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**SFA****BILL ANALYSIS**

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Senate Bill 300 (Substitute S-3 as passed by the Senate)  
Sponsor: Senator Walter H. North  
Committee: Education

Date Completed: 9-24-98

### **RATIONALE**

The Revised School Code requires the board of a school district or of a public school academy to determine the length of a school term and to ensure a minimum number of pupil instruction days in a school year, if a board does not want to have its State school aid payments withheld. The establishment of a school calendar, including the starting date of a school year, is not addressed in the Code but is left to local school districts. A majority of school districts in the State reportedly convene their school years in late August, prior to the Labor Day holiday, which traditionally marks the end of the summer season. Many persons who work in the State's travel industry contend, however, that starting school before Labor Day limits travel opportunities for families, and that school districts should be prohibited from starting school before Labor Day to maximize the summer vacation period. Some people believe that before a prohibition on starting school before Labor Day is imposed on school districts, the economic and educational impact of changing the school starting date to accommodate the Labor Day holiday should be studied.

### **CONTENT**

**The bill would amend the Revised School Code to provide that, for the 1998-99, 1999-2000, and 2000-01 school years, the board of school district, local act school district, public school academy, or intermediate school district would have to ensure that the district's or public school academy's schools were not in session on the Friday before Labor Day, meaning the first Monday in September. The bill also would create a school calendar task force to study the issues concerning the public school calendar, and would require the task force to report its findings to the Legislature and the Governor by December 31, 1999.**

#### **Task Force Issues**

The task force would have to study and report its findings on the economic and educational impact of the following requirements: that the public schools not be in session on the Friday before Labor Day and that all public schools begin the school year after Labor Day.

#### **Task Force Creation and Membership**

The task force would be created as a temporary commission described in Article V, Section 4 of the 1963 State Constitution. (Article V, Section 4 permits temporary commissions or agencies for special purposes to be established by law for no more than two years, and provides that they do not have to be allocated within a principal department.)

The task force would consist of seven members who would have to be appointed by the Governor no later than July 1, 1998. Members would have to serve until the task force findings were reported. The task force would have to consist of a Michigan K-12 teacher and one member representing each of the following groups: school boards, appointed from nominations submitted by the Michigan Association of School Boards; public school administrators, appointed from nominations submitted by the Michigan Association of School Administrators; the Michigan Jobs Commission/Travel Michigan, appointed from nominations submitted by the Michigan Jobs Commission; the Michigan Travel Commission, appointed from nominations submitted by the Michigan Travel Commission; the general public; and, the Michigan Chamber of Commerce. If a vacancy occurred on the task force, the Governor would have to appoint a replacement in the same manner as the original appointment. Members

would have to serve without compensation, but they could be reimbursed in accordance with Department of Management and Budget travel reimbursement guidelines for mileage expenses incurred in the performance of their official duties as members of the task force.

The Governor would have to call the first meeting of the task force, at which the task force would have to elect from among its members a chairperson and other officers as it considered necessary or appropriate. After the first meeting, the task force would have to meet at least monthly, or more frequently at the call of the chairperson or if requested by three or more members. The task force would be subject to the Open Meetings Act and the Freedom of Information Act. The Department of Education and the Michigan Jobs Commission would have to provide staffing and other resources for the task force as reasonably requested by it.

Proposed MCL 380.1284b

## **ARGUMENTS**

*(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)*

### **Supporting Argument**

The bill represents a reasonable approach to addressing the issue of a pre- or post-Labor Day school starting date. Under the bill, public schools and academies could not be in session on the Friday before Labor Day for three school years, which would create a four-day weekend if a school had already started. In the meantime, a school calendar task force would have to be appointed to study the economic and educational impact of changing the date that schools across the State convene the school year in the fall. Because tourism is the second largest industry in the State, the economic ramifications of a school starting date should be examined. Tourism annually brings in a reported \$8.5 billion in revenues. If school districts were required to start school after Labor Day, an additional \$50 million in tourism revenues could be generated, according to State tourism officials. Starting school in August shortens an already limited summer tourist season, which some people in the State's tourism industry say does not get under way until late June or early July. August school openings, for example, have been blamed in part for the struggling attendance at the Michigan State Fair in Detroit, which runs the two weeks prior to Labor Day. Furthermore, a shortened tourist

season hurts students who are employed in the tourism industry during the summer and are working to earn money for school. On the other hand, delaying the start of the school year could have an impact on the State's public schools and academies. With new State requirements to extend the school year from 180 days to 190 days by 2006 and to lengthen the school day, a post-Labor Day opening of school could force some children to attend school until late June. It also is not clear how a mandatory post-Labor Day start would affect students who attend specially designed year-round schools or certain special education students who are required by administrative rules to have an extended school year. Furthermore, just as starting school before Labor Day might interfere with August vacations, delaying the start of school could interfere with early summer travel, as well as make it difficult for high school students to find summer jobs. Given these uncertainties, the bill would provide for the study of the issue before any changes were implemented across the State.

### **Opposing Argument**

The general powers provisions of the Revised School Code are designed to empower local school districts by minimizing the number of State requirements that districts must meet. The bill would run counter to this philosophy by prohibiting local school districts for three years from conducting classes on the Friday prior to the Labor Day holiday. Currently, 82% of the school districts in the State started the 1997-98 school year before Labor Day. Local school officials should be permitted to continue setting a school calendar, including determining when school is in session, in their communities. Furthermore, there appears to be no educational reason for the bill, which intrudes on school districts, students, and their families merely to help a particular industry.

**Response:** Some local school districts that share services with their intermediate school districts (ISDs) already have relinquished to the ISDs the decision on setting a school start date. For example, schools in Frankenmuth, which is a major tourist destination in the State, start before Labor Day along with the other school districts in the ISD. Although tourism is a significant industry in the Frankenmuth area, the local schools cannot start after Labor Day because a majority of the districts in the ISD prefer an earlier start date.

Legislative Analyst: L. Arasim

## **FISCAL IMPACT**

There would be no fiscal impact on local units of government. A school district with an established school calendar could incur additional costs in changing its schedule to conform to the bill. The bill would have a minimal fiscal impact on the Department of Education budget. The Department of Education would have to hire additional personnel to staff the task force outlined in the bill. The additional cost to the Department of Education could range from \$40,000 to \$100,000 depending on the number and type of staff required.

There would be no fiscal impact on the Michigan Jobs Commission.

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.