

**Department of Legislative Services**  
 Maryland General Assembly  
 2023 Session

**FISCAL AND POLICY NOTE**  
**First Reader**

Senate Bill 338 (Senator Ferguson)  
 Education, Energy, and the Environment and  
 Budget and Taxation

**Primary and Secondary Education - Extended School Year Innovation Grant**

This bill establishes an Extended School Year Innovation Grant program administered by the Maryland State Department of Education (MSDE). Grants are intended to fund development and implementation of an extended school year scheduling model in public primary and secondary schools in the State. A participating school must use grant funds to support the additional personnel and operational expenses associated with implementing an extended school year scheduling model. MSDE must prioritize awarding grants to primary schools and schools with documented learning loss. To the extent practicable, each year MSDE must award a grant to at least one rural, one suburban, and one urban school. For each fiscal year through fiscal 2035, the Governor must include \$25.0 million in the annual budget bill for the program. A participating school must, every second year of implementation, report specified information to the Governor, MSDE, and the General Assembly. **The bill takes effect July 1, 2023.**

**Fiscal Summary**

**State Effect:** General fund expenditures increase by \$25.0 million annually, beginning in FY 2024. MSDE advises that it can administer the grant program using existing resources. **This bill establishes a mandated appropriation beginning in FY 2025.**

(\$ in millions)	FY 2024	FY 2025	FY 2026	FY 2027	FY 2028
Revenues	\$0	\$0	\$0	\$0	\$0
GF Expenditure	25.0	25.0	25.0	25.0	25.0
Net Effect	(\$25.0)	(\$25.0)	(\$25.0)	(\$25.0)	(\$25.0)

*Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate increase; (-) = indeterminate decrease*

**Local Effect:** Statewide, local public schools receive up to \$25.0 million in grant funding, beginning as early as FY 2024. Public school expenditures increase accordingly. However,

to the extent that school systems are exploring extended school year models, local government expenditures for such activities may be deferred or displaced by State funds.

**Small Business Effect:** Potential meaningful.

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## Analysis

**Bill Summary:** “Extended school year” means year-round schooling or other school scheduling models that do not allow for prolonged lapses in instructional time. A primary or secondary school may submit a proposal to MSDE to receive a grant. The application must include a description of the proposed extended school year scheduling model and a plan that includes the estimated cost of implementing the proposed model. MSDE must establish processes and procedures for accepting and evaluating applications and must make awards in a timely manner.

**Current Law:** 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 waiver 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;
- 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 State board must explore the use of innovative school scheduling models, including extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time, in low-performing or at-risk public schools. The local boards of Baltimore City and Allegany, Anne Arundel, Calvert, Howard,

Montgomery, and Prince George’s counties, may operate one or more schools on a year-round basis, provided that the 180-day and the minimum hour requirements are met.

**State Fiscal Effect:** General fund expenditures increase by \$25.0 million annually beginning in fiscal 2024, in the form of grants to local public schools. Fiscal 2024 funding is assumed to be discretionary. MSDE advises that it can administer the grant program using existing Office of Grants Administration and Compliance resources.

**Local Fiscal Effect:** Statewide, local public schools receive up to \$25.0 million annually, in the form of grants from MSDE, beginning as early as fiscal 2024. Public school expenditures increase accordingly. However, to the extent that school systems are exploring extended school year models, local government expenditures for such activities may be deferred or displaced by State funds. It is assumed that grant funds may be used to meet any additional costs associated with local reporting requirements under the bill.

**Small Business Effect:** Small businesses that provide goods and services to school employees and students, and that employ public school students, including on a seasonal basis, may be affected.

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### Additional Information

**Prior Introductions:** Similar legislation has not been introduced within the last three years.

**Designated Cross File:** None.

**Information Source(s):** Baltimore City Public Schools; Anne Arundel County Public Schools; Montgomery County Public Schools; Prince George’s County Public Schools; Maryland State Department of Education; Department of Budget and Management; Department of Legislative Services

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