

Department of Legislative Services
Maryland General Assembly
2019 Session

FISCAL AND POLICY NOTE
First Reader

House Bill 53
Ways and Means

(Delegate Chang, *et al.*)

County Boards of Education - Length of School Year - Adjustments

This emergency bill clarifies that the authority of a local board of education to extend the length of the school year for up to five days beyond June 15 is not restricted to circumstances in which normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. This local board authority is not subject to any conditions and is not subject to approval by the State Board of Education or any other entity.

Fiscal Summary

State Effect: None.

Local Effect: Local school system finances are not materially affected.

Small Business Effect: None.

Analysis

Current Law: Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10-month period. However, a local board of education may apply to the State Board of Education for a waiver from these provisions of State law; the application must describe a demonstrated effort by the local board to comply with State law and that the school system calendar included from 3 to 10 days to be used to make up days lost. In response, the State Board of Education may permit:

- increases or decreases in the length of the school year (in addition to any adjustment made under the authority of local boards to extend the school year for up to five school days beyond June 15);
- exceptions from the 10-month period requirement;
- adjustments in the length of the school day; and
- schools to be open on holidays.

These adjustments may be granted only if normal school attendance is prevented because of natural disaster, civil disaster, or severe weather conditions. After any school system closure, the local school system must notify the State Board of Education, within 10 days of reopening, of its plan to make up the missed school days, including the dates of the make-up days.

On August 31, 2016, the Governor issued Executive Order 01.01.2016.09 (later amended by Executive Order 01.01.2016.13) requiring, with few exceptions, the local boards of education to open schools for student attendance no earlier than the Tuesday following the Labor Day holiday and to conclude the school year no later than June 15, beginning in the 2017-2018 school year. Under Chapters 34 and 35 of 2018 a local board of education is authorized to extend the school year for up to five school days beyond June 15 without approval from the State Board of Education.

Background: On April 24, 2018 – after Chapters 34 and 35 of 2018 were signed into law – the State board considered waiver requests from eight school systems with respect to school year day and hour minimum requirements for the 2017-2018 school year. Each of the requests cited school calendar issues related to severe weather-related school closures.

The State Board approved requests from Kent and St. Mary’s counties for one-day waivers from the 180-day school year requirement and a request from Baltimore County for a waiver of eight hours from the instructional requirement for high schools only, on the condition that high school hours in Baltimore County be increased in the school year calendar in all subsequent school years.

The State board denied requests from Caroline, Howard, Somerset, and Queen Anne’s counties for two-day waivers and a request from Cecil County for a one-day waiver. The ability of school systems to extend the school year for up to five school days beyond June 15 was among the factors considered by the board when denying these requests. (On March 20, 2018, The State board also denied a request from Baltimore City Public Schools for a one-day waiver to the 180-day requirement.)

For two public school systems in the State, the last day of the 2018-2019 school year calendar falls after June 15; the last scheduled day is June 17 for Howard County and June 21 for Frederick County.

Local Expenditures: Current law authorizes local school systems to extend the length of the school year for up to five days past June 15. The bill makes clear that there are no limitations on school systems in deciding to do so. The number of school days in local public school years and public school system hours of operation are not expected to be significantly impacted. Therefore, it is anticipated that any additional costs for local school systems will be minimal and at the discretion of local school systems.

Additional Information

Prior Introductions: None.

Cross File: SB 131 (Senator King) – Education, Health, and Environmental Affairs.

Information Source(s): Anne Arundel County Public Schools; Baltimore City Public Schools; Prince George’s County Public Schools; Wicomico County Public Schools; Maryland State Department of Education; Department of Legislative Services

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