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BILL ANALYSIS

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Senate Bill 53 (Substitute S-1 as passed by the Senate)
Sponsor: Senator Walter H. North
Committee: Education

Date Completed: 4-19-99

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 1999-2000, 2000-01, and 2001-02 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 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, 2000.

Task Force Issues

The task force would have to study and report its findings on the economic and educational impact of the bill's requirement that the public schools not be in

session on the Friday before Labor Day, and of a requirement 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, 1999. 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 Travel Michigan Unit of the Michigan Strategic Fund, appointed from nominations submitted by the president of the Michigan Strategic Fund; the Michigan Travel Commission, appointed from nominations submitted by the Michigan Travel Commission; the general public; and, the Michigan Chamber of Commerce. The K-12 teacher would have to be appointed from nominations jointly submitted by the Michigan Education Association and the Michigan Federation of Teachers.

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. A majority of the task force members would constitute a quorum for transacting business at a task force meeting, and a majority of the members present and serving would be required for official action. The task force would be subject to the Open Meetings Act and the Freedom of Information Act. The Department of Education and the Michigan Strategic Fund 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. 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. With the extended school year requirement, a delay in the start of the school year also could interfere with school districts' mid-winter breaks, which could be detrimental to the snow skiing and winter sport industry in the State. Given these uncertainties, the bill would provide for the study of the issue before any changes were implemented across the State.

Response: Instead of establishing a task force to study a post-Labor Day start for schools, there should simply be a permanent prohibition against conducting school on the Friday before Labor Day. Thus, school districts could establish their school calendars, which could provide for a late August start date, and still provide for a four-day Labor Day weekend. In addition, the bill's three-year prohibition against conducting school on the Friday before Labor Day should begin in the 2000-01 school year instead of the 1999-2000 school year, as proposed in the bill, since many school districts already are working on setting next year's school calendar.

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. In the 1997-98 school year, 82% 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.

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, along with the other school districts in the ISD, start before Labor Day. 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.

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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.

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.

Fiscal Analyst: J. Carrasco