

Department of Legislative Services
Maryland General Assembly
2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 1084
Ways and Means

(Montgomery County Delegation)

Education, Energy, and the Environment

Montgomery County - County Board of Education - School Operation
Requirements
MC 14-26

This emergency bill authorizes the Montgomery County Board of Education to require all public schools in the county to be open for pupil attendance for at least 180 actual school days *or*, if specified conditions are met, the minimum number of attendance hours required by the State. If a public school in the county is open for fewer than 180 actual school days or the minimal hours of attendance, the Board must provide school employees who receive pay at an hourly rate with an opportunity to make up the lost wages through other duties before the beginning of the next school year. Finally, the bill requires the Board to report to the State Board of Education and General Assembly on the operation of schools during the preceding year if schools were open for less than the required number of days or hours. **The bill terminates June 30, 2027.**

Fiscal Summary

State Effect: None. The bill only affects Montgomery County Public Schools (MCPS) operations.

Local Effect: To the extent that MCPS meets the minimum hours requirement for an academic year but cannot meet the minimum days requirement without adding instructional days to the calendar, the county may realize cost savings of up to \$1.9 million per instructional day avoided, as discussed below. No effect on revenues.

Small Business Effect: None.

Analysis

Bill Summary: The Montgomery County Board of Education may opt to require schools to meet *only* the minimum hours requirement if:

- the school calendar was initially adopted to meet both the days and hours requirements for public schools;
- normal school attendance at public schools in the county was prevented due to a natural disaster, civil disaster, or severe weather conditions, necessitating additional time to meet the number of required school days or minimum hours of attendance (1) after the scheduled end of the school year or (2) during a day that schools are scheduled for closure;
- the local school system has used at least two school days incorporated into its calendar for school closures due to severe weather;
- the Board has applied for an adjustment to the school year as required by State law; and
- public schools remain open for at least 175 actual school days during the school year.

If the county meets all the conditions, the bill cannot be construed to require the Board to receive an approval or denial of a request to adjust the school year before electing to require only the minimum number of hours or the minimum number of days, as authorized by the bill.

The report that the Board must submit if schools in the county are open for less than the minimum required number of days or hours must include (1) the days the schools were open and (2) the number of hours per day that the schools were open with students in attendance.

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 waiver application must describe a demonstrated effort by the local board to comply with State law, that the school system calendar included from 3 to 10 days to be used to make up days lost, and that the modified calendar makes use of these make-up days and extends the school year by 3 days beyond the previously scheduled closing date. 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 SBE 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.

SBE must explore the use of innovative school scheduling models, including extended year, year-round schooling, or other school scheduling models that do not allow for prolonged lapses in instructional time, in low-performing or at-risk public schools. The local school boards of Baltimore City and Allegany, Anne Arundel, Calvert, Howard, Montgomery, and Prince George's counties, may operate one or more schools on a year-round basis, provided that the 180-day and the minimum hour requirements are met.

Local Expenditures: MCPS is expected to spend approximately \$1.9 million for each school day added to the academic calendar in fiscal 2027. These costs include salaries and benefits for hourly wage staff, costs for substitute teachers, and operational costs for fuel for buses. During years in which severe weather requires extended school closures, MCPS may meet the hours requirement for its schools, but fail to meet the minimum 180 day requirement. Accordingly, in this scenario, MCPS may save \$1.9 million per school day not required to be added to the calendar to meet the 180 day requirement. The amount the county may save in both fiscal 2026 and 2027 under this bill is dependent on the number of days that school closures are required each year.

MCPS indicates that employees paid on an hourly basis continue to receive pay for days not worked due to emergency school closures. As a result, these employees do not lose wages if the school system does not meet the required number of school days as a result of emergency closures, and the bill's requirement that MCPS provide hourly employees with an opportunity to make up lost wages is not expected to affect county expenditures.

Additional Comments: While the section of regulations the bill refers to for the definition of "minimal hours of attendance" only specifies hours for high school, this analysis assumes that "minimal hours of attendance" means 1,080 hours for elementary and middle schools, and 1,170 hours for high schools.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Montgomery County Public Schools; Department of Legislative Services

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