

EMERGENCY BILL

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By: Delegates Redmer, Boston, Holt, Kach, McClenahan, Edwards, Bozman, Dewberry, Parker, McKee, E. Burns, Donoghue, Klausmeier, and DeCarlo

Introduced and read first time: February 1, 1996

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education - Required School Days and Hours - Exception**

3 FOR the purpose of allowing a county board of education or the Board of School
4 Commissioners of Baltimore City, for the 1995-1996 school year only, to alter the
5 number of days and hours that schools are required to be open; specifying that the
6 approval of the State Board of Education is not required for a reduction of days or
7 hours under this Act; providing that funding from State or local sources may not be
8 reduced because of a reduction of days or hours under this Act; and making this Act
9 an emergency measure.

10 BY repealing and reenacting, without amendments,
11 Article - Education
12 Section 7-103
13 Annotated Code of Maryland
14 (1992 Replacement Volume and 1995 Supplement)

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

17 **Article - Education**

18 7-103.

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

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

24 (ii) If normal school attendance is prevented because of conditions
25 described in subsection (b) of this section, shall be open for at least 1,080 hours during a
26 10-month period; and

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

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1 (3) May not be open on Saturdays, Sundays, or holidays in order to meet the
2 180 day or 1,080 hour requirement of this subsection.

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

6 (i) Adjustments in the length of the school year;

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

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

10 (iv) Schools to be open on holidays.

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

13 (i) Natural disaster;

14 (ii) Civil disaster; or

15 (iii) Severe weather conditions.

16 (3) Education funding from State or local sources may not be reduced if
17 there are less than 180 school days in any year because of an approved application under
18 this subsection.

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

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

21 (i) Thanksgiving Day and the day after;

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

23 (iii) The Friday before Easter and from then through the Monday after
24 Easter;

25 (iv) Memorial Day; and

26 (v) Primary and general election days.

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

30 (3) The public schools shall devote a part of the day to appropriate exercises
31 for the following days:

32 (i) Washington's Birthday;

33 (ii) Lincoln's Birthday;

34 (iii) Veterans' Day;

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- 1 (iv) Columbus Day;
- 2 (v) Martin Luther King Day;
- 3 (vi) Arbor Day; and
- 4 (vii) Any other day of national significance.

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

- 8 (i) Calvert;
- 9 (ii) Caroline;
- 10 (iii) Dorchester;
- 11 (iv) Kent;
- 12 (v) Talbot; and
- 13 (vi) Worcester.

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

16 (e) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard, and
17 Montgomery Counties, and the Board of School Commissioners of Baltimore City, may
18 elect to operate one or more schools within the county or Baltimore City on a year-round
19 basis, provided that the 180 day and the minimum hour requirements under this section
20 are met.

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

23 SECTION 2. AND BE IT FURTHER ENACTED, That, notwithstanding § 7-103
24 of the Education Article, for the 1995-1996 school year only, the board of education of a
25 county or the Board of School Commissioners of Baltimore City may reduce the minimum
26 number of days and hours that schools in the jurisdiction shall be open. The approval of
27 the State Board of Education is not required for a reduction in the number of days or
28 hours authorized by this Act. Education funding from State or local sources may not be
29 reduced because of a reduction in the number of days or hours made under this Act.

30 SECTION 3. AND BE IT FURTHER ENACTED, That this Act is an emergency
31 measure, is necessary for the immediate preservation of the public health and safety, has
32 been passed by a ye and nay vote supported by three-fifths of all the members elected to
33 each of the two Houses of the General Assembly, and shall take effect from the date it is
34 enacted.