

# HOUSE BILL 19

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HB 1043/19 – W&M

(PRE-FILED)

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By: **Delegate Adams**

Requested: September 18, 2019

Introduced and read first time: January 8, 2020

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Education – Required Number of School Days or Hours**

3 FOR the purpose of altering the requirement that certain public schools be open for at least  
4 a certain number of days and a minimum number of hours during a certain period  
5 of time to require that the schools be open for at least a certain number of days or a  
6 minimum number of hours during a certain period of time; providing that certain  
7 funding for schools may not be reduced if there are fewer than a certain number of  
8 school hours under certain circumstances; making conforming changes; making a  
9 stylistic change; and generally relating to the required number of school days or  
10 school hours for elementary and secondary public schools.

11 BY repealing and reenacting, with amendments,  
12 Article – Education  
13 Section 7–103  
14 Annotated Code of Maryland  
15 (2018 Replacement Volume and 2019 Supplement)

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

18 **Article – Education**

19 7–103.

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

22 (1) [(i) Shall] **UNLESS SCHOOL ATTENDANCE IS PREVENTED**  
23 **BECAUSE OF CONDITIONS DESCRIBED IN SUBSECTION (B) OF THIS SECTION, SHALL**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 be open for pupil attendance for at least 180 actual school days [and] OR a minimum of  
2 1,080 school hours during a 10-month period in each school year; [or

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

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

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

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

13 (i) The following adjustments:

14 1. An increase in the length of the school year; or

15 2. A decrease in the length of the school year;

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

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

19 (iv) Schools to be open on holidays.

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

22 (i) Natural disaster;

23 (ii) Civil disaster; or

24 (iii) Severe weather conditions.

25 (3) Education funding from State or local sources may not be reduced if  
26 there are [less] FEWER than 180 school days OR 1,080 SCHOOL HOURS in any year  
27 because of an approved application under paragraph (1)(i)2 of this subsection.

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

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

- 1 (i) Thanksgiving Day and the day after;
- 2 (ii) Christmas Eve and from then through January 1;
- 3 (iii) Martin Luther King, Jr. Day;
- 4 (iv) Presidents' Day;
- 5 (v) The Friday before Easter and from then through the Monday  
6 after Easter;
- 7 (vi) Memorial Day; and
- 8 (vii) Primary and general election days.

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

12 (3) The public schools shall devote a part of at least one day to appropriate  
13 exercises for each of the following:

- 14 (i) Washington's Birthday;
- 15 (ii) Lincoln's Birthday;
- 16 (iii) Veterans' Day;
- 17 (iv) Columbus Day;
- 18 (v) Arbor Day;
- 19 (vi) Black History Month, with an emphasis on Harriet Tubman and  
20 Frederick Douglass and the contributions they made in the fight against slavery; and
- 21 (vii) Any other day of national significance.

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

- 25 (i) Calvert;
- 26 (ii) Caroline;
- 27 (iii) Dorchester;

- 1 (iv) Kent;
- 2 (v) Talbot; and
- 3 (vi) Worcester.

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

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

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

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

15 (g) Notwithstanding any other law and subject only to this section, each county  
16 board annually shall set the start and end dates of the school year for schools in the county.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
18 1, 2020.