

Department of Legislative Services
Maryland General Assembly
2020 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 743
Ways and Means

(The Speaker)(By Request - Administration)

Universal School Start Act of 2020

This emergency bill requires each local board of education, beginning with the 2020-2021 school year, to set the start date of the school year for schools in the county no earlier than the first Tuesday after Labor Day. A local board may grant a waiver of this requirement to a school for one year for good cause as established in regulations by the State Board of Education.

Fiscal Summary

State Effect: Maryland State Department of Education (MSDE) finances are not affected. The net impact on Maryland's economy and, therefore, State revenues is assumed to be minimal.

Local Effect: This bill reduces local flexibility in determining the annual school year schedule. Local school systems can set the start date for the annual school year as required and consider waiver requests with existing resources.

Small Business Effect: Minimal.

Analysis

Current Law: Under Chapter 13 of 2019, each local board of education sets the start and end dates each year for public schools in the county. Chapter 13 effectively repealed any law prohibiting a local board from beginning or ending its school year before or after a certain date. 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. Chapters 34 and 35 of 2018 authorized a local board of education to extend the school year for up to five school days beyond June 15, without approval from the State board.

Public schools must be open for at least 180 days *and* 1,080 school hours at elementary and middle schools or 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. Education funding from the State or local sources may not be reduced if there are fewer than 180 school days in any year because of an approved application to the State Board of Education for a decrease in the length of the school year.

The local school boards for Baltimore City and Allegany, Anne Arundel, Calvert, Howard, Montgomery, and Prince George's counties may elect to operate one or more schools on a year-round basis if the 180-day *and* minimum hour requirements are met. Again, State and local education funding may not be reduced if there are fewer than 180 days in any year and a State board waiver was granted allowing for a decrease in the length of the school year.

Background: According to information compiled by MSDE, in both the 2018-2019 school year and 2019-2020 school year, for all but two of the local public school systems in Maryland the first day of school for some or all schools was the first Tuesday after Labor Day. In both years, the first day of school for Allegany County Public Schools and Garrett County Public Schools was in late August.

State Fiscal Effect: The requirement of the bill is consistent with the start dates for the great majority of school board calendars in recent school years. Therefore, it is anticipated that any impact on the State economy or State revenues is minimal.

A report by the Maryland Comptroller and the Board of Revenue Estimates (BRE) dated August 14, 2013, analyzed the impact on the State economy if schools were required to start after Labor Day. BRE projected that a post-Labor Day start date would result in an additional \$74.3 million in direct economic activity and an additional \$7.7 million in new State and local government revenue. The report estimated that 8.5% of the 514,680 Maryland families with school-age children would go on a new day trip or overnight trip in the State, 5.2% would go on a new out-of-state trip, and the remaining families would spend at least one additional day engaging in family activities.

However, the Department of Legislative Services (DLS) notes that much of the report's estimated direct economic activity – while likely to occur due to the post-Labor Day start date – is unlikely to be *additional* economic activity from the State's perspective. In the report, "local family recreational activities" are responsible for \$52.1 million (70%) in direct economic activity and \$4.1 million (53%) in new State and local government revenue. Family recreational activities are generally defined as close-to-home activities that a family can do over the course of a day, such as going to the movies, hosting a cookout, or attending a baseball game. In the broader context of the State economy and consumer budget constraints, increased recreational spending in August is largely offset by reduced spending during other times and/or on other goods and services.

DLS is aware of an executive summary of a Salisbury University report in 2019 on the subject of the fiscal impacts of added summer vacation days due to a post-Labor Day opening of public schools in Maryland. However, the Comptroller's Office advises that the full report is not yet available at the time of this analysis, so the merits of the study cannot be properly assessed. DLS continues to assume it is unlikely that a required post-Labor Day start generates *additional* economic activity from the State's perspective.

Additional Information

Prior Introductions: None.

Designated Cross File: SB 558 (The President)(By Request - Administration) - Rules.

Information Source(s): Baltimore City Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Comptroller's Office; Maryland State Department of Education; Department of Legislative Services

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