

STATE OF NEW HAMPSHIRE

SAVE OUR SUMMERS STUDY COMMISSION

REPORT TO THE GOVERNOR

November 29, 2018

The Save Our Summers Study Commission respectfully submits the following report summarizing the results of its review and findings.

The Save Our Summers Study Commission was established by Executive Order 2018-04 on August 28, 2018 to evaluate the potential impacts of passing legislation to require K-12 schools to establish a post-Labor Day start date. The Executive Order set forth the date of November 30, 2018 to submit a report of the Commission's findings.

The following individuals and organizations were consulted by the Commission:

- Heather Gage, Director, Division of Learner Support, NH Department of Education
- Brian Gottlob, PolEcon Research
- Barrett M. Christina, Executive Director, NH School Boards Association
- Megan Tuttle, Interim President, National Education Association-NH
- Carl M. Ladd, Executive Director, NH School Administrators
- Doug Ley, President, American Federation of Teachers-NH
- Anne Clark Englert, Owner, Clark's Trading
- Jeb Boyd, General Manager, Whales Tale Water Park and Alpine Adventures
- Jayne O'Connor, Executive Director, White Mountains Attractions Association
- Bruce Parsons, Principal, Plymouth Regional High School, and President of the NH Interscholastic Athletic Association
- Frank McBride, Principal, Goffstown High School, Past President of the NH Interscholastic Athletic Association
- Deanna Richeson, President & CEO, Check In Michigan
- Traci Giroux, Anderson Economic Group
- Rob Johnson, Policy Director, NH Farm Bureau Federation
- Taylor Caswell, Commissioner, NH Department of Business & Economic Affairs

BACKGROUND

Current law (RSA 189:1) establishes that the school board of every district shall provide that standard schools maintain at least 180 days in each year, or the equivalent number of hours as

required in the rules of the New Hampshire Department of Education (NH DOE). This law was first introduced in 1883, and was subsequently amended in 1919, 1921, 1959, 2007, and 2011. In 1959, the law was amended to change from a required 36 weeks to “at least 180 days.” In 2007, the law was amended to provide an alternative to the minimum required days by offering an “equivalent number of hours if approved by the commissioner” of the NH DOE.

RSA 189:24 defines a standard school as one approved by the State Board of Education (BOE), and maintained for at least 180 days in each year, or the equivalent number of hours as required in the rules of the NH DOE, in a suitable and sanitary building, equipped with approved furniture, books, maps and other necessary appliances, taught by teachers, directed and supervised by a principal and a superintendent, each of whom shall hold valid educational credentials issued by the State BOE, with suitable provision for the care of the health and physical welfare of all pupils. Furthermore, a standard school shall provide instruction in all subjects prescribed by statute or by the state board of education for the grade level of pupils in attendance.

The NH DOE rule (Ed 306.18), pursuant to RSA 189:1 and RSA 189:24, requires that each school district shall maintain a school year as provided below:

- (1) The school district shall maintain in each elementary school, a school year of at least 945 hours of instructional time and in each kindergarten at least 450 hours of instructional time;
- (2) The school district shall maintain in each middle and high school, a school year of at least 990 hours of instructional time. Districts shall provide at least 990 hours of instructional time for grades 7 and 8 in elementary schools that include grades 7, or 8, or both;
- (3) The instructional school day of an individual student shall not exceed 5.75 hours of instructional time in elementary schools and 6 hours of instructional time in middle and high schools;
- (4) The school shall have in its school year an additional 60 hours in duration to provide for instructional time lost due to inclement weather or unexpected circumstances, staff development, and parent-teacher conferences. At least 30 of the 60 additional hours shall be available for rescheduling hours lost due to inclement weather or other emergencies. Schools shall use these additional hours to reschedule lost instructional time before requesting a waiver of the amount of instructional time under RSA 189:2, unless extraordinary circumstances exist that would place an unreasonable burden on the school or students such as, but not limited to, substantial building damage;
- (5) A school may have a shortened day when an emergency condition exists which might adversely affect the health and safety of students, provided that the number of hours of instructional time originally planned for the day shall be credited to the number of hours of instructional time in the school year, if:

- a. On that day, the school would normally have had at least 5.25 hours of instructional time; and
- b. The school remained open for at least 3.5 hours of instructional time;

(6) There shall be no requirement to reschedule instructional time for kindergarten if morning or afternoon kindergarten sessions are cancelled due to delayed opening or early release for students in grade 1 or higher; and

(7) A school district may submit a plan to the commissioner that will allow schools to conduct instruction remotely for up to 5 days per year when the school has been closed due to inclement weather or other emergency. The plan shall include procedures for participation by all students. Academic work shall be equivalent in effort and rigor to typical classroom work. There shall be an assessment of all student work for the day. At least 80 percent of students shall participate for the day to count as a school day.

[See: Appendix I, Schools implementing “Blizzard Bag” option]

Lunch time, home room periods, passing time, and breaks shall not be counted toward the required amount of instructional time. Elementary schools may count up to 30 minutes of recess per day as instructional time for pupils in kindergarten through grade 6. Advisory periods in middle and high schools shall be counted as instructional time.

The school year for high school seniors may be reduced by no more than 5 days or 30 hours of instruction, whichever is less, from the number of days or hours of instruction for other high school students.

The NH DOE requires that each school maintain a school calendar (Ed 306.19). The NH DOE collects calendar information from each district school, including charter schools, to prepare a school calendars matrix. Schools are not required to provide their calendars to the NH DOE. The matrix includes such information as the start and end dates of the school year, staff development days, holidays and breaks.

[See: Appendix II, NH DOE School Calendar Matrix 2018-19]

For the current 2018-19 school year, there are 35 districts/charters, out of 180, that started after Labor Day. The NH DOE provides a suggested calendar each year, but this is only a guide for districts and is not required.

[See: Appendix III, NH DOE Suggested Calendar 2018-19]

CONSTRUCTING THE SCHOOL CALENDAR

NH DOE School Approval rule, Ed 306.18, establishes the minimum standards for a public school calendar. This rule also compels school districts to set calendars that best serve their students

and communities. As such, each NH school district makes a local determination in establishing their annual school year calendar. There are a variety of factors that influence this important decision. These factors include, but are not limited to:

- Student interests. Local/regional demographics result in wide-ranging needs in many NH communities. School districts aim to best serve students and construct calendars that meet diverse student and family needs.
- Local Career and Technical Education Center (CTE) affiliation. CTE centers (such as the Concord Regional Technical Center – CRTC) provide a variety of valuable programming and offerings for high school students. Each CTE in NH has regional schools that are afforded the opportunity to send/enroll high school students in CTE courses and programs. The calendar of the regional CTE center has tremendous impact on the calendar of its sending schools.
- Collectively Bargained Agreements (CBAs). Many of these multiyear agreements refer to the number of contractual days (both instructional and professional development days).
- Tuition agreements and interstate compacts. Throughout the state, and even across state lines, there are tuition and cooperative agreements that are based on annual school days and are impacted by participating school calendars.
- Private service contracts – transportation, custodial, food service, etc. Many districts have contracts that provide outsourced services. These contracts are typically multi-year in scope and are based on a minimum number of school days.
- End-of-year ceremonies. Many districts reserve graduation dates and venues years in advance.
- The fiscal calendar. The fiscal year for a school district ends on June 30.

The process each district undergoes to establish an annual calendar is unique, but likely resembles the following:

- Collaboration with regional CTE center. Schools will attempt to align calendars so that participating students do not miss instructional days at their CTE centers.
- Connection with unions. SAUs will typically send proposed/draft calendars to their local unions for review and feedback.
- Administrative review and feedback. Draft calendars are reviewed by building administrators and local leadership teams. Considerations include Professional Development (PD) dates, graduation, and extended year programs.
- Once a draft calendar has been reviewed by a variety of local constituents, it is typically brought to the local school board for discussion, potential modification, and approval. School calendars for the subsequent school year are typically approved in late fall/early winter of the preceding year.

Ed rule 306.18 allows for school calendars to be based on instructional hours. At the end of the school year, if weather has resulted in an excessive amount of school closures (beyond the 5-days that are built into most calendars), there are times when a school district may deviate from

the 180-school day/year norm for students. In these circumstances, professionals are typically required to fulfill their contractual obligations through additional professional development days. Additionally, some NH schools utilize “Blizzard Bags” to allow for the continuation of school even in cases of school closures.

EDUCATORS, ADMINISTRATORS & LOCAL GOVERNANCE

The Commission received input directly from the major organizations representing educators, administrators, and local school boards in the state. These organizations included the National Education Association (NEA), American Federation of Teachers (AFT), New Hampshire School Administrators Association (NHSAA), and the New Hampshire School Boards Association (NHSBA).

While these organizations represent different constituencies, and exhibited minor differences in their perspectives, they all shared a common, primary objection to requiring schools to start after Labor Day which centered on a desire to maintain local discretion and complete decision making authority over the calendar.

Teachers

The AFT laid out three reasons for opposing a statewide requirement to start school after Labor Day. First, the organization cites a preference for local control, leaving the issue of start dates to local districts. The AFT contended that individual school districts may have different perspectives, and therefore it is most appropriate that they be responsible to local constituents, and are best positioned to make determinations to meet the interests of students, teachers, and the community.

Second, the AFT cited a common concern that a later school start date could result in a later end date to the school year. AFT-New Hampshire President, Doug Ley, wrote, “...winters can pose significant challenges, due to the number of weather-related cancellations. Some of the districts where we have contracts held school quite late into June and our members had to work even later in order to fulfill contractual provisions regarding days and/or hours work.”

Third, a statutory mandate for a post-Labor Day school start would require renegotiation of public education contracts, which often specify approximate start dates and set forth a calendar for professional development days. While the AFT recognizes that this issue is “not insurmountable,” they also note that it would place a burden on local teacher unions and school boards as they negotiate their contracts.

[See: Appendix IV – Letter from AFT]

The NEA opposes a state mandate on similar grounds as the AFT. Additionally, the NEA raised concerns related to educational outcomes, suggesting that a later start date for the school year could adversely impact student achievement, or exacerbate issues of food insecurity, and limit

behavioral health support for students. Megan Tuttle, Interim President of the NEA-NH, indicated that in order for the NEA to support a state-required post-Labor Day start, evidence showing improved educational outcomes from such a policy would need to be presented. However, when asked, the NEA was unable to point to specific evidence demonstrating improved educational outcomes derived from starting school the week before Labor Day.

During a period of question and answer, the NEA's Tuttle agreed with some Commission members that students can gain valuable knowledge and skills through experiential opportunities outside of the traditional academic setting, and acknowledged that hands-on experiences are effective and meaningful. However, it was pointed out that not every family is in a position to take advantage of the same range of experiential opportunities over the summer season.

Commission members raised the possibility that not all teachers in New Hampshire share the NEA's and AFT's opposition to a post-Labor Day start date. One Commission member asked if the NEA could survey its membership (which was stated to be approximately 17,000 teachers) to gauge whether or not rank and file teachers favor a school start date before or after Labor Day. Ms. Tuttle said she could survey the NEA's membership, but no data was subsequently provided to the Commission by the time of submission of its report.

Future consideration of this policy issue may benefit from an independent, comprehensive survey of New Hampshire's K-12 teachers.

Administrators

The NHSAA testified that 84% of school districts in New Hampshire start their academic years before Labor Day. The organization opposes a proposal to require schools starting after Labor Day, and cited local control as its primary reason. The NHSAA based much of its testimony on a survey of its membership (superintendents), which received a 62% response rate.

A concern raised by the NHSAA questioned the impact that a later start date would have on end dates for schools across the state. If schools are required to start after Labor Day, the NHSAA believes that the unpredictability of inclement weather could lead to school years ending in late June. School administrators highlight this issue as a major concern and one of the biggest challenges in determining a school district's calendar, as they are required to account for snow days and cancellations.

The NHSAA stated that an "adherence to an outdated agrarian calendar system of schooling is not worth losing the academic gains students can make by having fewer long-term time gaps in learning time." The organization's leadership suggested that longer summers lead to a loss of academic proficiency, and stated that "it may take up to six weeks for students to re-learn and re-engage with what was learned the prior year." Additionally, the NHSAA suggested that families rely on school breakfast and lunch, before and after school programs, and behavioral health support. Recalling his own experience as an educator, Carl Ladd, Executive Director of the NHSAA,

offered his personal opinion that students are more focused and more productive in August than in June.

Multi-district SAUs present a challenge to establishing a post-Labor Day start date, which rely on cooperation and agreement across more than one school district. In some cases, calendars are not the same even with the same SAU. A change to the school calendar would impact transportation (e.g., bus schedules and drivers) and co-curricular programming. Additionally, districts that share Career and Technical Education (CTE) centers may find it difficult to coordinate schedules, impacting the number of days available to students for CTE instructional time.

School calendars are often influenced by collective bargaining agreements (CBAs), which are typically multi-year agreements. Thus, any legislation to establish a post-Labor Day start date must consider terms for current CBAs.

Advanced Placement (AP) course examinations are given at predetermined times nationally, and the NHSAA raised as a concern that a post-Labor Day start date could put NH students at a disadvantage with their peers from other states. Also, Dual Enrollment and Running Start programs, where high school students take college and university courses, need to be considered as a change in school start date could impact and complicate those programs.

Despite the challenges to locally negotiated contracts and arrangements outlined by the NHSAA, Mr. Ladd expressed the opinion to the Commission that school districts would adapt should the state require schools to start after Labor Day.

Finally, the NHSAA noted, “There is also the issue with the discrepancy in the February and April vacation weeks. Many districts align with [Massachusetts] dates, others don’t, which can make it difficult for families where there are teachers and students in different districts.”

This statement seems to suggest that there is value to achieving uniformity in the school calendar for students, teachers and families alike. Today, schools start before and after Labor Day, and at various dates throughout the month of August and September. There is no uniformity for school start dates in New Hampshire.

[See: Appendix V, NHSAA written comments]

School Boards

The NHSBA opposes proposed legislation that would mandate New Hampshire school districts to start school after Labor Day. This position is reflected in *NHSBA Resolution V:1*, adopted in 2009, which states:

NHSBA supports local control provided in NH statutes and rules that allow local school districts the authority to make their own decisions in defining a school calendar that complies with both the spirit and the letter of the law.

The NHSBA advised that collective bargaining agreements negotiated on a district-by-district basis would be disrupted by a statewide mandate to establish a post-Labor Day start date. Some CBAs specifically state that the school year not commence before Labor Day. Other CBAs include Labor Day as a paid holiday, and thus a change to the school year's start date would impact many district employees paid on an hourly basis. Some CBAs use Labor Day as a date to arrange or schedule payroll. These factors would need to be considered should a statewide change be implemented.

Additionally, the NHSBA claims that a new law obligating school districts to start after Labor Day "would create a conflict with numerous other laws and the New Hampshire Department of Education administrative rules." The organization's leadership pointed to RSA 189:1-a, II, which states that "Elected school boards shall be responsible for establishing structure, accountability, advocacy, and delivery of instruction in each school operated and governed in its district." The NHSBA stated its belief that the spirit of this statutory provision extends to complete authority over the calendar.

Both the NHSBA and NHSAA raised inter-state compacts as an area of concern to be considered when addressing the school start date. Some NH school districts send their students out of state to schools in Vermont or Maine. For example, the Monroe School District (NH) sends high school students to St. Johnsbury Academy (VT). Rollinsford School District (NH) sends middle and high school students to Marshwood School District (ME). The NHSBA and NHSAA contend that a state-mandated post-Labor Day start date could cause "significant disruption" to these school districts. However, during a period of question and answer with Commission members, the NHSBA and NHSAA acknowledged that the limited number of NH school districts with existing inter-state compacts could be exempted from any legislation that would create a post-Labor Day start date for NH schools.

Finally, NHSBA stated in its verbal and written testimony that "despite the numerous logistical and practical challenges that would manifest if the state required school districts to start the school year after Labor Day, NHSBA might be willing to reconsider its position on this proposal if certain assurance were made, specifically, with respect to revenue." The NHSBA further stated, that "if the state mandates school districts to start the school year after Labor Day, and a primary purpose of this mandate is to increase state and local revenues, then all state revenue generated from the Friday before Labor Day through Labor Day should be specifically designated and earmarked for public schools."

[See: Appendix VI, NHSBA Letter]

THE ECONOMY, TOURISM, EMPLOYERS & WORKFORCE

Economic Analysis

Brian Gottlob, principal economist at PolEcon Research, conducted a study on *The Economic, Fiscal, Labor Market, and School Calendar Impacts of Starting School After Labor Day in New Hampshire*, which was presented to the Commission on October 22, 2018.

[See: Appendix VII, *The Economic, Fiscal, Labor Market, and School Calendar Impacts of Starting School After Labor Day in New Hampshire*]

The study offered the following key observations:

- The percentage of public school students starting the school year after Labor Day has declined by half since 1999.
- Real inflation adjusted rooms and meals spending in New Hampshire has grown more slowly in July, August and September than in other months since the 1990s, roughly coinciding with the decline in percentage of students starting school after Labor Day.
- There is a statistically significant relationship between the percentage of public school students in New Hampshire starting school after Labor Day and summer rooms and meals expenditures in the state.
- If all public schools had started after Labor Day in 2017, rooms and meals spending in New Hampshire during August and September would have increased by \$10.4 million and all recreation and tourism spending by a total of \$17.3 million.
- Depending on the date in September that Labor Day falls (September 1-7), tourism expenditures are estimated to increase by between \$14.3 million and \$20.3 million (in 2017 dollars) if all NH schools start after Labor Day.
- The total economic impacts in New Hampshire of starting schools after Labor Day is estimated to be an increase between \$24.1 million and \$34.2 million (in 2017 dollars) depending on the date in September that Labor Day falls.
- Starting schools after Labor Day would increase state and local revenue by between \$1.7 million and \$2.8 million (in 2017 dollars).
- The number of individuals ages 16-18 has declined, and labor force participation in New Hampshire among that age group has declined sharply since 2000. The decline is exacerbated as the teenage workforce in New Hampshire shrinks by an average of about 3,000 before Labor Day when high school students return to school, a time when seasonal industries that employ a large number of teenage workers have a high need for teenage labor to meet Labor Day and vacation-related demand.
- Teenage workers lose an estimated \$1.3 million in wages by having to return to school before Labor Day.
- A majority of New Hampshire public schools would have to add three or fewer school days in June or seven minutes or less to the length of the of the school day to start school after Labor Day and still satisfy instructional time mandates.

Employers

The White Mountains Attractions Association (WMAA) provided comment to the Commission. In written testimony, the WMAA offered its support for a statewide requirement that schools begin after Labor Day. The WMAA represents scenic and family attractions, as well as tourism lodges, restaurants, retail and activity businesses.

Businesses that rely heavily on tourism – such as those represented by the WMAA – are significantly affected by weather and the national economy. The WMAA points out that in more recent years, the shrinking of the summer season due to earlier school start dates has caused additional hardship and layoffs as businesses close early, or do not have enough staff and customers to operate.

Jayne O'Connor, President of the WMAA, surveyed her member businesses and offered the following additional comments regarding a shortened summer season due to schools starting before Labor Day:

- Employers are overtaxed with staffing based on school schedules, and they see a dip in business the last week of August.
- Summer businesses provide worker training and ethics to the students, which will help them throughout their lives.
- A lack of young employees causes disruption in companies as administrative and managerial staff take over the running of attractions, selling tickets, and other operations just to remain open.
- Tourism is critical to working families and fuels the economy in many regions throughout the state, especially in the northern portion of New Hampshire.

[See: Appendix VIII, WMAA Letter]

During testimony before the Commission, Anne Clark Englert, owner of Clark's Trading Post in Lincoln, NH, raised the concern that early school start dates adversely impact her family-owned amusement park economically. The shortened summer season causes both a loss of business, as well as a smaller labor force. Owners and management are forced to close some attractions and recruit retired friends and neighbors to staff the remaining amusement rides, concessions, and ticket booths in order to keep the park open for end of season tourists. Ms. Clark specifically cited that Clark's Trading Post experienced more traffic and attendance in the years before most schools began their academic years before Labor Day. During the last week of August, Clark's sees approximately 1,000 less visitors at the attraction. The average per person spend is \$37.00, which results in a \$37,000 decline in revenue for that week.

Jeb Boyd, CEO and General Manager for Alpine Adventures, Whale's Tale Water Park, and Candia Springs Adventure Park, indicated that the final week of August contributes significantly to his company's profit margin. The tourism and attractions industry is dramatically impacted by

weather, and “one rain day equals five days for a 365-day business,” according to Mr. Boyd. Therefore, summer tourism businesses require every opportunity possible to earn money. A shorter summer season creates significant challenges. Low unemployment places greater importance on the high school labor market, which Mr. Boyd said is necessary to the tourism-related economy. Fourteen percent of his weekly revenue is realized in the final week of August, which is 84% down from other weeks earlier in the month.

Both Ms. Englert and Mr. Boyd testified that student workers leave their summer jobs with real-world experience and job-ready skills. Approximately 40% of employees at Clark’s Trading Post and 70% at Whale’s Tale Water Park are high school students. Mr. Boyd stated that he has reached out to partners in education about this issue and his industry’s employment needs, and that his industry wants to be involved in decisions involving the school calendar.

It was pointed out that the greatest positive economic impact (especially as it pertains to workforce) occurs near the end of summer rather than the beginning of summer.

Department of Business and Economic Affairs

The New Hampshire Department of Business and Economic Affairs (BEA) reviewed the economic analysis provided by PolEcon Research, and where the department also possessed similar data it was able to confirm PolEcon’s conclusions. The department also offered its own comments on the impact of school start dates on the NH economy. In a letter to the Commission, Commissioner Taylor Caswell of the BEA stated:

“August spending trends among travelers to or within the state have decreased concurrently with schools opening earlier. Labor Day is a major holiday for the state’s hospitality industry and any increase in families traveling within the state would be highly beneficial to the industry...The very same hospitality industry employers that would see the most value from increased spending over the Labor Day holiday are also among the most dependent on a school-age workforce. This would seem to magnify the benefit of a later school start date. It is also worth noting that those employers also have among the most challenging workforce recruitment and retention situations.”

[See: Appendix IX, BEA Letter]

The Michigan Experience

The Commission also consulted with Deanna Richeson, President/CEO of *Check In Michigan*, representing Michigan’s hospitality and tourism industry, and Traci Giroux, a consultant with Anderson Economic Group, which studied the impact of Michigan’s law requiring a post-Labor Day start date for schools on the economy. Historically, tourism was Michigan’s third largest industry after automobiles/manufacturing and agriculture, and the Michigan law was enacted, in part, to bolster the tourism industry. Prior to the law’s enactment, Ms. Richeson indicated that

60% of Michigan voters favored a post-Labor Day start date. Since the law's enactment, the percentage of voters favoring a post-Labor Day start date has grown to 70%.

After enactment, Michigan saw an increase of 40,000 to 44,000 room nights in the state, which resulted in a \$4.5 million to \$5.2 million increase in room revenue during a time the state was in an economic downturn. Overall tourism spending increased by \$20 million.

Michigan's law was enacted in 2005, but was not fully effective until 2007, because it did not account for existing local CBAs. Additionally, the original law permitted school districts to apply to the MI Department of Education for a waiver to start school before Labor Day. In 2007, only 7 school districts out of more than 800 received waivers mostly due to issues related to dual enrollment programs. Today, that number has grown to 200 districts. According to Ms. Richeson, the MI Department of Education has applied a loose standard for granting waivers. Districts have used "year-round" school or "balanced calendaring" as justifications for an exemption from the law, when in reality most districts have not fully transitioned to year-round school, but instead start school the week or two before Labor Day. Efforts are ongoing today in Michigan to close this so-called loop-hole in the law.

Annual polling is done in Michigan on the issue, and according to *Check In Michigan*, poll results consistently show that 70-75% of respondents favor a post-Labor Day start date. According to both Ms. Richeson and Ms. Giroux, Michigan's school year end dates have not been affected by the law's enactment and most schools in Michigan continue to end their school years by mid-June.

Michigan requires that schools be in session for 180 days. During the 2007 economic recession, some districts did not have the funds to have schools meet the 180-day requirement, and the state temporarily allowed them to reduce their total session days to 175.

Northern Michigan – like Northern New Hampshire – is heavily dependent on tourism, and most schools in that region start after Labor Day.

AGRICULTURE

The Commission sought the advice and guidance from the NH Farm Bureau Federation (NHFBF). The NHFBF's statewide membership consists of more 3,000 farming families across 10 county farm bureaus. Rob Johnson, Policy Director of the NHFBF offered his organization's support for requiring schools to start after Labor Day, and read from the *NHFBF's 2017 Policy Document*, stating, "We support opening schools after Labor Day as seasonal oriented businesses, including agriculture and agri-tourism enterprises, depend on the NH student population to effectively run their operations."

Adequate workforce is a critical issue for farms in New Hampshire – especially those in areas where schools start before Labor Day. Many students, parents and teachers are employed at local farms. Labor Day is the busiest weekend for farms throughout the state, and one-quarter of

farm revenue is generated during the Labor Day weekend. Additionally, the Labor Day weekend is when some agriculture fairs are held, including Hopkinton Fair and Lancaster Fair.

ATHLETICS

The New Hampshire Interscholastic Athletic Association (NHIAA), a private not-for-profit organization established in 1947, administers and formulates standards to ensure that athletics is fair and that competition is equalized across the state. The NHIAA is a voluntary organization operated by a continually changing committee structure and an athletic council. The NHIAA membership consists of 89 high school schools, both private and public, with a total school population of 55,067 students.

The NHIAA sanctions 11 fall sports, 18 winter sports, and 11 spring sports. All fall sports in 2018 began on Monday August 13, 2018. All NHIAA sanctioned sports have a set number of weeks for the pre-season and the regular season as determined by the individual sports committees. NHIAA By-Laws mandate that no more than 70% of the teams in any division can qualify for the post season tournament in any given sport. Most sports have a two week tournament season culminating in a state championship event at a neutral site selected to maximize the playing and viewing experience for athletes and fans.

Each year the NHIAA is required to collect and submit participation numbers by sport to the National Federation of High Schools (NFHS). The 2017-2018 participation numbers in the state of New Hampshire show that a total of 17,288 students participated in fall sports in 2017. When compared to the total number of students enrolled in our 89 member schools, the 17,288 students represents 31% of the total high school population.

Although local control is central to the NHIAA's mission and operation, the NHIAA takes no position on the matter of requiring school to start after Labor Day, as the organization operates independent of the various start dates of its member schools. However, should a proposal on school start date also look to regulate when fall sports begin (i.e. after Labor Day), the NHIAA would oppose the mandate, and believes this would adversely affect not only fall sports, but all sports sanctioned by the NHIAA and the student athletes in the state of New Hampshire.

The Commission specifically received testimony from Bruce Parsons, Principal of Plymouth Regional High School, and Frank McBride, Principal of Goffstown High School. Mr. Parsons is the president of the NHIAA, and Mr. McBride is the past president of NHIAA. Both Mr. Parsons and Mr. McBride testified that regardless of whether or not a school starts before or after Labor Day, there is no impact on interscholastic sports calendars or student-athlete participation.

It was pointed out that a potential benefit to starting school after Labor Day would be the ability for athletic departments to schedule any distant away games during the last week of August, so that students who travel one to two hours to compete would have more time and rest, and wouldn't need to wake up early after a game or meet requiring substantial travel time. This would

be most beneficial to New Hampshire's smaller schools that often travel to rural areas of the state.

[See: Appendix X, NHIAA Written Testimony]

CONCLUSION: ASSESSING A STATE REQUIREMENT FOR SCHOOLS TO START AFTER LABOR DAY

Support of a state requirement for schools to start after Labor Day is strong among the business community – especially those businesses relying most heavily on tourism. Opposition exists mainly among constituencies involved in the administration, governance and collective bargaining for local school districts. While the Commission met weekly, beginning after members were appointed on October 15, and consulted with numerous constituencies, a substantial effort to broadly assess the opinions of parents and students was not achieved during the Commission's work period outside of the representation of its own members and witnesses. Additionally, the Commission was unable to broadly measure support or opposition among educators outside of receiving testimony from the leadership of their trade unions.

Should state leaders move forward with a proposal to require a post-Labor Day start date, the legislative process would likely afford more opportunity to engage parents and teachers, and to further assess public opinion on this issue.

A post-Labor Day start date would certainly improve economic activity in the state, create more gains for tourism-related businesses, alleviate workforce shortages among student workers, provide students with additional income and job training skills, create more opportunities for experiential learning outside of traditional classroom settings, and increase state revenues.

Opposition centers on a strong desire for local school districts and collective bargaining units to maintain control of the calendar. A legislative mandate to establish a post-Labor Day start date is viewed as disruptive and challenging to implement given the district-by-district variations in the calendar and local contracts. Opponents point to the ability of school districts to already consider local opinions and to change their start dates accordingly.

However, in most cases, opponents acknowledged that changing to a post-Labor Day start date is possible, though not preferred, if certain considerations are made. The biggest challenge to reverting to a post-Labor Day start is one of inertia and the uncertainty created by a swift and sudden reversal. The practice of schools beginning their academic years before Labor Day occurred incrementally over time, and not through a single, statewide policy action.

The following issues detailed in this report should be carefully considered in crafting legislation to require a post-Labor Day start date for schools. The most sensitive issues are summarized as follows:

- Collective bargaining agreements, which are typically multi-year agreements; impacts on school employees; year-end dates

- Multi-district SAUs; transportation, co-curricular programming, and shared CTE centers
- Inter-state compacts
- Tuition agreements between towns
- School start date requirements set forth in statute that create pressure on the end-of-year school calendar and push calendars too far towards the last week of June due to snow days and cancellations
- Advanced Placement (AP) preparation time and course examinations
- Overall educational experience and outcomes for students

Opponents also raised concerns over long summer vacations leading to a loss in academic proficiency (e.g., “summer slide” or “brain drain”), increased food insecurity, or a lack of behavioral health support for students. These are not insignificant matters, however, points raised around these issues stem from arguments for restructuring summer vacation altogether and revising the school calendar to accommodate year-round school. They are not effective arguments to justify a local district beginning school the week before Labor Day, where many districts have students return for only two days and then leave for a four-day weekend. This start-and-stop approach (with two shortened weeks) is common place throughout New Hampshire where districts require a pre-Labor Day start date and can be disruptive to families, businesses, and visitors to New Hampshire, and holds no demonstrable educational value. During its public sessions, Commission members asked opponents for evidence showing that the practice of starting school the week before Labor Day successfully addresses the effects of “summer slide” and other academic or social concerns. In every case, no evidence or research was offered.

Recognizing the challenge that change would bring to administrators and educational governing bodies, policy makers might consider the following measures to be included as part of legislation:

- Include an effective date that is 2-3 years after enactment to accommodate existing local CBAs, and to allow new contracts to be negotiated with a new Labor Day requirement in mind
- Establish a September start date that is not tied to Labor Day, so that a Labor Day that falls late in the calendar does not create pressure to establish a later end date, or allow snow days to push the end date late into June
- A statutory requirement for a post-Labor Day start should maintain the significant flexibility school districts have to determine the structure of their calendar and schedule as it relates to meeting state requirements for number of session days and/or instructional hours, be it modifying length of day, number of professional days, etc.

Legislation (HB 1489) pertaining to a state requirement that schools start after Labor Day was previously introduced on January 2, 2008. The bill received a hearing in the NH House of Representatives and was subsequently referred for Interim Study. On October 22, 2008, the

House Committee on Education voted to not recommend further consideration or action on the legislation.

WRITTEN STATEMENT: COMMISSION MEMBERSHIP SUPPORTING POST-LABOR START DATE

November 28, 2018

Governor Chris Sununu
State House
107 North Main Street
Concord, NH 03303

Dear Governor Sununu:

Over the last three months, we have been members of Governor Sununu's Commission to study the impact of creating a post-Labor Day school start date each year.

Our commission represented the many fabrics of our society who would be impacted by this change: Tourism, Culture, Families, School Administrators, Athletics and Elected Officials. We heard testimony from many individuals and associations presenting their positions, thoughts, suggestions, successes and challenges through various collective thought letters, studies, policies and procedures.

Based on the information obtained during our meetings, it is our opinion that there is **no definitive obstacle** in creating a consistent post-Labor Day school start date in the state. No research or data was presented that suggested that a post-Labor Day start would have an adverse impact on New Hampshire children's education; however, an economic impact study was presented that showed that the state would stand to gain substantial revenue as a result of changing the school start date.

For a post-Labor Day school start date to be possible, in most years, the existing school calendar would need to be shifted on an average of two to three days. This minimal shift has been determined to result in an economic impact of up to \$34 million dollars. It was clear in the economic impact study that every day school is in session prior to Labor Day equals economic dollars lost in tourism expenditures, family vacations, teenager paychecks, teacher's summer paychecks, vendor and supplier revenue, and loss to the state through the rooms & meals tax.

Teenagers lose approximately \$1.3 million in wages when having to leave their jobs to return to school before Labor Day. This number does not reflect the countless additional teens that must reduce their working hours in the last week of the summer to accommodate various school start dates. This number also does not represent the countless teachers, guidance councilors and administration staff that also rely on seasonal summer paychecks to supplement their income.

It is our hope that the information uncovered by the task force will show that giving everyone an equal and fair school start date is beneficial to the State of New Hampshire as a whole. Once this start date is determined, each community will have the **local control to set their own calendars as they see fit** by determining what works best for their residents, within State statutes and guidelines.

We would like to thank you for your time and consideration.

Respectfully submitted,

Amy Landers

Executive Director - Lakes Region Tourism Association

The Lakes Region Tourism Association represents over 450 businesses in the Lakes Region and Central New Hampshire. The Association represents attractions, agriculture farms, marinas, watersports, spas, retail, restaurants, real estate, retirement communities, hotels, vacation home rentals, campgrounds, and the service industry.

Jessyca Keeler

Executive Director – Ski New Hampshire

Ski NH is New Hampshire's private ski area trade association representing 32 alpine and cross-country ski resort members and associated suppliers. Ski NH supports its membership through government relations, education, marketing, promotion, and networking.

Gregg Pitman

The New Hampshire Travel Council

The NH Travel Council, a state-wide organization representing NH tourism associations, NH tourism businesses and the businesses providing services and products for the NH tourism industry.

Chris Nicoli

Brand Manager – Canobie Lake Park

Canobie Lake Park is a family owned and operated amusement park with over 85 rides, games, live shows and attractions. The Park was established in 1902 and has provided tens of thousands of jobs over the years, many being teenagers.

Board Member – New England Association of Amusement Parks & Attractions

The New England Association of Amusement Parks and Attractions members include Amusement Parks, Family Entertainment Centers, Zoos & Aquariums, Arcades, Bowling Alleys, Roller Rinks, Adventure Parks, and manufacturers and suppliers to these industries. NEAAPA promotes the safe operation, regional development, professional growth and success to the Amusement industry in New England.

WRITTEN STATEMENT: COMMISSION MEMBERSHIP OPPOSING POST-LABOR START DATE

Save Our Summers Study Commission

Minority Report

November 28, 2018

The minority takes this opportunity to thank commission members for the professional and competent manner in which this study was conducted. Report information and data is fair and balanced. Although the commission's final report accurately summarizes various findings, it does not definitively make a recommendation, either pro or con, regarding the matter of post Labor Day public school start dates.

The minority takes the position that the responsibility for adopting a public school calendar start date is that of the local school board. Most importantly, it is a local school board duty to ensure that the annual school calendar considers and is aligned with:

- Unique community profiles,

- Parental input,
- Local business,
- High school scheduling interactions with the community college system,
- Sending students to career technical education centers,
- Interstate school compacts and agreements involving VT or ME districts,
- Tuition and transportation agreements between NH districts and out-of-state districts such as St. Johnsbury Academy and Blue Mountain School District, both in VT.
- The most efficient use of limited district fiscal resources,
- Negotiated labor agreements, and most importantly,
- Best education practices contributing to student achievement and growth.

In support of local school board control, and if necessary, the minority recommends that RSA189:1, Days of School, be amended by adding, “The local school board shall determine and approve opening and closing school calendar dates for district public schools.”

Respectfully Submitted,
Representative Rick Ladd
 NH Representative Rick Ladd, Haverhill
 Member, Save Our Summers Study Commission

COMMISSION MEMBERSHIP

The Save Our Summers Study Commission consists of the following members:

Jamie Burnett, Chair, Public Member
 Senator John Reagan
 Representative Rick Ladd
 Representative Karen Umberger
 Representative Lisa Freeman, Manchester School Board
 Jeff Collins, NH Interscholastic Athletic Association
 Brent Demas, Teacher, Londonderry High School
 Jessyca Keeler, Ski NH
 Amy Landers, Lakes Region Chamber of Commerce & Lakes Region Tourism Association
 Mark MacLean, Superintendent, Merrimack Valley School District
 Chris Nicoli, Canobie Lake Park
 Gregg Pitman, NH Travel Council
 Chuck Rage, Hampton Beach Village District

LIST OF APPENDICES

- I. NH Schools Implementing “Blizzard Bag” Option
- II. NH DOE School Calendar Matrix 2018-19
- III. NH DOE Suggested Calendar 2018-19
- IV. American Federation of Teachers Letter
- V. NHSAA Written Comments

- VI. NHSBA Letter
- VII. *The Economic, Fiscal, Labor Market, and School Calendar Impacts of Starting School After Labor Day in New Hampshire* (PoEcon Research)
- VIII. WMAA Letter
- IX. NH Department of Business and Economic Affairs Letter
- X. NHIAA Written Testimony