

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 389
Ways and Means

(Delegate Healey, *et al.*)

Education - Beginning of School Year - After Labor Day

This bill prohibits public schools and publicly funded prekindergarten programs from opening for student attendance before the day after Labor Day.

The bill takes effect July 1, 2015.

Fiscal Summary

State Effect: Maryland State Department of Education (MSDE) finances are not affected. The net impact on Maryland's economy and, therefore, State revenues is assumed to be minimal.

Local Effect: Local school systems can accommodate a shift in the annual school year with existing resources.

Small Business Effect: Potential meaningful. Small businesses that rely upon late-summer tourism and employ school-aged individuals may benefit. However, small businesses that rely upon early-summer tourism and employ school-aged individuals may be adversely affected.

Analysis

Current Law: Public schools must be open for at least 180 days and 1,080 school hours at elementary and middle schools and 1,170 hours at high schools during a 10-month period. However, under certain conditions (a natural disaster, civil disaster, and severe weather conditions), the State Board of Education may permit schools only to be open for 1,080 school hours.

In case of emergency, the State Board of Education may open schools on holidays. The State has designated several days as public school holidays. They include the following:

- Thanksgiving Day and the day after;
- Christmas Eve through January 1;
- Martin Luther King, Jr. Day;
- Presidents' Day;
- Good Friday and Easter Monday;
- Memorial Day; and
- primary and general election days for most counties.

Labor Day is a holiday for State employees and is 1 of 11 mandatory bank holidays.

Background: Labor Day, the first Monday in September, is according to the U.S. Department of Labor a tribute to the contributions workers have made to the strength, prosperity, and well-being of our country. Local school systems in Maryland are typically closed on Labor Day. In 2014, Labor Day was on September 1; in 2015 it will occur on September 7.

From the 2009-2010 through 2013-2014 school years, every local school system in Maryland started the school year *before* Labor Day. According to the MSDE listing of public school openings and closings for the 2014-2015 school year, Worcester County Public Schools opened one day *after* Labor Day. The other 23 school systems opened before Labor Day, including 14 school systems that opened on August 25, or five school days before Labor Day; 4 systems that opened before August 25; and 5 systems that opened on August 26 or 27. (For some school systems, not all grade levels begin the school year on the same day.)

For the 2014-2015 school year, the last school day for Garrett County Public Schools is scheduled for June 4 and school systems statewide are scheduled to be closed for attendance by mid-June; Baltimore County and Harford County public schools are scheduled to close the latest in the year, June 19. Under the bill, the school year would likely end in the latter half of June for most school systems.

Per the Code of Maryland Regulations (COMAR), the fall sports season begins the sixth Saturday following the first full week in July (*i.e.*, before Labor Day). Participating schools may not participate in a regularly scheduled game until at least 20 calendar days have elapsed after and including the first day of practice. Golf is the only exception to this regulation. Fall sports include cross country, football, field hockey, golf, soccer, and volleyball. According to the rules set forth in COMAR, the first practice day for fall sports was August 13 in 2014.

Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools

Chapter 336 of 2014 established the Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools to study the impact of moving the start date of the public school year to after Labor Day on the following areas: (1) the education system, including the academic calendar, planning, administration, and facilities use; (2) the economy; and (3) summer tourism. The task force was required to report its findings and recommendations by June 30, 2014, to the Governor and the General Assembly. On May 19, 2014, the task force voted to recommend a post-Labor Day start date for public schools.

According to testimony presented to the task force, each of the 24 local school systems would oppose any legislation that would remove the autonomy of local school boards to make decisions regarding the school calendar. Local superintendents prefer that the authority to make calendar decisions remain at the local level due to the differing needs of each school system and the need for local flexibility regarding various issues, including unique student populations, geography, inclement weather policies, community business needs, the coordination of students' dual enrollment in college courses, and school system facility concerns related to schools without air conditioning that cancel days because of extreme heat. The Maryland State Education Association expressed concerns regarding the impact of a post-Labor Day start date on inclement weather planning, professional development for teachers, and available instruction time for standardized testing.

State Fiscal Effect: A report by the Maryland Comptroller and the Board of Revenue Estimates (BRE) dated August 14, 2013, analyzed the impact on the State economy if schools were required to start after Labor Day. BRE projects that a post-Labor Day start date would result in an additional \$74.3 million in direct economic activity and an additional \$7.7 million in new State and local government revenue. The report estimated that 8.5% of the 514,680 Maryland families with school-age children would go on a new day trip or overnight trip in the State, 5.2% would go on a new out-of-state trip, and the remaining families would spend at least one additional day engaging in family activities.

However, the Department of Legislative Services notes that much of the report's estimated direct economic activity – while likely to occur due to the post-Labor Day start date – is unlikely to be *additional* economic activity from the State's perspective. In the report, "local family recreational activities" are responsible for \$52.1 million (70%) in direct economic activity and \$4.1 million (53%) in new State and local government revenue. Family recreational activities are generally defined as close-to-home activities that a family can do over the course of a day, such as going to the movies, hosting a cookout, or attending a baseball game. In the broader context of the State economy and consumer budget constraints, increased recreational spending in August is largely offset by reduced spending during other times and/or on other goods and services.

Additional Information

Prior Introductions: None.

Cross File: SB 455 (Senator Mathias, *et al.*) - Education, Health, and Environmental Affairs.

Information Source(s): Dorchester and Garrett counties; Maryland State Department of Education; Department of Legislative Services

Fiscal Note History: First Reader - February 24, 2015
md/rhh

Analysis by: Scott P. Gates

Direct Inquiries to:
(410) 946-5510
(301) 970-5510