

Legislative Analysis



START SCHOOL YEAR AFTER LABOR DAY

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House Bill 4803 as introduced

Sponsor: Rep. Edward Gaffney, Jr.

Committee: Natural Resources, Great Lakes, Land Use, and Environment

First Analysis (6-28-05)

BRIEF SUMMARY: The bill would require public schools to begin the school year after Labor Day.

FISCAL IMPACT: The bill would have no fiscal impact.

THE APPARENT PROBLEM:

It appears that most school districts across the state now start the school year before the Labor Day holiday, which traditionally marks the end of the summer season. However, representatives of the state's tourism industry have long contended that starting school before Labor Day limits summer travel opportunities for families; hinders the ability of businesses to retain seasonal employees during the last remaining weeks of the season; and reduces business income. With a pre-Labor Day school starting date, the summer travel season is essentially shortened by at least a week. The Revised School Code was recently amended, as a compromise measure, to prohibit public schools from holding classes on the Friday before Labor Day, thereby providing Michigan families with a four-day weekend. However, legislation has again been introduced to prohibit schools from starting the school year before Labor Day.

THE CONTENT OF THE BILL:

The bill would amend the Revised School Code to require that the board of a school district or a public school academy ensure that the school year does not begin before Labor Day. However, the requirement would not apply if the school district or public school academy has in place as of the effective date of the bill a collective bargaining agreement that requires a start date earlier than Labor Day. Once that agreement expires, that district or public school academy would have to start the year after Labor Day.

MCL 380.1284b

BACKGROUND INFORMATION:

Previous Legislation

Legislation relating to the start date of schools has been introduced in the legislature on several occasions in previous sessions.

- House Bill 5080 of the 1997-1998 legislative session was defeated in the House 35 (Y) to 71 (N). The bill would have required school districts to ensure that the school year does not begin before the Tuesday after Labor Day, beginning with the 2000-2001 school year. For the 1998-1999 and 1999-2000 school years, the school year couldn't begin before September 1.
- Public Act 141 of 1999 (House Bill 4099) prohibited public schools from holding classes on the Friday before Labor Day for three years, beginning with the 2000-2001 school year. The act did, however, include an exception for when a collective bargaining agreement, in effect as of May 1999, provided for a school calendar year starting before Labor Day. An earlier version of the bill contained a provision that wasn't enacted that would have created a special school calendar taskforce composed of individuals representing business and education interests to study the impact of starting school after Labor Day.
- Public Act 167 of 2001 extended the prohibition against holding classes on the Friday before Labor Day indefinitely.
- House Bill 6058 from the 2003-2004 legislative session would have required the school year start after Labor Day. The bill was discharged from the House Committee on Commerce, but ultimately was never taken up by the House.

Other States

While most states leave the choice of when the school year begins to local school districts, several states set certain requirements.

- Minnesota generally prohibits the school year from beginning prior to September 1, although a district may begin the year prior to September 1 to accommodate a construction or remodeling project of \$400,000 affecting a facility within the district. (Minnesota Statutes 120A.40) During the 2005 regular legislative session legislation either removing the September 1 requirement altogether or mandating a start date after Labor Day was introduced, but not acted upon.
- Wisconsin generally prohibits the school year from beginning prior to September 1, although athletic events or practices and teacher in-service days may be held prior to September 1. A school district can apply to the state Department of Public Instruction to allow it to begin the school year earlier than September 1. By statute, requests are granted only for "extraordinary reasons." (Wisconsin Statutes 118.045) By departmental rule, a request may be granted for, among other reasons, major construction projects that necessitate an earlier start date for the entire district, the incurring of excessive transportation costs of students who attend private schools starting before September 1, and participation by a high school in the international baccalaureate program (Wisconsin Administrative Code, PI 27.01 et seq.)
- Virginia requires local school boards to set a school calendar with a starting date after Labor Day, although the state Board of Education may allow for an earlier starting day

provided a local school board demonstrates "good cause," which includes requiring a an earlier start date when necessary for certain instructional program.

- Last session, North Carolina enacted a law (Session Law 2004-180/HB 1464) requiring that the school year not commence before August 25 and not close after June 10, except for year-round schools or for an "educational purpose." (North Carolina General Statutes § 115C-84.2)
- In 2003, Missouri repealed statutory language generally providing for a school starting date after September 1, thereby leaving the start date up to the discretion of local school boards. (See Senate Bill 686 of 2003 and, now, Missouri Statutes 171.031.)

Selected School Starting Dates

The following table lists the start date for the 2005-2006 school year for the 50 largest school districts in the state (based on 2003-2004 student population data compiled by Center for Educational Performance and Information). Some dates are still tentative and others are still to be determined. As noted below, at least 11 school districts included in table have a starting date after Labor Day.

District	Start Date	District	Start Date
Detroit	TBA	Southfield	August 30
Utica	August 30	Bay City	August 29
Grand Rapids	August 30	Midland	August 24
Flint	August 29	Kentwood	August 29
Livonia	August 29	Portage	August 29
Plymouth-Canton	August 29	Forest Hills	August 29
Dearborn	August 23	<i>Grosse Pointe</i>	<i>September 6</i>
Lansing	August 29	Howell	TBA
Ann Arbor	TBA	<i>West Ottawa</i>	<i>September 6</i>
Warren	TBA	<i>Clarkston</i>	<i>September 6</i>
<i>Walled Lake</i>	<i>September 6</i>	Birmingham	August 29
Rochester	August 23	Battle Creek	August 23
Wayne-Westland	August 25	Rockford	August 29
Chippewa Valley	August 31	Lake Orion	August 29
Farmington	August 24	Lapeer	August 24
Troy	August 30	Grand Blanc	August 29
Port Huron	August 29	Brighton	August 30
Saginaw	August 24	Monroe	August 24
Waterford	August 29	Jackson	August 29
L'Anse Creuse	August 29	<i>Muskegon</i>	<i>September 6</i>
<i>Taylor</i>	<i>September 6</i>	<i>West Bloomfield</i>	<i>September 6</i>
<i>Traverse City</i>	<i>September 6</i>	<i>South Lyon</i>	<i>September 6</i>
Kalamazoo	August 26	Anchor Bay	August 30
Pontiac	August 29	<i>Roseville</i>	<i>September 6</i>
<i>Huron Valley</i>	<i>September 6</i>	Royal Oak	August 26

ARGUMENTS:

For:

The bill helps the state's tourism industry, one of leading industries in the state, by essentially extending the summer season by a few weeks. Many tourism-driven businesses have to earn enough operating income to last the entire year in the summer months between Memorial Day and Labor Day, with July and August being peak months. However, as school districts begin the school year earlier in the month of August, the summer travel season is greatly shortened, and for businesses whose peak operations last for a period of 15 or 16 weeks, the loss of a few weeks can be a significant hardship. Additionally, many tourism-driven businesses are staffed by high school students, who typically leave when the school year starts, leaving them understaffed for the last weeks of the season and Labor Day weekend. Furthermore, the later starting date will provide greater opportunities for families to enjoy the summer together.

Response:

The aggregate benefit of the bill may not be all that significant, given that many families with school age children are either unaffected by it or are already busy in the month of August. First, the bill only addresses public schools and public school academies; it does not mandate a starting date for private schools. Second, for many students, the school year actually begins several weeks before the start of classes. According to the Michigan High School Athletic Association, practices for fall sports in the 2006-2007 school year begin in early and mid-August. Additionally, many high school marching bands hold band camp in the first weeks of August and continue to practice through the start of the school year. Third, the bill does not prohibit teacher in-service days before the holiday. While the classroom year may start after the holiday, for many families, work obligations, practices, and games necessitate that they stay home in the last weeks of August anyway.

Against:

The responsibility for establishing the school calendar should remain the province of local school boards. School boards, working in conjunction with parents, staff, and community members, can establish a school calendar tailored to the needs of the community. If a community prefers an earlier start date, why should it not be allowed establish a calendar that meets its desires?

At the very least, the bill should permit schools to start prior to Labor Day due to extenuating circumstances, such as to accommodate school construction, as is provided in other states where the start date is restricted by statute.

Response:

School districts would retain a large measure of local control, as the bill would not affect a school district's ability to set its calendar as it relates to holidays, teacher in-service days, and winter and spring breaks. Moreover, schools are provided the flexibility to adjust their calendars to reflect the later start date, such as extending the school day and consolidating in-service days.

For:

The bill could save school districts money by potentially reducing important utility costs, as the end of August is one of the hottest times of the year, even hotter than mid-June.

Additionally, it would be for the benefit of all, students and staff alike, that school not be held during the hottest months of the year, as many schools lack air conditioning.

Against:

The bill could make it difficult for teachers working on advanced degrees or certificate renewals to take summer college classes, which typically begin in June. The bill would not affect the school year for the state's community colleges and universities, which typically start earlier.

POSITIONS:

The Michigan Chamber of Commerce supports the bill. (6-23-05)

The Michigan Restaurant Association supports the bill. (6-23-05)

Michigan's Adventure amusement park supports the bill. (6-23-05)

The Michigan RV and Campground Association supports the bill. (6-23-05)

The Tourism Coalition of Michigan supports the bill. (6-23-05)

The Michigan Hotel, Motel, and Resort Association supports the bill. (6-23-05)

Lake Michigan Car Ferry supports the bill. (6-23-05)

The Grand Hotel (Mackinac Island) supports the bill. (6-23-05)

Marriot International supports the bill. (6-23-05)

The Michigan Boating Industries Association supports the bill. (6-23-05)

The Michigan Grocers Association supports the bill. (6-23-05)

The Muskegon Area Chamber of Commerce supports the bill. (6-23-05)

The Association of RV Parks and Campgrounds of Michigan supports the bill. (6-23-05)

The Small Business Association of Michigan supports the bill. (6-23-05)

The West Michigan Tourist Council supports the bill. (6-23-05)

The Michigan Retailers Association supports the bill. (6-23-05)

The Michigan Golf Course Owners Association supports the bill. (6-23-05)

The Michigan Federation of Teachers opposes the bill. (6-23-05)

Oakland Schools opposes the bill. (6-23-05)

The Michigan Association of School Boards opposes the bills. (6-23-05)

The Michigan Association of School Administrators opposes the bill. (6-23-05)

The Macomb ISD opposes the bill. (6-23-05)

The Middle and Elementary School Principals Association opposes the bill. (6-23-05)

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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.