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BILL



ANALYSIS

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House Bill 4471 (Substitute S-1 as reported)
Sponsor: Representative Phil Potvin
House Committee: Education
Senate Committee: Education

(as passed by the Senate)

Date Completed: 5-8-13

RATIONALE

Under the State School Aid Act, schools must meet a minimum number of days and hours of pupil instruction to qualify for State aid. The Act requires at least 1,098 hours of pupil instruction per school year, as well as a minimum number of days of instruction. Beginning in the 2012-2013 school year, the minimum number of days is 170, but not less than the number of days that a district provided in the 2009-2010 school year. A school district that fails to meet either the minimum hours or days of pupil instruction will incur a reduction in State aid. However, a school district may cancel up to six school days, but still count them toward the minimum days of instruction, if the closing is due to severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions.

The 2012-2013 winter brought extreme weather conditions, especially in northern Michigan. As a result, many school districts cancelled more than six days of school. It has been suggested that the Act should provide temporary flexibility for these districts, so they will not have to forfeit State aid.

CONTENT

The bill would amend the State School Aid Act to allow an exception to the required number of days of pupil instruction for school closures in the 2012-2013 school year that were beyond the control of school authorities.

Specifically, the bill would provide an exception for school districts that failed to provide the minimum required number of days for the 2012-2013 school year, if all of the following applied:

- The failure was due to school closings that occurred before April 20, 2013.
- The school closings were due to conditions outside the control of school authorities, such as severe storms, fires, epidemics, utility power unavailability, water or sewer failure, or health conditions.
- The school district provided at least the minimum number of hours of pupil instruction.

A district that used this exception would have to report the following information to the Department of Education by July 1, 2013: the amount of instructional time lost due to closures, the amount of instructional time added to compensate, activities and subject areas addressed during the added time, and other information the Department needed to assess whether the additional instruction was appropriate. The Department would have to combine these reports and provide them to the Senate and House Committees on Education.

MCL 388.1701

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

According to various news reports, school districts across the State had cancelled relatively few school days as of January 2013. Weather conditions quickly worsened, however, and heavy snow and ice forced many schools to exceed six cancelled days by the end of winter. The unusual winter led to a steep increase in cancelled classes. For example, as of February 1, Alpena, Atlanta, and Hillman schools had already met or exceeded six cancellations. Districts in the Cadillac area reportedly were forced to cancel roughly 12 days due to severe weather over the last several months. Traverse City schools exceeded six cancellations, and closed schools as late as the second week of April due to weather conditions. Superintendents for the Wexford-Missaukee and Mecosta-Osceola Intermediate School Districts indicated that many of their local districts exceeded the limit.

School districts should not be punished for school closures based on events outside of administrators' control, and this school year presented unusual conditions. As a result of the high number of school closures, it is not possible for many districts to meet the minimum-day requirement without extending the school year into June, but they still could see a reduction in State aid. Since many summer camps have already scheduled dates, many families have planned vacations, student summer athletics programs will begin, and various local events will take place, the potential for a low turnout of students increases as the school year becomes longer. This could jeopardize district funding, since a 75% attendance rate is required to qualify for State aid.

Further, extending the school year into June would result in economic burdens, administrative burdens, and opportunity costs. First, it would be more expensive for school districts to hold more school days than to add time to the remaining days of the school year. Reportedly, the additional cost to a district would range from \$50,000 to \$200,000, depending on the size and transportation costs of the school district. Second, teachers who must take certification classes over the summer would have difficulty making up missed classes. Finally, if the school year were extended, affected peoples' vacations and summer travel plans

would be delayed, which would have a negative impact on tourism.

Therefore, by lifting the minimum day requirement while still requiring 1,098 hours of instruction, the bill would allow affected school districts to make up for lost time. This would ensure that students still received the requisite amount of instruction, and that school districts would have flexibility to adjust schedules so as not to suffer the consequences of an extended school year. This exception would be narrowly tailored, and apply only to the 2012-2013 school year.

Legislative Analyst: Glenn Steffens

FISCAL IMPACT

The bill could have a minimal fiscal impact on the State if the exemption resulted in the payment of full State aid to districts that might otherwise receive reduced payments by failing to meet the minimum number of school days requirement or failing to maintain attendance levels of at least 75% of enrollment (when pupil instruction days were extended into the summer). The bill also could have a slight positive fiscal impact on the local school districts that employed the exemption for the number of instruction days, if a district saved on various overhead costs due to providing at least 1,098 hours of instruction in school year 2012-2013, but fewer than the required minimum number of school days. The report required of districts that employed the exemption also could result in minimal increased administrative costs for these districts.

Fiscal Analyst: Cameron Mock

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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.