

March 27, 2019

The Honorable Thomas V. Mike Miller, Jr.  
President of the Senate  
H-107 State House  
Annapolis, Maryland 21401

Dear Mr. President:

In accordance with Article II, Section 17 of the Maryland Constitution, I have vetoed Senate Bill 128 - *Community Control of School Calendars Act*.

This unfortunate legislation unravels years of bipartisan work and study by seeking to reverse the post-Labor Day school start for public schools. Instead, Senate Bill 128 runs directly counter to an action favored by the vast majority of Marylanders.

Unfortunately, there has been an incredible amount of misinformation about the history and reasoning behind Maryland's return to the tradition of starting schools after Labor Day. This distortion of the facts has been an intentional deception by special interest groups who are attempting to rewrite history and ignore years of debate and study. In addition, it's a blatant and misguided complete reversal of position by many legislators.

During the 2013 session, with bipartisan support, Senators Mathias, Astle, and Edwards sponsored Senate Bill 963 - *Task Force to Study a Post-Labor Day Start Date for Maryland Public Schools*. This legislation established a Task Force to study the impact that moving the start date of the school year to after Labor Day would have on our education system and economy.

The Senate ultimately voted, nearly unanimously, 46-1 and the House 124-6 to pass this legislation. Governor Martin O'Malley went on to sign Senate Bill 963 and appointed a Task Force, which was required to include members of the Maryland General Assembly, the State Superintendent of Schools, representatives of local school systems, including teachers, representatives of the teachers union, parents, students, and members of the small business community.

This legislatively mandated Task Force held hearings, obtained expert testimony, and spent a year studying a post-Labor Day start a great deal before reaching their final determination. In May 2014, the Task Force voted 12-3 in favor of endorsing a post-Labor Day start, and a motion was made to recommend to Governor O'Malley a post-Labor Day start for Maryland's public schools. In June 2014, the findings and recommendations of the Task Force were published in a report that was distributed to the governor and the General Assembly.

A few months later at a Board of Public Works meeting on September 3, 2014, Governor O'Malley signed a petition to extend the school year after Labor Day. Governor O'Malley went on to say, "In fact, I'm tempted to do an executive order extending summer by another month."

When the legislative session started in January 2015, I made the decision to give the legislature a chance to finalize the implementation of a post-Labor Day school start, as had been recommended to Governor O'Malley. Due to outside pressure from political operatives and special interest groups, members of the Maryland General Assembly failed to actually pass legislation to follow through on the recommendations of their own mandated task force.

A total of five bills were introduced to mandate starting school after Labor Day, sponsored nearly sixty times by both Democrats and Republicans, many of whom are still in office today. You are even on the record expressing your strong support to move the beginning of the school year to after Labor Day.

After years of public outcry and with the strong support of an overwhelming majority of Marylanders, I took action: the action that a legislatively mandated task force recommended, what the previous Governor was proposing to take, what members of the legislature had repeatedly proposed taking, and what more than 70 percent of the people of Maryland were demanding to be taken. On August 31, 2016, I signed an Executive Order to start the public school year after Labor Day. The Executive Order drew clear, strong, bipartisan support among an overwhelming majority of Marylanders.

Sadly, this common sense action is threatened by out-of-touch politicians and paid political operatives, reflected in Senate Bill 128. I tried to work with members of the Maryland General Assembly on a compromise bill that was ultimately not even scheduled for a hearing. The legislation would have allowed any local school system that decides to start school before Labor Day to be required to put that decision on the ballot for the voters of that jurisdiction to decide for themselves. Our administration's bill would have offered genuine, local control over this important issue. Senate Bill 128 masquerades under the guise of more local control but instead does the complete opposite of what citizens want.

Perhaps one of the most troubling aspects of Senate Bill 128 is the politically charged actions that legislators took in recently amending the legislation to directly control the ballot language - a clear attempt to change the outcome of the referendum. This is highly irregular and a thinly veiled attempt to manipulate the will of our citizens.

A post Labor Day school start is better for families and helps protect the traditional end of summer. In addition, starting school after Labor Day improves health and safety for students, teachers, and

education employees who are in some cases required to report - in the second hottest month of the calendar year - to schools that lack air conditioning.

Senate Bill 128 would undo action that is in line with years of bipartisan recommendations, including that of the General Assembly's expert Task Force, and would run directly counter to the approach favored by the vast majority of Marylanders.

For these reasons, I have vetoed Senate Bill 128.

Sincerely,  
Lawrence J. Hogan, Jr.  
Governor