

**By: Delegate Getty**

Introduced and read first time: February 6, 1996

Assigned to: Ways and Means

Committee Report: Favorable with amendments

House action: Adopted with floor amendments

Read second time: March 15, 1996

CHAPTER \_\_\_\_

1 AN ACT concerning

2 **Education - Required Number of School Days**

3 FOR the purpose of altering provisions of law mandating a certain minimum number of  
4 days that public schools shall be open; specifying that a day on which schools are  
5 closed during a state of emergency shall be ~~deemed to be a day on which schools~~  
6 ~~were open~~ credited against the required number of days; and requiring a study and  
7 report; making this Act an emergency measure; and providing for the termination of  
8 certain provisions of this Act.

9 ~~BY repealing and reenacting, with amendments,~~  
10 ~~Article—Education~~  
11 ~~Section 7-103~~  
12 ~~Annotated Code of Maryland~~  
13 ~~(1992 Replacement Volume and 1995 Supplement)~~

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

16 ~~**Article—Education**~~

17 ~~7-103.~~

18 ~~(a) Except as provided in subsections (b) [and (e)], (C), AND (F) of this section,~~  
19 ~~each public school under the jurisdiction of a county board:~~

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

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

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

6                   (3) May not be open on Saturdays, Sundays, or holidays in order to meet the  
7 180-day or 1,080-hour requirement of this subsection.

8           (B) FOR PURPOSES OF MEETING THE 180-DAY REQUIREMENT OF SUBSECTION  
9 (A) OF THIS SECTION, A DAY ON WHICH SCHOOLS ARE CLOSED DURING A STATE OF  
10 EMERGENCY DECLARED BY THE GOVERNOR SHALL BE DEEMED A DAY ON WHICH  
11 SCHOOLS ARE OPEN.

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

15                   (i) Adjustments 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 this subsection.

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

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

30                   (i) Thanksgiving Day and the day after;

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

32                   (iii) The Friday before Easter and from then through the Monday after  
33 Easter;

34                   (iv) Memorial Day; and

35                   (v) Primary and general election days.

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

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

- 6                   ~~(i) Washington's Birthday;~~
- 7                   ~~(ii) Lincoln's Birthday;~~
- 8                   ~~(iii) Veterans' Day;~~
- 9                   ~~(iv) Columbus Day;~~
- 10                  ~~(v) Martin Luther King Day;~~
- 11                  ~~(vi) Arbor Day; and~~
- 12                  ~~(vii) Any other day of national significance.~~

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

- 16                  ~~(i) Calvert;~~
- 17                  ~~(ii) Caroline;~~
- 18                  ~~(iii) Dorchester;~~
- 19                  ~~(iv) Kent;~~
- 20                  ~~(v) Talbot; and~~
- 21                  ~~(vi) Worcester.~~

22                  ~~[(d)] (E) Except as provided in subsection [(e)] (F) of this section, the State~~  
23 ~~Board shall divide the school year into the terms it considers appropriate.~~

24                  ~~[(e)] (F) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard,~~  
25 ~~and Montgomery Counties, and the Board of School Commissioners of Baltimore City,~~  
26 ~~may elect to operate one or more schools within the county or Baltimore City on a~~  
27 ~~year-round basis, provided that the 180-day and the minimum-hour requirements under~~  
28 ~~this section are met.~~

29                  ~~(2) Nothing in this section precludes a county board from conducting a~~  
30 ~~year-round pilot study or program that is funded by the county board. aday on which the~~  
31 ~~public schools of a county are closed during a state of emergency declared by the~~  
32 ~~Governor shall be credited against the 180-day requirement in § 7-103(a) of the~~  
33 ~~Education Article, and the number of required school days for that county shall be~~  
34 ~~reduced accordingly.~~

35                  SECTION 2. AND BE IT FURTHER ENACTED, That the Maryland State  
36 Board of Education shall undertake a study of required school days and holidays, and

4

1 report to the General Assembly with recommendations by January 1, 1997. The study  
2 shall include, among other aspects, holidays such as Good Friday, Easter Monday, and  
3 primary and general election days.

4         SECTION ~~2~~ 3. AND BE IT FURTHER ENACTED, That this Act is an  
5 emergency measure, is necessary for the immediate preservation of the public health and  
6 safety, has been passed by a ye and nay vote supported by three-fifths of all the members  
7 elected to each of the two Houses of the General Assembly, and shall take effect from the  
8 date it is enacted.

9         SECTION 4. AND BE IT FURTHER ENACTED, That Section 1 of this Act  
10 shall remain effective until the end of June 30, 1996, and with no further action required  
11 by the General Assembly, Section 1 of this Act shall be abrogated and of no further force  
12 and effect.