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## SCHOOL YEAR - LABOR DAY

House Bill 4099 as enrolled  
Public Act 141 of 1999  
Second Analysis (10-22-99)

Sponsor: Rep. Scott Shackleton  
House Committee: Great Lakes and  
Tourism  
Senate Committee: Education

### ***THE APPARENT PROBLEM:***

The school code specifies that the board of a school district or of a public school academy must determine the length of a school term and ensure that there are a minimum number of pupil instruction days in a school year; otherwise, state school aid payments may be 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. Reportedly, a majority of school districts in the state convene their school years in late August, prior to the Labor Day holiday, which traditionally marks the end of the summer season. However, many of those involved in the state's travel industry have long contended that starting school before Labor Day limits travel opportunities for families, and that the summer vacation period should be extended to include that weekend. Legislation was introduced, but not enacted, during the 1997-98 legislative session to prohibit school districts from starting school before Labor Day (see HLAS analysis of House Bill 5080 dated 10-9-97). As a compromise, it is now proposed that public schools be prohibited from holding classes on the Friday before Labor Day for three school years.

### ***THE CONTENT OF THE BILL:***

House Bill 4099 would add a new section to the Revised School Code (MCL 380.1284b) to prohibit public schools from holding classes on the Friday before Labor Day during the 2000-01, 2001-02, and 2002-03 school years. The board of a school district, local act school district, public school academy, or intermediate school district (ISD) 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.

Exception. The provisions of House Bill 4099 would not apply in a district where a collective bargaining agreement providing a complete school calendar was in effect as of May 1, 1999 if that school calendar did not comply with the provisions of House Bill 4099. However, the prohibition against having school on the Friday before Labor Day would apply in that district after the terms of the collective bargaining agreement expired.

### ***FISCAL IMPLICATIONS:***

The House Fiscal Agency (HFA) estimates that closing schools on the Friday before Labor Day would have no fiscal impact, since the schools would hold session on an alternate day to compensate for the day off. (10-22-99)

### ***ARGUMENTS:***

#### ***For:***

The bills represent a reasonable approach to addressing the issue of a pre- or post-Labor Day school starting date. Under the bills, 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. Because tourism is the second largest industry in the state, the economic ramifications of a school starting date are very important. Reportedly, tourism brings in approximately \$8 billion in revenues; therefore, if school districts were required to start school after Labor Day (as earlier versions of this proposal would have required), approximately \$50 million in additional tourism revenues could be generated, according to state tourism officials -- more than \$7 million per day. Starting school in August shortens an already limited

House Bill 4099 (10-22-99)

summer tourist season, which some people in the state's tourism industry say does not get under way until late June or early July. 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. This compromise would at least provide a four-day weekend that could promote additional tourism activity.

***Response:***

House Bill 4099, as introduced, was tie-barred to Senate Bill 53, which was not enrolled, but which would have established a School Calendar Task Force to study a post-Labor Day start for schools. The proposed task force would have brought together two groups -- business and school advocates -- to study the positive and the negative results of starting school after Labor Day or of having schools close on the Friday before the holiday, and some people considered this task force the most important part of the legislation.

***For:***

Creating a longer Labor Day weekend would benefit Michigan families, as well as the tourism industry. As noted by the Michigan Family Forum in testimony presented to the House committee, today's families find it more and more challenging -- especially when both parents work -- to spend the free time together that they once did. Therefore, the option of having one four-day weekend at the end of the summer would likely be welcomed by most families. For example, a survey conducted by EPIC/MRA in the southeast part of the state between April 21 and April 25, 1999, found that 57 percent of the population favored having schools closed the Friday before Labor Day. In fact, a slightly higher percentage of the population -- 60 percent -- favored having school start after Labor Day.

***Against:***

The bill represents a policy shift away from recent changes to the school code. The Revised School Code of 1995 gave the local school boards "general powers" so that local school districts, through their boards of education, could make decisions that dealt with operating their local schools. Under the code, local school boards have the flexibility to adjust school calendars to accommodate such things as local activities (some rural areas give one or more days at the start of deer season), snow days, power outages, construction schedules, and so on. The general powers

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.

In the 1997-98 school year, 82 percent of the school districts in the state started 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.

Analyst: R. Young

provisions were designed to empower local school districts by minimizing the number of state requirements

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■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.