

Post-Labor-Day School Openings (HB 258)

Summary and Update

Status of House Bill 258

House Bill 258 requires school districts to open no earlier than the day after Labor Day. Right now there is no starting date in the School Code, which is up to school boards. The bill is currently in the House Tourism Committee.

- The bill does not affect the 180-day education requirement.
- The bill does not prevent school districts from having in-service days for teachers before Labor Day. Any employee contract that is in conflict with the act would remain in effect for the contract's duration.
- The bill does not apply to districts that are on a year-round education calendar. The school board may begin the school term earlier than the day after Labor Day for reasons of major construction or renovation to the school building or a natural disaster, but only with the approval of the Secretary of Education.

Survey Results

A survey of 1,102 Pennsylvania adults was conducted by Mansfield University in February and March 2006. The question was asked:

"Traditionally, public schools open after the Labor Day holiday in Pennsylvania. However, some school districts are beginning school before the holiday or even in August. Would you favor or oppose legislation to start school after the Labor Day holiday?"

47 percent of people said they favor a law, 26 percent said they oppose, 23 percent said it doesn't matter and 4 percent weren't sure. So, of the people who expressed an opinion yes or no, 64 percent favored later school opening. Broken down by men and women, 52 percent of women said they favored a law over 40 percent of men.

According to the Mansfield professor who conducted the survey, this question generated more media interest than any other questions on the survey.

Issues and Questions

1. Will later school opening dates affect student education?

- The bill does not affect the 180-day minimum educational requirement. Many schools in the state open after Labor Day already and have no trouble maintaining a high quality of education and still ending the school year in early June. The education of Pennsylvania students is still paramount and will not be compromised by this requirement.

2. Should the state be mandating a specific statewide opening date?

- School boards will still have the authority to set their opening date, as long as it is not earlier than the day after Labor Day.
- School districts are a creation of the legislature and are subject to its regulation under Article III, section 14 and the Public School Code.

The school code already has some school opening restrictions in law. Schools can't operate on Sundays and certain specified holidays--Memorial Day, July 4th, Christmas, Thanksgiving, New Year's Day and up to 5 local holidays. The precedent for this is in the law.

3. Is there an economic impact from starting school before Labor Day?

- Yes, a major one. An economic study released on September 27, 2006, by the Legislative Budget and Finance Committee and conducted by research firm TrippUmbach showed that starting schools before Labor Day:
 - o Has a \$378 million negative economic impact on the state, including the loss of \$164 million in direct dollars.
 - o Costs, 2,348 jobs.
 - o Loses \$17.7 million in state tax revenue for the state.

- o Loses teachers and students \$45.6 million in the inability to work a summer job during that last week of August.
- o Costs parents \$4.6 million in child care expenses for every vacation day added to the school calendar.
- The contractor that conducted the study found that "schools could begin classes after Labor Day with no impact at all on the amount of instructional time used for education" by expanding the school day by 8 minutes, reducing the number of teacher in-service days or snow make-up days.

4. Is there a social impact from starting before Labor Day?

- Many families complain that opening school before the traditional end-of-summer holiday negatively affects family vacations. There have reports of substantial absenteeism in some schools that start early, due to scheduled family activities and vacations on the week before the holiday.
- Ending the summer vacation earlier and then having more non-holiday days off throughout the school year also forces parents to take off work or find child care for those days off, which may not be holidays in their workplace.
- Jobs are affected. Students who work to get money for college or living expenses have to go back before summer is over and miss out on that pay. Some students are financially disadvantaged by early school opening since they may not have access to those jobs in which they have to commit to working through the Labor Day weekend, or they may not be able to get any bonuses available for working the holiday weekend.
- Businesses in the community that employ younger workers, such as the tourism and hospitality industries, also suffer from early school opening since they lose these workers during what normally is their busiest week of the summer.

5. Would opening after Labor Day push school closing dates later?

- It shouldn't have to. Research of calendars of school districts in Montgomery and Dauphin counties showed that they had a number of days

off during the school year--not holidays--that could be used. These districts had from 9-12 days of school for every non-holiday day off. And some of these districts that started after Labor Day actually closed on the same date or earlier than one district that started before Labor Day.

6. Would Pennsylvania be the only state with this law?

- Virginia, Minnesota and Michigan have a law on the books already. The issue was debated in Texas in 2005 and polled very favorably among citizens there (between 55 and 76 percent in favor). Wisconsin and North Carolina have a September 1 minimum.
- In 2004 the Texas Comptroller issued a report *saying* that early school opening costs Texas \$790 million every year in economic activity. The report also estimates that extending the summer break can generate \$28 million per day for tourist destinations for that state.
- The comptroller report also points out that "Texas schools today appear to offer approximately the same number of instructional days as in 1949, yet offer substantially shorter summer breaks." According to their information, this appears due to more holidays and staff development days.

7. By a vote of 280-14, a poll of teachers in a Montgomery County school district showed overwhelming support for starting school for students after Labor Day.

8. Sen. James Rhoades, Chairman of the Senate Education Committee, stated at the 2006 tourism industry legislative day that he would support moving Labor-Day starting legislation when it comes to the Senate.

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ART

Tangretti, Thomas

From: Hillman, Michael
Sent: Tuesday, June 26, 2007 3:20 PM
To: Tangretti, Thomas
Subject: RE: Information for House Bill 258
Follow Up Flag: Follow up
Flag Status: Red

Here are some quick facts for you.

It seems that 42.5% of all schools began school a full one week (8/28/06) before Labor Day (9/4/06).

Of those that started before Labor Day, 51.2% started a full week before Labor Day.

With the information that I currently have, I cannot determine if those schools that started a full week before Labor Day actually had a full five days of instruction – I will work on getting that information.

Number of districts that started school on:

| | |
|------------------|-----|
| 8/21/2006 | 1 |
| 8/22/2006 | 0 |
| 8/23/2006 | 15 |
| 8/24/2006 | 6 |
| 8/25/2006 | 0 |
| 8/28/2006 | 211 |
| 8/29/2006 | 83 |
| 8/30/2006 | 79 |
| 8/31/2006 | 15 |
| 9/01/2006 | 2 |
| Labor Day | 0 |
| 9/05/2006 | 65 |
| 9/06/2006 | 14 |
| 9/07/2006 | 2 |
| 9/08/2006 | 0 |
| 9/11/2006 | 2 |
| 9/12/2006 | 1 |

I have also prepared this in chart format, but I'm not sure it will bolster your argument.

I'm going to work on compiling as much information about numbers of non-holidays-off throughout the year as I can before the bill comes to the floor.

-- Mike

From: Tangretti, Thomas
Sent: Tuesday, June 26, 2007 1:01 PM
To: Hillman, Michael
Cc: Stalnecker, Angela
Subject: RE: Information for House Bill 258

Mike, I'm going to need a further explanation on this. Are you available?

6/27/2007

From: Hillman, Michael
Sent: Tuesday, June 26, 2007 12:26 PM
To: Tangretti, Thomas
Cc: Stalnecker, Angela
Subject: Information for House Bill 258

Please let me know if there is any other specific information that you need. Of course, it is hard to predict what questions may come, but I have about 50 pages of supporting material that we can refer to if those questions do come up.

The Public School Code provides that the board of school directors of each school district shall fix the date of the beginning of the school term.

The Committee has determined that during the 2006-07 academic year, 412 of 496^[1] school districts – that is 83.1 percent – began school before Labor Day. Of the 84 school districts that began school after Labor Day, almost half were located in the Southeastern region of the state (including Philadelphia, Bucks, Chester, Delaware, and Montgomery Counties).

It should be noted that schools in cities of the first class must begin the school year no later than the first Wednesday after Labor Day.

All public kindergartens, elementary, and secondary schools must be kept open each school year for at least 180 days of instruction for pupils.

All schools must be closed on:

- Sundays
- One other weekly holiday – either Saturday or Monday
- Memorial Day
- Fourth of July
- Christmas Day
- Thanksgiving Day
- First of January

The board of school directors may designate that its schools be closed on:

- Up to five (5) additional local holidays, which are typically scheduled around Thanksgiving and/or Christmas
- Other holidays, which typically include Labor Day, Martin Luther King Jr. Day, President's Day, and a holiday around Easter Sunday
 - Some schools build in additional days off as "Fall Break," "Spring Break," and other non-holiday days off.
 - These days, in conjunction with days at the end of the school year, are often used as "Snow Make-Up Days"
- A random sampling of Pennsylvania school districts shows that these discretionary days off range between 10 and 22 per school year.

Other days on which schools are open but students are not in attendance do not count as instructional days. These days are typically used as teacher in-service days, clerical days, or professional development days.

According to the Department of Education, the number of days that the school is open – for instructional and for non-instructional purposes – is written into the teachers' and administrators' contracts. These days always include in-service days and perhaps curriculum-writing and perhaps preparation or wrap-up days.

Do we know how many in-service days? by school? average?

Using information from the Department of Education and a random sampling of Pennsylvania's school districts, typically between two (2) and nine (9) days are designated as teacher in-service days each academic year. Two (2) or three (3) in-service days often occur immediately before the opening of school for students, and some schools schedule one (1) in-service day immediately after the closing of school for students. House Bill 258 expressly states that school districts may continue to schedule in-service days before the first day of instruction.

Some in-service time is also sometimes designated to occur before students arrive on a delayed schedule or after students depart on an early-dismissal schedule. These days count as days of instruction.

Under the provisions of Act 80 of 1969, a school district may apply for Act 80 exemptions to the 180-day rule. If approved by the Secretary of Education, schools can count certain approved activities, including parent-teacher conferences, as instructional time. Under Act 80, a school week containing a minimum of 27 ½ hours of instruction can count as five (5) days of instruction. There is no limit on the number of Act 80 exceptions for a district, so long as the district still meets the minimum instruction-hour requirements of 450 hours for half-time kindergarten, 900 hours for full-time kindergarten and elementary schools, and 990 hours for secondary schools.

FYI – The Department of Education opposes House Bill 258.

Michael J. Hillman

Research Analyst

Tourism and Recreational Development Committee

Pennsylvania House of Representatives

Rep. Thomas A. Tangretti, Chairman

Room 326, Speaker K. Leroy Irvis Office Building

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[1]

Information was not available for four school districts: Chester-Upland (Delaware County), Lakeland (Lackawanna), Northern Lebanon (Lebanon), and Lakeview (Mercer). One district, Bryn Athyn (Montgomery), does not operate any schools.