

SENATE BILL 562

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By: **Senators Gallion, Hester, Salling, and Serafini**

Introduced and read first time: January 31, 2020

Assigned to: Education, Health, and Environmental Affairs

A BILL ENTITLED

1 AN ACT concerning

2 **Public Schools – Flexible Instructional Days – Policy Requirements**

3 FOR the purpose of authorizing a county board of education to develop a policy for public
4 schools in the county to use a certain number of flexible instructional days during
5 the school year; providing for the contents of a certain policy; authorizing a county
6 board to apply to the State Board of Education for approval to implement a certain
7 policy; requiring the State Board to adopt certain guidelines and a certain model
8 policy and to approve or deny a certain application; requiring a flexible instructional
9 day to count toward a certain requirement; defining a certain term; and generally
10 relating to flexible instructional days for public primary and secondary schools.

11 BY repealing and reenacting, without amendments,
12 Article – Education
13 Section 7–103(a) and (b)
14 Annotated Code of Maryland
15 (2018 Replacement Volume and 2019 Supplement)

16 BY adding to
17 Article – Education
18 Section 7–103.2
19 Annotated Code of Maryland
20 (2018 Replacement Volume and 2019 Supplement)

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

23 **Article – Education**

24 7–103.

25 (a) Except as provided in subsections (b), (e), and (f) of this section, each public

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 school under the jurisdiction of a county board:

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

5 (ii) If normal school attendance is prevented because of conditions
6 described in subsection (b) of this section, shall be open for at least 1,080 hours during a
7 10-month period;

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

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

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

15 (i) The following adjustments:

16 1. An increase in the length of the school year; or

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

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

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

21 (iv) Schools to be open on holidays.

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

24 (i) Natural disaster;

25 (ii) Civil disaster; or

26 (iii) Severe weather conditions.

27 (3) Education funding from State or local sources may not be reduced if
28 there are less than 180 school days in any year because of an approved application under
29 paragraph (1)(i)2 of this subsection.

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

7-103.2.

(A) IN THIS SECTION, "FLEXIBLE INSTRUCTIONAL DAY" MEANS A DAY ON WHICH A PUBLIC SCHOOL PROVIDES REMOTE ACADEMIC INSTRUCTION TO STUDENTS BECAUSE THE SCHOOL IS PREVENTED FROM OPENING DUE TO:

(1) NATURAL DISASTER;

(2) CIVIL DISASTER; OR

(3) SEVERE WEATHER CONDITIONS.

(B) (1) A COUNTY BOARD MAY DEVELOP A POLICY FOR PUBLIC SCHOOLS IN THE COUNTY TO USE UP TO 5 FLEXIBLE INSTRUCTIONAL DAYS DURING A SCHOOL YEAR.

(2) A FLEXIBLE INSTRUCTIONAL DAY POLICY DEVELOPED BY A COUNTY BOARD UNDER PARAGRAPH (1) OF THIS SUBSECTION MAY:

(I) REQUIRE ALL PUBLIC SCHOOLS IN THE COUNTY TO INITIATE FLEXIBLE INSTRUCTIONAL DAYS AT THE DIRECTION OF THE COUNTY BOARD; OR

(II) AUTHORIZE PUBLIC SCHOOLS IN THE COUNTY TO INDIVIDUALLY INITIATE FLEXIBLE INSTRUCTIONAL DAYS AS DETERMINED BY THE SCHOOL.

(3) A FLEXIBLE INSTRUCTIONAL DAY POLICY DEVELOPED UNDER PARAGRAPH (1) OF THIS SUBSECTION SHALL INCLUDE:

(I) PROCEDURES FOR INITIATING A FLEXIBLE INSTRUCTIONAL DAY, INCLUDING MODEL CLASS INSTRUCTION DURING A FLEXIBLE INSTRUCTIONAL DAY;

(II) THE RESPONSIBILITIES OF SCHOOL STAFF AND STUDENTS DURING THE FLEXIBLE INSTRUCTIONAL DAY;

(III) PROCEDURES FOR IDENTIFYING STUDENT PARTICIPATION FOR THE PURPOSE OF DETERMINING ATTENDANCE;

(IV) WHETHER THE USE OF TECHNOLOGY WILL BE REQUIRED TO IMPLEMENT FLEXIBLE INSTRUCTIONAL DAYS, INCLUDING INFORMATION

1 REGARDING ACCOMMODATIONS FOR STUDENTS AND SCHOOL STAFF WITHOUT
2 ACCESS TO TECHNOLOGY OR INTERNET ACCESS AT HOME;

3 (V) THE METHOD FOR PROVIDING NOTICE TO STUDENTS,
4 PARENTS, AND SCHOOL EMPLOYEES REGARDING THE DETAILS OF THE POLICY; AND

5 (VI) ANY OTHER INFORMATION REQUIRED BY THE STATE
6 BOARD.

7 (C) (1) A COUNTY BOARD MAY APPLY TO THE STATE BOARD FOR
8 APPROVAL TO IMPLEMENT DURING A SCHOOL YEAR A FLEXIBLE INSTRUCTIONAL
9 DAY POLICY DEVELOPED IN ACCORDANCE WITH SUBSECTION (B) OF THIS SECTION.

10 (2) A COUNTY BOARD MAY NOT IMPLEMENT A FLEXIBLE
11 INSTRUCTIONAL DAY POLICY UNLESS APPROVED BY THE STATE BOARD.

12 (D) THE STATE BOARD SHALL:

13 (1) ADOPT GUIDELINES AND A MODEL POLICY TO ASSIST A COUNTY
14 BOARD WITH THE DEVELOPMENT OF A POLICY UNDER SUBSECTION (B) OF THIS
15 SECTION, INCLUDING MODEL CLASS INSTRUCTION DURING A FLEXIBLE
16 INSTRUCTIONAL DAY; AND

17 (2) APPROVE OR DENY A COUNTY BOARD'S APPLICATION FOR A
18 FLEXIBLE INSTRUCTIONAL DAY POLICY.

19 (E) A FLEXIBLE INSTRUCTIONAL DAY SHALL COUNT TOWARD THE MINIMUM
20 SCHOOL DAY REQUIREMENT UNDER § 7-103 OF THIS SUBTITLE.

21 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July
22 1, 2020.