or of all United States

presidents. The National Archives indicates that George Washington was born on February 11, 1731, according to the then-used Julian calendar; in 1752, however, Britain and all its colonies adopted the Gregorian calendar which moved Washington's birthday to February 22, 1732. Abraham Lincoln was born on February 12, 1809.

Maryland statute designates "Presidents' Day" as a holiday for State employees and "Washington's Birthday" as a mandatory bank holiday, though these are understood to be identical and recognized on the same date (which fell on Monday, February 18 in 2019). Most required school holidays occur from November through February, when weather-related closures are also relatively frequent.

**Local Expenditures:** The option to open public schools on these two days will somewhat increase the options of local school systems in setting their school calendars in a manner that complies with State law, thus averting operational impacts for some local school systems. However, some local school systems may choose to schedule school closures on one or both of these days, and the minimum number of school days and school hours that public schools must be open is not altered under the bill. Therefore, annual expenditures for operating public schools are not materially affected.

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### Additional Information

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Baltimore City Public Schools; Baltimore County Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; National Archives; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 26, 2019  
mm/rhh Third Reader - March 8, 2019

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Analysis by: Scott P. Gates

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510