
By: **Senator Dyson**
Introduced and read first time: February 16, 2004
Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Education - County Boards of Education - Determination of Minimum**
3 **School Days and Hours**

4 FOR the purpose of repealing certain requirements regarding minimum school days
5 and minimum school hours; requiring certain county boards of education to
6 make certain determinations relating to the minimum number of school days
7 and hours and whether to be open on certain days; repealing a certain provision
8 regarding a certain waiver relating to minimum numbers of school days and
9 school hours; repealing certain authority of the State Board of Education;
10 authorizing certain county boards to divide the school year into certain terms;
11 and generally relating to a county board determination of minimum school days
12 and minimum school hours.

13 BY repealing and reenacting, with amendments,
14 Article - Education
15 Section 7-103
16 Annotated Code of Maryland
17 (2001 Replacement Volume and 2003 Supplement)

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

20 **Article - Education**

21 7-103.

22 (a) Except as provided in [subsections (b), (e), and (f)] SUBSECTION (E) of this
23 section, each [public school under the jurisdiction of a] county board SHALL
24 DETERMINE FOR EACH PUBLIC SCHOOL UNDER ITS JURISDICTION:

25 (1) [(i) Shall be open for pupil attendance for at least 180] THE
26 MINIMUM NUMBER OF actual school days and [a] THE minimum [of 1,080] NUMBER
27 OF school hours during a [10-month period in each] school year; [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
3 a 10-month period; and]

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

6 (3) [May not] WHETHER TO be open on Saturdays, Sundays, or holidays
7 in order to meet the [180] MINIMUM day or [1,080] MINIMUM hour [requirement]
8 REQUIREMENTS of this subsection.

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

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

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

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

16 (iv) Schools to be open on holidays.

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

19 (i) Natural disaster;

20 (ii) Civil disaster; or

21 (iii) Severe weather conditions.

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

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

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

27 (i) Thanksgiving Day and the day after;

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

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

30 (iv) Presidents' Day;

31 (v) The Friday before Easter and from then through the Monday

32 after Easter;

1 (vi) Memorial Day; and

2 (vii) Primary and general election days.

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

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

8 (i) Washington's Birthday;

9 (ii) Lincoln's Birthday;

10 (iii) Veterans' Day;

11 (iv) Columbus Day;

12 (v) Arbor Day; and

13 (vi) Any other day of national significance.

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

17 (i) Calvert;

18 (ii) Caroline;

19 (iii) Dorchester;

20 (iv) Kent;

21 (v) Talbot; and

22 (vi) Worcester.

23 [(d)] (C) [Except as provided in subsection (e) of this section, the State Board]
24 EACH COUNTY BOARD shall divide the school year into the terms it considers
25 appropriate IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (A) OF THIS
26 SECTION.

27 [(e)] (D) (1) The county boards of Allegany, Anne Arundel, Calvert, Howard,
28 and Montgomery counties, and the Board of School Commissioners of Baltimore City,
29 may elect to operate one or more schools within the county or Baltimore City on a
30 year-round basis, provided that the [180] MINIMUM day and the minimum hour
31 requirements ESTABLISHED under SUBSECTION (A) OF this section are met.

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

3 [(f)] (E) Publicly funded prekindergarten programs are not subject to the
4 requirements of subsection (a) of this section.

5 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
6 October 1, 2004.