

SENATE BILL 8

F1

8lr4576

By: **Senators Mooney and Harris**

Introduced and read first time: October 29, 2007

Assigned to: Rules

A BILL ENTITLED

1 AN ACT concerning

2 **Elementary Education – Kindergarten – Hours and Days of Operation**

3 FOR the purpose of exempting kindergarten programs from certain requirements
4 relating to the minimum days and hours of operation of public schools; and
5 generally relating to the hours and days of operation of kindergarten programs
6 in public schools.

7 BY repealing and reenacting, without amendments,
8 Article – Education
9 Section 7–103(a) and 7–301(a) and (f)
10 Annotated Code of Maryland
11 (2006 Replacement Volume and 2007 Supplement)

12 BY adding to
13 Article – Education
14 Section 7–301(g)
15 Annotated Code of Maryland
16 (2006 Replacement Volume and 2007 Supplement)

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

19 **Article – Education**

20 7–103.

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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

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

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

11 7-301.

12 (a) (1) Except as otherwise provided in this section, each child who
13 resides in this State and is 5 years old or older and under 16 shall attend a public
14 school regularly during the entire school year unless the child is otherwise receiving
15 regular, thorough instruction during the school year in the studies usually taught in
16 the public schools to children of the same age.

17 (2) In accordance with regulations of the State Board of Education, a
18 child who resides in this State and is 5 years old may be exempted from mandatory
19 school attendance for 1 year if the child's parent or guardian files a written request
20 with the local school system asking that the child's attendance be delayed due to the
21 child's level of maturity.

22 (3) Except as provided in subsection (f) of this section or in regulations
23 of the State Board of Education, each child who resides in this State shall attend a
24 kindergarten program regularly during the school year prior to entering the first
25 grade unless the child is otherwise receiving regular, thorough instruction in the skills
26 and studies usually taught in a kindergarten program of a public school.

27 (f) A child may be exempted from attending kindergarten if a parent or
28 guardian of the child files a written request with the local school system and verifies
29 that the child is enrolled:

30 (1) Full time in a licensed child care center;

31 (2) Full time in a registered family day care home; or

32 (3) Part time in a Head Start 5 year old program.

33 **(G) KINDERGARTEN PROGRAMS ARE NOT SUBJECT TO THE**
34 **REQUIREMENTS OF § 7-103(A) OF THIS TITLE RELATING TO MINIMUM DAYS OR**
35 **HOURS OF OPERATION.**

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 July 1, 2008.