

COMMON SCHOOL CALENDAR THROUGHOUT INTERMEDIATE SCHOOL DISTRICT

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Senate Bill 549 (Substitute H-3)

Sponsor: Sen. Ron Jelinek

House Committee: Education

Senate Committee: Education

First Analysis (9-12-07)

BRIEF SUMMARY: The bill would require an intermediate school district, in cooperation with its constituent districts, to adopt a common calendar by July 1, 2008, and begin using it during the 2008-2009 school year. The calendar would be used to identify winter and spring holiday breaks for all school districts and charter schools; however, waivers of these requirements would be allowed. Further, the bill encourages that the common school calendar be used to schedule region-wide professional development days.

FISCAL IMPACT: The bill would have no fiscal impact for state government, but may have an indeterminate fiscal impact on local and intermediate school districts.

To the extent that having a common calendar for school vacations and professional development days could create efficiencies and collaboration in providing services such as professional development, transportation, and food services, it would provide savings to districts. However, a common calendar may also limit flexibility, which could instead increase costs if districts cannot take advantage of lower cost opportunities due to scheduling.

THE APPARENT PROBLEM:

Faced with tight budgets and rising costs, Michigan public schools continue to explore potential ways reduce expenses and operate more efficiently.

Many intermediate school districts (ISDs) have begun providing services or operating programs, such as career and technical education, jointly with constituent districts, allowing them to spread the cost of those programs among the districts. Other services such as transportation, food service, and building maintenance may lend themselves to sharing arrangements across an ISD.

In practice, however, ISDs have had difficulty taking full advantage of such opportunities, and their potential cost savings, because of differing calendars among their constituent districts. Some services, such as food preparation or shared teaching facilities, are needed only when school is in session, while others, such as professional development sessions for teachers, or building maintenance, need to be scheduled when school is closed.

To allow for greater coordination of services and more efficient operations, some have suggested that each ISD should establish a common calendar for all of its constituent districts.

THE CONTENT OF THE BILL:

The bill would amend the Revised School Code, generally speaking, to require an intermediate school district (ISD), in cooperation with its constituent districts, to adopt a common calendar by July 1, 2008, and begin using it during the 2008-2009 school year. The ISD would have to post the common school calendar on its website. An ISD's common calendar would apply to all of its constituent districts and to ISD programs (with some exceptions as described later).

The calendar would have to comply with Sections 1284 and 1284b of the code. Section 1284 requires the board of a school district or public school academy (charter school) to ensure that the district or academy provide at least the minimum amount of pupil instruction during each school year required under the State School Aid Act (currently 1,098 hours) in order to qualify for school aid payments. Section 1284b requires the board of a school district, ISD, or academy to ensure that the school year does not begin before Labor Day.

Identification of Out-of-Session Days. The common school calendar would have to identify the dates for each school year when school would not be in session for at least a winter holiday break and a spring break. Further, the common school calendar that is adopted would be encouraged to identify common dates for professional development days. The calendar would have to identify these dates specifically for at least the next five school years, but could describe them more generally for subsequent school years as long as the dates could be readily determined.

Collective Bargaining Agreement Exception. Beginning with the 2008-2009 school year, the board of each constituent district and the ISD board would have to ensure that its school calendar complied with the common school calendar. However, if a collective bargaining agreement that provided a complete school calendar is in effect for employees of a school district or ISD on the bill's effective date, and if that calendar does not comply with the common school calendar, then that school district or ISD would not have to comply until the collective bargaining agreement expires.

Year Round School and IB Exceptions. If, on the bill's effective date, an ISD or a school district is operating a year-round school or program or is operating an international baccalaureate academy with 1,160 hours of pupil instruction per school year, then that school or program would not have to comply with the common school calendar.

If a school district or ISD begins operating a year-round school or program after the bill's effective date, or is operating or begins operating on a trimester basis, the district could apply for a waiver from the bill's requirements for that school or program. The application would have to be in writing in the form and manner prescribed by the

Department of Education, and would have to provide justification for the school or program to operate on a calendar that differed from the common calendar.

The Superintendent of Public Instruction would grant the waiver upon determining that the school or program is a *bona fide* year-round school or program, or is operating on a *bona fide* trimester schedule, established for educational reasons, and that there is sufficient justification for the school or program to operate on a calendar that differed from the common school calendar. The superintendent would have to establish standards for determining a *bona fide* year-round school or program and a *bona fide* trimester schedule.

Single Site-Advanced Placement Exception; Waivers. The bill would not apply to a public school that operated all of grades 6-12 at a single site, that aligned its high school curriculum with advanced placement courses as the capstone of the curriculum, and that ended its second academic semester concurrently with the end of the advanced placement exam period.

The bill also specifies that in addition to the other exceptions noted above, the superintendent of public instruction may grant a waiver from a requirement for a school district that applies for the waiver in writing, in the form and manner prescribed by the superintendent of public instruction, and provides sufficient justification for the waiver, as determined by the state superintendent.

Definitions. The bill defines "school district" to mean a school district or a public school academy. Further, a "constituent district" is defined to mean a constituent district of the intermediate school district or a public school academy that is located within the boundaries of the intermediate school district. Finally, "board" is defined to mean the board of a school district or board of directors of a public school academy.

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HOUSE COMMITTEE ACTION:

The House Education Committee reported out Senate Bill 549 (Substitute H-3). That bill differs from the Senate-passed version in three ways:

First, under the House committee version of the bill, the common school calendar within an ISD region would apply to charter schools (known in the law as public school academies).

Second, the House committee version of the bill does not require that professional development days be included in the common school calendar; however, school officials are encouraged to identify common dates for professional development days.

Third, the state superintendent of public instruction can grant waivers from these requirements for a school district (including a charter school) that applied for the waiver in writing and provided sufficient justification.

(Note: Some information elsewhere in this analysis is derived from the analysis by the Senate Fiscal Agency dated 6-29-07.)

ARGUMENTS:

For:

The bill would benefit schools, school employees, and students, by providing consistency, predictability, and cost savings. Some ISDs and school districts currently share transportation services, have common career and technical education facilities, and have common administrative facilities. Because they serve the entire ISD, those facilities or services must be operating if even only one of the constituent districts is in session. If all constituent districts adopted the same calendar, those facilities could be shut down on vacation days, saving money on energy bills and payroll expenses. The coordination of transportation services also would offer potential savings. Sometimes, school buses must drive through districts where children are off for the day in order to pick up students from a different district. A common calendar would allow the buses to be parked on days off rather than operating at partial capacity, saving on fuel and maintenance.

In addition, a common calendar would make greater cooperation between constituent districts possible. Some students currently attend different schools for career and technical education classes, advanced placement classes, or other courses that for one reason or another are not offered at their own school.

Genesee County, in particular, has made extensive efforts to develop connections between area public schools. The ISD and several school districts in that county have combined resources to build GenNet, a high-speed electronic network that allows the districts to share information and offer instructional courses online, among other functions. In implementing the programs, however, the developers discovered that the participating districts have conflicting schedules on 45 days throughout the school year. That inconsistency limits the effectiveness of the technology, because courses and services offered must accommodate the calendars of all the participating districts. Under the bill, those conflicts would be eliminated, permitting greater use of services such as Internet courses and other alternative instruction methods throughout the ISD.

In addition, the bill would provide some flexibility for school districts. Although the winter break and spring break would have to coincide, the bill would not preclude a district from setting aside additional vacation days, based on the needs of the individual district.

The bill also would reduce potential conflicts for teachers and families who have children attending school in a different district within the ISD. Currently, a teacher and his or her children may have different days off, or students in one family may attend multiple

schools, complicating vacation plans. Under the bill, their major holidays would be coordinated, allowing the family to plan trips more easily.

Response:

Although the bill could create some cost savings for school districts, it does not go far enough in promoting consistency among Michigan public schools. There are great disparities among local school districts across the state, not just in their calendars, but also in resources, curriculum, and the academic achievement of students. Requiring statewide uniformity in these and other areas could help to improve the quality of education in the state, benefiting students and potentially improving Michigan's economic future.

Against:

The bill could inadvertently make it more difficult to determine school calendars. School administrators already struggle to establish a school calendar that meets various statutory requirements while serving the needs of the community and students. Under the bill, they also would have to accommodate all the differing demands of constituent districts. For instance, some school districts have longer school years than others. Others may wish to begin the school year as early as possible to prepare for standardized tests. Teachers' unions often make demands on school districts regarding the calendar as well, and local communities often have expectations that the calendar will include specific holidays. Because a school day counts as a day of instruction only if at least 75 percent of students are in attendance, school districts must account for days when families are likely to take off early for vacations, and as a practical matter, classes cannot be held on those days.

Other limitations, including the new requirement that the school year not begin before Labor Day, further restrict the ability to design an acceptable school calendar. Given those difficulties, it could be problematic for various constituent districts to come together and negotiate a common calendar. The bill does not specify any voting procedures or other methods for resolving such disputes, in cases where there were disagreements among constituent districts.

Against:

The bill should require that at least half the professional development days be coordinated within an ISD, while allowing the remaining days to be determined by each constituent district.

Against:

This bill should not apply to charter schools. Charter schools have statewide authorization, and several enroll students from more than one intermediate school district. For example, most of the students in a Southfield-based charter school (located in Oakland County) live in the City of Detroit (located in adjacent Wayne County). If that charter school must share a calendar in common with other school districts in Oakland County, the resulting uniformity may not serve its students and their families well.

Generally, public school academies operate independently from ISDs, and do not share services in the same way that constituent districts often do. Indeed, in some cases, ISDs

reportedly have been unwilling to share services with PSAs located in the district. If PSAs had to comply with a common school calendar, then they also should be entitled to share services with the ISD. Those issues lie outside the scope of the present bill.

Response:

Public school academies (PSAs) could benefit from sharing the common school calendar of an ISD, and for that reason they are included in this bill. If constituent districts would operate more efficiently on a common school calendar, it is unclear why PSAs should not be subject to the same requirement, yielding similar cost savings.

Against:

The original Senate bill would have required ISDs to adopt a common calendar in cooperation with applicable employee groups, in addition to constituent districts. The version that passed the Senate, however, no longer would require the involvement of employee groups. There is a concern that this would take a tool for collective bargaining off the table for these groups.

POSITIONS:

The Michigan Association of School Boards supports the bill. (9-11-07)

The Michigan Elementary and Middle School Principals Association supports the bill. (9-11-07)

The Macomb Intermediate School District supports the Senate-passed version of the bill. (9-11-07)

The Michigan Association of School Administrators supports the Senate-passed version of the bill. (9-11-07)

The Michigan Association of Public School Academies (Charter Schools) opposes the bill. (9-11-07)

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