

**Department of Legislative Services**  
Maryland General Assembly  
2022 Session

**FISCAL AND POLICY NOTE**  
**Third Reader - Revised**

Senate Bill 717

(Senators Simonaire and Rosapepe)

Education, Health, and Environmental Affairs

Ways and Means

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**Public Schools – Virtual Education Days – Authorization**

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This bill allows a local board of education to authorize the local superintendent, in cases of severe weather conditions, to provide virtual education days to students instead of closing the public schools in the county during a severe weather event. Authorization must be preceded by discussion at an open board meeting and an affirmative board vote. A local board must develop and publish on its website its plan for the use of virtual education days. The bill specifies required components of the plan. The superintendent may decide to provide a virtual education day under specified conditions and must notify the school principals as soon as possible after the decision. A school principal receiving notice must notify the students, parents, and school staff of implementation of the virtual education day. **The bill takes effect July 1, 2022.**

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**Fiscal Summary**

**State Effect:** None.

**Local Effect:** None. The bill authorizes, but does not require, virtual education days under certain circumstances. Any additional local school system expenditures under the bill are at the discretion of local boards of education.

**Small Business Effect:** None.

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**Analysis**

**Bill Summary:** The superintendent may decide to provide a virtual education day only if (1) the board has authorized the superintendent to do so; (2) the local school system has used all the days incorporated into its calendar for severe weather school closures; and

(3) the superintendent determines that severe weather conditions are likely to prevent normal attendance at the public school.

A virtual education day consists of at least four hours of synchronous instruction, and asynchronous instruction designed to maximize the advantages of online access. A county superintendent must adequately design the virtual education model before implementing the first virtual education day.

**Current Law:** Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools or 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 (SBE) 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 may permit:

- increases or decreases in the length of the school year;
- 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, within 10 days of reopening, of its plan to make up the missed school days, including the dates of the make-up days. Education funding from the State or local sources may not be reduced if there are fewer than 180 school days in any year because of an approved application to SBE for a decrease in the length of the school year.

**Local Fiscal Effect:** The bill authorizes, but does not require, virtual education days under certain circumstances. Any additional local school system expenditures under the bill are at the discretion of local boards of education and the local superintendents and are assumed to be minimal for many local school systems due to capacity employed for remote learning during the COVID-19 pandemic. However, for some school systems, such as Frederick County Public Schools, which do not have one computer for every student to use at home, any local decision to implement virtual education days under the bill must be preceded by significant additional expenditures to develop a viable virtual education model, as required by the bill.

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## Additional Information

**Prior Introductions:** None.

**Designated Cross File:** None.

**Information Source(s):** Anne Arundel County Public Schools; Frederick County Public Schools; St. Mary's County Public Schools; Talbot County Public Schools; Maryland State Department of Education; Department of Legislative Services

**Fiscal Note History:** First Reader - February 28, 2022  
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Analysis by: Scott P. Gates

Direct Inquiries to:  
(410) 946-5510  
(301) 970-5510