

REPEAL INSTRUCTIONAL CALENDAR REQUIREMENTS

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House Bill 4199 as reported from committee

Sponsor: Rep. Pamela Hornberger

Committee: Education

Complete to 12-28-21

Analysis available at
<http://www.legislature.mi.gov>

SUMMARY:

House Bill 4199 would repeal two sections of law, one in the Revised School Code and one in the State School Aid Act, that prohibit the school year from starting before Labor Day and that provide a process for getting a waiver from that prohibition. The bill also would make related amendments to the Revised School Code.

Section 1284b of the Revised School Code currently prohibits the instructional calendar year from beginning before Labor Day unless the school district, intermediate school district (ISD), or public school academy (PSA) is granted a waiver for a qualifying reason by the state superintendent of public instruction.

Section 160 of the State School Aid Act now requires a district or ISD requesting a Labor Day waiver to use a portion of its funding under the act to conduct a joint public hearing with the Michigan Department of Education (MDE) before a waiver can be granted.

The bill would repeal both of the above sections, effectively removing the prohibition on beginning the school year before Labor Day. The bill also would amend section 1284a of the Revised School Code to remove provisions that now require the common school calendar to comply with section 1284b and provide that this requirement does not apply to a district or ISD until an existing collective bargaining agreement expires.

The bill would take effect 90 days after its enactment.

MCL 380.1284a (amended) and MCL 388.1760 and 380.1284b (repealed)

BACKGROUND:

House Bill 4199 is a reintroduction of HBs 4368 and 4369 of the 2019-20 legislative session.¹ (At that time, the provisions repealing the sections of the Revised School Code and State School Aid Act were in separate bills. In HB 4199, they are combined into a single bill.) House Bills 4368 and 4369 were referred from the House Education committee and considered by the House Ways and Means committee.

BRIEF DISCUSSION:

Bill proponents argued that removing the post-Labor Day start requirement would ensure that school districts have the flexibility to set the start date that works best for them. Too often, they argued, Lansing institutes top-down dictates that ignore the unique needs of communities.

¹ House Fiscal Agency analysis of HBs 4368 and 4369: <http://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-4368-814399B4.pdf>

Instead of delaying the start of classes out of deference to the tourism industry, the needs of the students should take precedence.

Opponents of the bill noted that one district's start date could affect other districts when they share resources such as transportation, after-school programs, and learning intervention professionals. Similarly, school teams compete against each other, so that if one school moves its start day up, thereby moving up team and club start dates, other schools may feel compelled to adjust their own schedules to stay competitive. Accordingly, while the decisions may be made on a local basis, the domino effect of changing the dates impacts the whole state.

Others argued that eliminating the post-Labor Day start requirement would make it more difficult for farming families to make the most of help during the summer. Additionally, allowing schools to start before Labor Day would make it harder for families to plan summer trips and for teenagers to hold summer jobs.

FISCAL IMPACT:

The bill would have no fiscal impact on the state, but there could be an indeterminate, but likely minimal, impact for districts, ISDs, and PSAs. Districts, ISDs, and PSAs that submit a waiver to MDE to begin before Labor Day and hold a hearing would realize reduced administrative costs due to the removal of those requirements.

POSITIONS:

The following entities indicated support for the bill:

- Michigan Department of Education (9-28-21)
- Michigan Association of School Boards (9-28-21)
- Michigan Association of Public School Academies (9-28-21)
- Great Lakes Education Project (9-28-21)
- Michigan Association of Secondary School Principals (9-28-21)
- Mackinac Center for Public Policy (9-28-21)
- Oakland Schools (9-28-21)
- Grand Rapids Public Schools (10-5-21)
- Michigan Association of Superintendents (10-5-21)
- Education Advocates of West Michigan (10-5-21)
- Michigan Education Association (10-5-21)

The following entities indicated opposition to the bill (9-28-21):

- Michigan Retailers Association
- Traverse City Tourism
- Michigan Association of Convention and Visitors Bureaus
- Michigan Association of Recreational Vehicles and Campgrounds
- Michigan Restaurant and Lodging Association

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