

Department of Legislative Services
Maryland General Assembly
2004 Session

FISCAL AND POLICY NOTE

Senate Bill 801 (Senator Dyson)
Education, Health, and Environmental Affairs

Education - County Boards of Education - Determination of Minimum School Days and Hours

This bill repeals the requirement that public schools be open for a minimum of 180 days and 1,080 school hours during a 10-month period. Local boards of education would determine the minimum number of school days and hours in a school year. Public schools can be open on Saturdays, Sundays, and holidays to fulfill the minimum day or hour requirements set by the local board.

Fiscal Summary

State Effect: State funding for public schools would not be affected by this legislation. The Maryland State Department of Education (MSDE) can monitor local school systems with existing resources.

Local Effect: Local school expenditures for transportation, food service, and school building operations could be affected by altering the number of days that public schools must be open.

Small Business Effect: Minimal.

Analysis

Current Law: Public schools must be open for at least 180 days and 1,080 school hours at the elementary and middle school levels, or 1,170 school hours at the high school level. Under certain conditions (a natural disaster, civil disaster, or severe weather conditions), public schools only have to meet the minimum hours requirement. Public schools may

not be open on Saturdays, Sundays, or holidays in order to meet the minimum days or hours requirements. In case of an emergency, the State Board of Education may open public schools on holidays. Public school holidays are listed in **Exhibit 1**. Calvert, Caroline, Dorchester, Kent, Talbot, and Worcester counties may remain open and in session on primary and general election days. In addition, the State Board of Education is required to divide the school year into the terms it considers appropriate.

Exhibit 1 **Public School Holidays**

Thanksgiving Day and the day after
Christmas Eve through January 1
Martin Luther King, Jr. Day
Presidents' Day
Good Friday through Easter Monday
Memorial Day
Primary and General Election Days

Background: The State Superintendent of Schools monitors the impact of school closings due to inclement weather and other emergencies. Through ongoing conversations with local school officials, the State Superintendent is able to ascertain the scheduling needs of local school systems while ensuring that instructional times for students remain adequate.

On September 23, 2003, the State Board of Education, upon a recommendation of the State Superintendent of Schools, decided to grant a one-day waiver of the 180-day school requirement to all local school systems based upon the severe weather conditions of hurricane Isabel and the state of emergency declared by the Governor.

Several local school systems (Carroll, Garrett, Prince George's, and Washington) have inquired about adding instructional time for their students and requested State board approval to open schools on certain State holidays. Each request was reviewed and approved. Carroll, Howard, and St. Mary's counties have each requested an additional waiver of either one or two days. At the State board meeting in February 2004, these individual requests were reviewed. The State board deferred each of the requests and gave the State Superintendent of Schools the authority to waive one additional day after the winter is over, if the local school system makes the request and has demonstrated a good faith effort to schedule additional days to make up for the time lost.

Minimum Requirements in Other States

Most states require a minimum number of days in a school year; however, local school systems usually retain the discretion to set the school year's start and end dates. According to a 2000 report by the Education Commission of the States, 31 states require a minimum of 180 teacher-pupil contact days; 8 states require a minimum of 175 days, and 7 states have set varying requirements from 174 to 190 days. Four states do not require a minimum number of days but do require a minimum number of hours, depending upon the students' grade level, with the number of hours increasing from kindergarten through secondary grades.

Local Fiscal Effect: Local school systems spent approximately \$7.8 billion in fiscal 2001, of which 12% went for transportation, food services, and operation of school buildings. Enabling local school systems to reduce the number of days that public schools must remain open could result in a minimal reduction in certain school expenditures.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Education Commission of the States, Maryland State Department of Education, Department of Legislative Services

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ncs/ljm

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