

HOUSE BILL 53

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EMERGENCY BILL

9lr1208
CF 9lr0885

By: **Delegates Chang, Pena–Melnyk, Bagnall, Bartlett, Cain, Carey, Ebersole, Haynes, Jackson, Lehman, Rogers, and Saab**

Introduced and read first time: January 14, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **County Boards of Education – Length of School Year – Adjustments**

3 FOR the purpose of clarifying that the authorization for a county board of education to
4 extend the length of the school year for up to a certain number of school days beyond
5 a certain date without approval from the State Board of Education or any other
6 entity is not subject to additional conditions; making conforming changes; making
7 this Act an emergency measure; and generally relating to adjustments to the length
8 of the school year.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 7–103
12 Annotated Code of Maryland
13 (2018 Replacement Volume and 2018 Supplement)

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

16 **Article – Education**

17 7–103.

18 (a) Except as provided in subsections (b), [(e)] (C), (F), and [(f)] (G) 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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

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
7 the 180-day or 1,080-hour requirement of this subsection.

8 **(B) A COUNTY BOARD MAY EXTEND THE LENGTH OF THE SCHOOL YEAR FOR**
9 **ANY REASON FOR UP TO 5 SCHOOL DAYS BEYOND JUNE 15 WITHOUT APPROVAL**
10 **FROM THE STATE BOARD OR ANY OTHER ENTITY.**

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

14 (i) The following adjustments:

15 1. An increase in the length of the school year for more school
16 days than the number of days extended by a county board under [paragraph (3)]
17 **SUBSECTION (B)** of this [subsection] **SECTION**; or

18 2. A decrease in the length of the school year;

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

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

22 (iv) Schools to be open on holidays.

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

25 (i) Natural disaster;

26 (ii) Civil disaster; or

27 (iii) Severe weather conditions.

28 [(3) A county board may extend the length of the school year for up to 5
29 school days beyond June 15 without approval from the State Board.]

30 [(4)] (3) Education funding from State or local sources may not be

1 reduced if there are less than 180 school days in any year because of an approved
2 application under paragraph (1)(i)2 of this subsection.

3 ~~[(5)]~~ (4) In case of emergency, the State Board may open schools on
4 holidays.

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

6 (i) Thanksgiving Day and the day after;

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

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

9 (iv) Presidents' Day;

10 (v) The Friday before Easter and from then through the Monday
11 after Easter;

12 (vi) Memorial Day; and

13 (vii) Primary and general election days.

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

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

19 (i) Washington's Birthday;

20 (ii) Lincoln's Birthday;

21 (iii) Veterans' Day;

22 (iv) Columbus Day;

23 (v) Arbor Day; and

24 (vi) Any other day of national significance.

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

28 (i) Calvert;

- 1 (ii) Caroline;
- 2 (iii) Dorchester;
- 3 (iv) Kent;
- 4 (v) Talbot; and
- 5 (vi) Worcester.

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

8 **[(e)] (F)** (1) The county boards of Allegany, Anne Arundel, Calvert, Howard,
9 Montgomery, and Prince George's counties, and the Board of School Commissioners of
10 Baltimore City, may elect to operate one or more schools within the county or Baltimore
11 City on a year-round basis, provided that the 180-day and the minimum hour
12 requirements under this section are met.

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

15 **[(f)] (G)** Publicly funded prekindergarten programs are not subject to the
16 requirements of subsection (a) of this section.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act is an emergency
18 measure, is necessary for the immediate preservation of the public health or safety, has
19 been passed by a yea and nay vote supported by three-fifths of all the members elected to
20 each of the two Houses of the General Assembly, and shall take effect from the date it is
21 enacted.