



Issue: School Start Date

For more than two decades, the Texas Legislature and school districts have been wrestling over the authority to set the school calendar. 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 In 1990, the Legislature repealed the uniform school start date and allowed school boards to establish a local school start date, as long as the required number of instructional days were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 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 was filed but did not pass.

Thus, 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 start of school.

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.

Current Law

Texas Education Code § 25.0811(a) 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.

The Issue 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 communities' demands, Texas school boards establish the school calendar each year with the advice of the site-based decision making committee.

The late-August school start date forced school boards make changes to the school calendar, including: shortening the Thanksgiving and Christmas breaks and/or ending the fall semester after winter break. Ending the fall semester after winter break (i.e., in January) *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.¹ The new accountability mandates passed by the Legislature in 2009 have increased the pressure on school districts to maximize the instructional time available to prepare students for the state-administered accountability exams, thus renewing the debate over the school start date.

Traditional arguments for/against a late August, Uniform School Start Date

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

- (1) Uniformity in the length of the summer break;
- (2) Uniformity in scheduling of summer break across the state; and
- (3) 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:

- (1) End the fall semester prior to winter break;
- (2) Align the school year with the calendars of the community colleges and universities in their area; and
- (3) Accommodate additional interests of their communities.

Questions:

- (1) What change(s) to the school calendar did your board have to make when the late-August uniform school start date went into effect?
- (2) What type of reactions from parents, students, the community and others have you received as a result of those changes?
- (3) Would legislation moving the uniform school start date back *one week earlier* in August and requiring districts to end school by June 1 be helpful to your district? If so, why?

¹ The AP exam schedule is set nationally, and the Texas Education Agency has little flexibility in setting the TAKS testing dates because of constraints imposed by the federal No Child Left Behind Act.