

ISSUE PAPER



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School Start Date

BACKGROUND

For more than two decades, the Legislature and school districts have been wrestling over the authority to set the school calendar. Between 1990 and 2001, school districts determined when school would start and end. Most schools started in early to mid-August. The tourism industry fought school boards' authority to determine a *local* school start date, arguing for a uniform, post-Labor Day school start date. In 2001, the Legislature instituted a uniform, late August school start date. The law was made more prescriptive in 2006.

Current law states that, beginning with the 2007-08 school year, districts are prohibited from starting school before the *fourth Monday in August*, unless they operate on a year-round basis.

LEGISLATIVE HISTORY

In 1984, House Bill 72 prohibited Texas schools from starting before September 1. In 1990, the Legislature repealed the uniform school start date

and allowed school boards to establish a local school start date as long as the required number of instructional days were preserved. In 1995, Senate Bill 1 revised the legal framework for public education which reinforced the principle of local control – that schools should be held accountable for *results* but districts should have control over *how* to achieve those results. In 1997 and again in 1999, legislation to establish a September 1 uniform school start were filed but did not pass.

TEXAS SCHOOL BOARDS ESTABLISH SCHOOL CALENDARS BY JUGGLING LEGAL REQUIREMENTS AND LOCAL COMMUNITY AND EDUCATIONAL NEEDS.

In 2001, the Legislature prohibited schools from starting earlier than the third week of August but allowed districts to apply to the commissioner of education for a waiver upon meeting certain public notice and hearing requirements. Contending that the waiver provision had rendered the uniform start date meaningless, in 2006, the Legislature



prohibited Texas schools from starting before the fourth Monday in August, unless the district operates a year-round school system and eliminated waivers.

THE PROBLEM DEFINED

Texas law requires 180 instructional days per school year. Staff development and holidays (not including winter break) account for 20 school days during a typical school year. Juggling those legal requirements and local communities' demands, Texas school boards establish the school calendar each year with the advice of the site-based decision making committees.

The late-August school start date forced school boards to shorten the Thanksgiving and Christmas breaks and/or end the fall semester after the winter break. Ending the fall semester in January, further reduces the number of instructional days available during the spring semester to prepare students for the state TAKS and end-of-course tests and the Advanced Placement (AP) exams. The AP exam schedule is set nationally, and the Texas Education Agency has little flexibility in the TAKS testing dates because of constraints imposed by the federal No Child Left Behind Act. Thus, to increase the number of instructional days prior to the assessment dates, the school start date must be moved earlier in August.

ARGUMENTS FOR & AGAINST

Three issues underlie the arguments made in support of a late-August/post-Labor Day uniform start date :

- Uniformity in the length of the summer break;
- Uniformity in scheduling of summer break across the state; and
- Allowing time for families to vacation and high school students to work at the theme parks, resorts and summer camps during August.

School boards have traditionally argued for local control over setting the school calendar in order to:

- End the fall semester prior to winter break,
- Align the school year with the calendars of the community colleges and universities in their areas, and
- Accommodate additional interests of their communities.

PROPOSED SOLUTION

If the Legislature is going pass a more stringent accountability system, holding students to higher performance standards, then the Legislature should move the *uniform* school start date back one week earlier in August. This would allow districts to complete the fall semester *prior to* winter break, thus eliminating the need to spend instructional days in January reviewing the fall semester material and taking the fall exams. This would allow teachers additional instructional time during the spring semester to prepare students for the state TAKS and end-of-course tests and the national AP exams. In return, school districts would end the school year by June 1.

This solution promotes the best interests of students; it also meets the tourism industry's priorities: uniformity in the length and schedule of the summer break across the state and two weeks of work/vacation time in August.

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