

HOUSE BILL 1043

F1

9lr1089

By: **Delegate Adams**

Introduced and read first time: February 8, 2019

Assigned to: Ways and Means

A BILL ENTITLED

1 AN ACT concerning

2 **Education – Required Number of School Days or Hours**

3 FOR the purpose of altering the requirement that certain public schools be open for at least
4 a certain number of days and a minimum number of hours during a certain period
5 of time to require that the schools be open for at least a certain number of days or a
6 minimum number of hours during a certain period of time; providing that certain
7 funding for schools may not be reduced if there are fewer than a certain number of
8 school hours under certain circumstances; making conforming changes; and
9 generally relating to the required number of school days or school hours for
10 elementary and secondary public schools.

11 BY repealing and reenacting, with amendments,
12 Article – Education
13 Section 7–103
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2018 Supplement)

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

18 **Article – Education**

19 7–103.

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

22 (1) [(i) Shall] **UNLESS SCHOOL ATTENDANCE IS PREVENTED**
23 **BECAUSE OF CONDITIONS DESCRIBED IN SUBSECTION (B) OF THIS SECTION, SHALL**
24 be open for pupil attendance for at least 180 actual school days [and] **OR** a minimum of

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 1,080 school hours during a 10-month period in each school year; [or

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

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

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

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

12 (i) The following adjustments:

13 1. An increase in the length of the school year for more school
14 days than the number of days extended by a county board under paragraph (3) of this
15 subsection; or

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

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

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

20 (iv) Schools to be open on holidays.

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

23 (i) Natural disaster;

24 (ii) Civil disaster; or

25 (iii) Severe weather conditions.

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

28 (4) Education funding from State or local sources may not be reduced if
29 there are [less] **FEWER** than 180 school days **OR 1,080 SCHOOL HOURS** in any year
30 because of an approved application under paragraph (1)(i)2 of this subsection.

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

2 (c) (1) The following days are public school holidays:

3 (i) Thanksgiving Day and the day after;

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

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

6 (iv) Presidents' Day;

7 (v) The Friday before Easter and from then through the Monday
8 after Easter;

9 (vi) Memorial Day; and

10 (vii) Primary and general election days.

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

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

16 (i) Washington's Birthday;

17 (ii) Lincoln's Birthday;

18 (iii) Veterans' Day;

19 (iv) Columbus Day;

20 (v) Arbor Day; and

21 (vi) Any other day of national significance.

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

25 (i) Calvert;

26 (ii) Caroline;

27 (iii) Dorchester;

- 1 (iv) Kent;
- 2 (v) Talbot; and
- 3 (vi) Worcester.

4 (d) Except as provided in subsection (e) of this section, the State Board shall
5 divide the school year into the terms it considers appropriate.

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

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

13 (f) Publicly funded prekindergarten programs are not subject to the
14 requirements of subsection (a) of this section.

15 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
16 1, 2019.