


Office of the Superintendent of Schools  
MONTGOMERY COUNTY PUBLIC SCHOOLS  
Rockville, Maryland

March 17, 2015

MEMORANDUM

To: Members of the Board of Education

From: Larry A. Bowers, Interim Superintendent of Schools 

Subject: Request to Waive 180-day Requirement

This afternoon, I sent a letter to Dr. Lillian M. Lowery, state superintendent of schools, requesting that Montgomery County Public Schools (MCPS) receive a waiver of three days from the 180-day school year requirement for the 2014–2015 school year.

As you are aware, the Montgomery County Board of Education’s adopted calendar for the current school year includes 184 days of instruction—four more than required by state law—with the last day of school for students scheduled for Friday, June 12, 2015. Four additional days are built into the calendar beyond the required 180 days to address the potential loss of days due to weather or other emergency conditions. The Board-approved calendar also includes five contingency days—June 15 through June 19, 2015—on which school will be held if MCPS closes for more than four days due to emergency conditions. Most years, the additional four days are adequate to compensate for the loss of instructional days due to weather-related closings. However, this year, we have closed school seven times due to weather-related conditions.

We are prepared to add three days to the end of the year, in accordance with the contingency calendar, moving the last day of classes to Wednesday, June 17, 2015. As I informed the Board at its March 10, 2015, meeting, adding these three days will cost between \$1.7 million and \$2 million. These funds will likely come out of our budget reserve, which we are currently building up to help fund the Fiscal Year 2016 budget. Given our current fiscal situation, I believe it is prudent to request a waiver of the three days.

Today, Dr. Lillian M. Lowery, state superintendent of schools, sent a memorandum to local superintendents indicating that upon receipt of waiver requests from local school systems she “. . . will make a recommendation to the State Board of Education to be discussed at their next scheduled board meeting. The decision made by the State Board of Education will be communicated to the local school system in writing following the meeting.” The next meeting of the State Board of Education is Tuesday, March 24, 2015.

I worked with our employee associations to assess the possibility of holding classes on Friday, March 27, 2015, which is currently a day off for students to allow teachers time for grading and reporting. This professional day is part of the negotiated agreement with the Montgomery County Education Association (MCEA). As a compromise for holding classes on this day, we offered to make March 30, 2015, an early release day, providing teachers the afternoon to finish grading and reporting procedures. MCEA supported this option if it resulted in not extending the school year into the week of June 15, 2015.

Since we will not know the outcome of our waiver request until at least March 24, holding school on March 27, 2015, is not a feasible option. We cannot wait until March 25, 2015, to announce that we will hold school on March 27, 2015. And I could not take the chance that our request for a waiver for the remaining two days would be denied even if we made up one day on March 27. Therefore, I decided to submit a request to waive three days of the 180-day requirement. It should be noted that even if a waiver of all three days is granted, MCPS will exceed the minimum instructional hours required by the state—1,080 hours for elementary and middle school students and 1,170 hours for high school students.

Attached is the letter I transmitted to Dr. Lowery today and a copy of her memorandum to superintendents. It is my hope that Dr. Lowery will grant our request. However, if she does not, we will follow the contingency calendar and add three days to the end of the school year.

LAB:bls

Attachments

Copy to:

Executive Staff  
Mrs. Cuttitta  
Mr. Koutsos  
Mr. Prouty





**MONTGOMERY COUNTY PUBLIC SCHOOLS**  
 MARYLAND  
[www.montgomeryschoolsmd.org](http://www.montgomeryschoolsmd.org)



March 17, 2015

Dr. Lillian M. Lowery  
 State Superintendent of Schools  
 Maryland State Department of Education  
 200 West Baltimore Street  
 Baltimore, Maryland 21201

Dear Dr. Lowery:

Montgomery County Public Schools (MCPS) is requesting a waiver of three days from the 180-day school year requirement for the 2014–2015 school year as a result of the serious weather conditions we experienced this year. The emergency situations in Montgomery County resulted in our schools being closed for a total of seven days this school year.

The Montgomery County Board of Education's adopted calendar for the current school year is scheduled to end on Friday, June 12, 2015, and includes 184 days of instruction. This is a modification to the 180-day state requirement. Four additional days are built into the calendar beyond the required 180 days to address the potential loss of days due to weather or other emergency conditions. These four days have been utilized. Most years, the additional four days are adequate to compensate for the loss of instructional days due to emergency closings. It should also be noted that MCPS includes five contingency days, June 15 through June 19, 2015, beyond the 184-day calendar, if emergency closures exceed four days.

Given the loss of seven instructional days this year due to emergency weather conditions, students will have attended school 177 days. Further, MCPS elementary schools are scheduled for 1,137.5 hours each year, middle schools are scheduled for 1,229.5 hours, and high schools are scheduled for 1,234.5 hours. The number of scheduled hours for instruction exceeds the state requirement of 1,080 hours for elementary and middle schools and 1,170 hours for high schools. If this waiver of three days is approved, we still will meet the number of hours required by the state.

I appreciate the support that you, and the Maryland State Board of Education have provided to local school systems with your willingness to consider waiver requests. Thank you for your recognition that the weather conditions we have experienced this winter have been unusual. The costs to MCPS to make up three additional days would be approximately \$2.0 million. This is in

Office of the Superintendent of Schools

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850 Hungerford Drive, Room 122 ♦ Rockville, Maryland 20850 ♦ 301-279-3381

Dr. Lillian M. Lowery

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addition to the significantly higher costs we have experienced for snow removal operations, and for electricity and natural gas. These additional costs, in a very difficult budget year, make this situation even more challenging.

Thank you for your consideration of this request. Please contact me if you have any questions.

Sincerely,



Larry A. Bowers  
Interim Superintendent of Schools

LAB:lsh


Copy to:

Members of the Board of Education  
Executive Staff  
Mrs. Cuttitta  
Mr. Koutsos  
Mr. Prouty



Lillian M. Lowery, Ed.D.  
State Superintendent of Schools

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**TO:** Local School Superintendents  
**FROM:** Lillian M. Lowery, Ed.D.   
**DATE:** March 17, 2015  
**RE:** Process for Requesting Waivers for Weather Related Closures

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Weather conditions this year have been continuous. I am pleased that each school system has a robust school calendar which includes a number of inclement weather days and, in some cases, potential make-up days have been identified within the existing calendar.

As you know, Maryland has been known to have severe inclement weather continuing into March and April. Due to the specific number of days missed within your school system, there may be some thought into requesting a waiver of the 180-day school year requirement. In consideration for requesting waivers for weather related closures, please follow these procedures.

Section 7-103(a) of the Education Article requires that schools shall be open for pupil attendance for at least 180 actual school days. Section 7-103(b) gives the State Board of Education the authority to make adjustments to the length of the school year. Such adjustments may be granted if normal school attendance is prevented due to natural disaster, civil disaster, or severe weather conditions.

The conditions for granting a waiver of the 180-day school year requirement are specified in COMAR 13A.02.01.04 and include the following:

1. The school system demonstrates they have made sufficient effort in providing instruction through calendar planning and modifications; and
2. Natural or civil disasters or severe weather conditions are sufficiently significant to warrant a waiver of days.

Letters requesting a waiver for a system-wide closing should be submitted to the State Board of Education through my office. The letter should state the number of school days requested for a waiver, the reason for the waiver request and the specific modifications made to your calendar including using your inclement weather days and any other adjustments. Please submit your letter late enough in the school year to be relatively confident of the number of days missed but early enough for the system to be able to make appropriate adjustments to the school calendar.



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Upon receipt of the waiver request and after review, I will make a recommendation to the State Board of Education to be discussed at their next scheduled board meeting. The decision made by the State Board of Education will be communicated to the local school system in writing following the meeting.

Waiver requests for individual school closings should be sent to my office. COMAR 13A.02.01.04B states “the closing of individual schools does not require a waiver by the State Board of Education but may be granted by permission of the State Superintendent of Schools upon request by the local superintendent of schools.” The waiver request should outline the cause of the school closing and the number of days the school will be closed. You will receive a written response to your waiver request.

If you have questions or need assistance, please contact Mr. William Cappe in the Office of Communications, Partnerships and Grants at (410) 767-0480 and he will be happy to assist you.

LML:BC