

# HOUSE BILL 1418

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By: **Delegate Miller**

Introduced and read first time: February 9, 2024

Assigned to: Ways and Means

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## A BILL ENTITLED

1 AN ACT concerning

2 **Public Middle and High Schools – Start Time for Instruction – Requirement**

3 FOR the purpose of requiring, beginning in a certain school year, a public middle school  
4 and a public high school to begin instruction not earlier than certain times unless  
5 granted a waiver by the county board of education under certain circumstances; and  
6 generally relating to the start time of instruction in public middle and high schools.

7 BY repealing and reenacting, with amendments,  
8 Article – Education  
9 Section 7–103  
10 Annotated Code of Maryland  
11 (2022 Replacement Volume and 2023 Supplement)

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

### Article – Education

14 7–103.

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

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

21 (ii) If normal school attendance is prevented because of conditions  
22 described in subsection (b) of this section, shall be open for at least 1,080 hours during a  
23 10–month period;

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3                   **(3)    BEGINNING IN THE 2026–2027 SCHOOL YEAR:**

4                           **(I)    FOR A MIDDLE SCHOOL, SHALL BEGIN INSTRUCTION NOT**  
5 **EARLIER THAN 8 A.M.; AND**

6                           **(II)   FOR A HIGH SCHOOL, SHALL BEGIN INSTRUCTION NOT**  
7 **EARLIER THAN 8:30 A.M.; and**

8                   **[(3)] (4)**    May not be open on Saturdays, Sundays, or holidays in order to  
9 meet 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 than 180 school days in any year because of an approved application under  
27 paragraph (1)(i)2 of this subsection.

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

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

2 (i) Thanksgiving Day and the day after;

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

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

5 (iv) Presidents' Day;

6 (v) The Friday before Easter and from then through the Monday  
7 after Easter;

8 (vi) Memorial Day; and

9 (vii) Primary and general election days.

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

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

15 (i) Washington's Birthday;

16 (ii) Lincoln's Birthday;

17 (iii) Veterans' Day;

18 (iv) Columbus Day;

19 (v) Arbor Day;

20 (vi) Black History Month, with an emphasis on Harriet Tubman and  
21 Frederick Douglass and the contributions they made in the fight against slavery; and

22 (vii) Any other day of national significance.

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

26 (i) Calvert;

27 (ii) Caroline;

1 (iii) Dorchester;

2 (iv) Kent;

3 (v) Talbot; and

4 (vi) Worcester.

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

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

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

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

16 **(G) A COUNTY BOARD MAY GRANT A WAIVER TO A MIDDLE SCHOOL OR HIGH**  
17 **SCHOOL TO BEGIN INSTRUCTION AT A TIME EARLIER THAN THE TIME SPECIFIED**  
18 **UNDER SUBSECTION (A)(3) OF THIS SECTION IF THE COUNTY BOARD DETERMINES**  
19 **THAT THE SCHOOL HAS A COMPELLING REASON FOR REQUIRING A DIFFERENT**  
20 **START TIME.**

21 **[(g)] (H)** Notwithstanding any other law and subject only to this section, each  
22 county board annually shall set the start and end dates of the school year for schools in the  
23 county.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July  
25 1, 2024.