Debate over start dates

For Whom the School Bell Tolls — and When

There may be another month of summer according to the calendar and the thermometer, but millions of children in Texas are going back to school. For the past ten years, first-day school bells have rung earlier and earlier in August, despite much debate on whether starting school this early is beneficial to students. The 77th Legislature in 2001 may reexamine arguments for starting school on a uniform date no earlier than September 1.

Texas currently mandates no specific start date for public schools, but the vast majority of districts plan to begin classes this year between August 7 and 18 (see page 3). The Texas Education Code, sec. 25.081, requires only that each school district provide at least 180 days of instruction for students each school year, except under certain emergency conditions and unless the school district operates year-round.

According to the July 1998 Scripps Howard Texas Poll of 1,000 Texans, 60 percent of Texans preferred starting school anywhere from a week before to two weeks after Labor Day. Sixty-four percent favored requiring all public schools to start on the same day.

Most states leave the start date up to local school boards, although Iowa, Missouri, Minnesota, and Virginia require that all schools start after September 1, and Arkansas and West Virginia specify late August, according to Terry Whitney, senior education analyst for the National Conference of State Legislatures.

(see School, page 2)

Safety Concerns Provoke Efforts to Restrict Drivers’ Phone Use

More than 80 million Americans own cellular phones, and many talk on them while driving. In a recent survey by the U.S. Department of Transportation’s National Highway Traffic Safety Administration (NHTSA), 44 percent of those polled admitted to using wireless phones while driving. The agency puts the actual number closer to 85 percent. Safety concerns about this practice have surfaced across the nation.

Driver distraction is responsible for roughly one-quarter of the 6.3 million automobile accidents in the United States each year, according to estimates by the American Automobile Association and the Network of Employers for Traffic Safety. NHTSA has attributed 57 traffic deaths in 1997 specifically to distractions caused by cell phones. Concerns about inattention behind the wheel have prompted traffic-safety agencies and lawmakers across the nation to search for measures to curb phone use by drivers.

In 1997, the New England Journal of Medicine published a landmark report on the hazards of using a phone while driving. The 14-month study concluded that drivers who engaged in phone conversations were four times as likely to have an accident — equivalent to the risk of driving while intoxicated. The study found that this held true for drivers of different demographic characteristics and driving experience.

(see Phones, page 6)
(School, from page 1)

Legislative history

In 1984, during its second called session, the 68th Legislature enacted HB 72, an omnibus school-reform law that included a provision prohibiting schools from beginning instruction before September 1. To allow more flexibility, the 71st Legislature in 1989 modified the law by enacting HB 571, which provided that the school year could not begin before the Monday of the calendar week in which September 1 falls.

In 1990, however, during its sixth called session, the 71st Legislature enacted SB 1, an extensive revision of the public education system following the Texas Supreme Court’s decision in Edgewood ISD v. Kirby. Part of SB 1 repealed the uniform school starting date requirement, thereby allowing school districts to begin the school year at their discretion, subject to statewide requirements such as the length of the school year.

In 1997, the Senate by 25-6 passed SB 433 by Lucio, which would have prevented Texas public schools from starting the fall semester before September 1, but the House Public Education Committee took no action. In 1999, Sen. Eddie Lucio introduced SB 40, essentially the same bill. The Senate Education Committee reported a substitute version calling for the education commissioner to study the effects of such a law on students, parents, school personnel, school districts, local economies, and the state economy. The Senate approved this version of SB 40 by 30-1, but the bill died in the House Public Education Committee.

Sen. Lucio urged adoption of his 1997 bill largely on the grounds that it would help tourism-related businesses in Texas. More recently, he has stressed the needs of migrant children and the potential benefits for Texas’ air quality. “With more than half a million full-time employees requiring transportation and [with] each student being bused, driven by their parents, or driving their own vehicle to school, the amount of school-related vehicle emissions being produced in the searing August heat is phenomenal,” Sen. Lucio said. School board associations have opposed the legislation, arguing the need for local autonomy over school operations.

A report issued by the Texas Department of Economic Development (TDED) in February 1999 estimated that Texas’ major theme parks and sports and cultural centers lost $180 million in direct revenues in 1998 because of early school starts. The report also estimated a $360 million loss in indirect tourism spending for hotels, food, gas, and other goods and services. However, the report found no conclusive evidence that any particular start date best meets the needs of all Texas school children.

Issues in the debate

The debate over the school start date involves issues of tradition, school districts’ local autonomy, teachers’ continuing education, vacations and tourism, students’ employment experiences, fall semester exams, child care, and school efficiency.

Tradition. Supporters of a uniform start date no earlier than September 1 urge a return to a “traditional” school calendar that would begin in September and end in late May or early June. Many remain unconvinced that a mid-August start date provides additional class time or much educational benefit. Texans for a Traditional School Year (TTSY), a San Antonio-based coalition of teachers, parents, business leaders, and school administrators, strongly supports beginning school in September, arguing that an early start is not educationally beneficial.

Opponents say that starting school around Labor Day ignores the needs of local school districts and the best interests of school children. They say that those who urge a traditional start date suffer from “the cotton-patch syndrome,” a throwback to the days when the lives of most Texans revolved around agriculture. They point (continued on page 4)
Texas Schools’ Start Dates

In April 2000, the Texas Association of School Administrators surveyed 1,000 school districts, requesting information on their calendars for the 2000-01 school year. A total of 546 districts, nearly 55 percent, responded. As shown below, 95 percent of the responding districts planned to start in mid-August.

<table>
<thead>
<tr>
<th>Week of start date</th>
<th>Number of districts</th>
<th>Percentage of responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 31 - August 4</td>
<td>8</td>
<td>1.5%</td>
</tr>
<tr>
<td>August 7-11</td>
<td>254</td>
<td>46.5%</td>
</tr>
<tr>
<td>August 14-18</td>
<td>264</td>
<td>48.3%</td>
</tr>
<tr>
<td>August 21-25</td>
<td>16</td>
<td>2.9%</td>
</tr>
<tr>
<td>August 28 - September 1</td>
<td>1</td>
<td>0.2%</td>
</tr>
<tr>
<td>Other</td>
<td>3</td>
<td>0.6%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>546</strong></td>
<td><strong>100.0%</strong></td>
</tr>
</tbody>
</table>

*Source: Texas Association of School Administrators.*

The list below shows the start dates for Texas’ largest school districts in 2000 and 1999, as well as for the districts with the earliest and latest start dates in 2000.

<table>
<thead>
<tr>
<th>School district</th>
<th>Start date in 2000</th>
<th>Start date in 1999</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plano</td>
<td>August 3</td>
<td>August 3</td>
</tr>
<tr>
<td>Cypress-Fairbanks</td>
<td>August 9</td>
<td>August 11</td>
</tr>
<tr>
<td>Corpus Christi</td>
<td>August 10</td>
<td>August 10</td>
</tr>
<tr>
<td>Fort Worth</td>
<td>August 14</td>
<td>August 9</td>
</tr>
<tr>
<td>Austin</td>
<td>August 14</td>
<td>August 11</td>
</tr>
<tr>
<td>El Paso</td>
<td>August 14</td>
<td>August 12</td>
</tr>
<tr>
<td>Houston-Aldine</td>
<td>August 14</td>
<td>August 12</td>
</tr>
<tr>
<td>Dallas</td>
<td>August 14</td>
<td>August 17</td>
</tr>
<tr>
<td>Arlington</td>
<td>August 14</td>
<td>August 20</td>
</tr>
<tr>
<td>San Antonio</td>
<td>August 15</td>
<td>August 9</td>
</tr>
<tr>
<td>Houston</td>
<td>August 16</td>
<td>August 16</td>
</tr>
<tr>
<td>New Braunfels</td>
<td>August 23</td>
<td>August 25</td>
</tr>
<tr>
<td>Boerne</td>
<td>September 5</td>
<td>August 17</td>
</tr>
</tbody>
</table>
out that beginning school in early or mid-August permits schools to end their year around Memorial Day, and that if school were to begin in September, the end date would be well into the middle of June.

Local autonomy. Supporters of a uniform start date note that the Education Code already imposes on school districts many mandates that help maintain standards and provide uniformity without threatening local control. Some examples include graduation requirements, textbook approval, and the mandatory 180 days of instruction.

Opponents, including the Texas Association of School Boards, Texas Association of School Administrators (TASA), and Association of Texas Professional Educators (ATPE), say that imposing a uniform start date would usurp school districts’ local control. Most districts, they say, choose to start in August because they have decided that is the best calendar for them. Those who want to change the school start date, opponents say, should work locally to elect school board members who will support that policy.

Teachers’ continuing education. Supporters of starting school around Labor Day argue that a shorter summer undermines development of teachers by limiting them to one of the two summer college sessions. Because colleges’ fall semesters usually begin around Labor Day, their second summer sessions begin too late for many public school teachers to complete them before the beginning of the public school year. Therefore, it often takes these teachers twice as long to earn advanced degrees. Since school districts expect teachers to keep upgrading their skills, it makes sense, according to supporters like TTSY, to ensure that teachers have time to achieve advanced degrees.

Opponents of a uniform later start date say it is unfair to expect public schools to change their start dates to encourage teachers to continue their education. ATPE Executive Director Doug Rogers and others argue that higher education institutions should modify their schedules to conform to public school schedules. They argue that the interests and needs of school children are no less important than those of college students.

Vacations and tourism. Supporters prefer starting school around Labor Day on the grounds that this would allow parents to vacation with their children longer and to expose children to more activities such as scouting, camp, and summer athletic programs, which can be important learning experiences. A uniform school start date in September, supporters say, also would benefit Texas’ tourism industry. They cite TDED’s 1999 report, which concluded that starting school in August has cost the tourism industry millions of dollars without necessarily improving academic performance. “We have killed three or four weeks of a family’s opportunity to vacation . . . and we don’t get it back,” said Terri Adams of Schlitterbahn Water Park Resort, complaining about a 60 percent plunge in attendance during the week of August 10.

Opponents argue that while an earlier school start date shortens the summer vacation period by two to three weeks, it permits more holidays during the school year and a longer break in winter, allowing families to travel at less expensive times of the year. They say that benefits for the tourism industry are not a sufficient reason to move up the school start date and that hotel and restaurant owners disapprove of the short summer schedule and early school start dates because of concern for their profits.

Student employment. Supporters of starting school in September cite a study by the Employment Policies Institute that found that students who work during the summer are more likely to obtain better jobs upon graduation. A “full” summer of employment, they say, gives students the opportunity to apply what they have learned in the classroom and valuable insight in choosing a career path. Also, they say, summer employment allows many students to afford college without working as many hours during the school year.
thus giving them more time for both academic studies and extracurricular activities.

Opponents argue that a student’s decision to work during the summer often is a matter of personal choice. Also, they say, a shorter summer helps students retain more of what they learned during the previous school year so that teachers do not have to spend as much time in the fall reviewing this material.

Fall semester exams. The advisability of administering exams before or after the winter holiday break has been debated for many years. Supporters of a September school start date contend that the timing of exams is not as important as how children are taught. Many educators, they say, believe that giving tests after a break measures true learning rather than memorization. Teachers report that students’ attention spans are shortest during the week before a break, when their energy levels are high and concentration low. According to TTSY, some of the nation’s top academic districts begin school around September 1 and administer exams after the winter holiday break.

Opponents contend that if the first day of school were moved closer to Labor Day, exams likely would be administered after the winter holiday break, resulting in the loss of valuable instruction time, because teachers would have to review material after the winter recess to refresh students’ minds. This is not an efficient use of school resources, they contend. Opponents such as TASA note that by starting school in early or mid-August, schools can finish their semesters before the winter holidays, allowing children to enjoy their break without exams looming. This schedule, they contend, closely follows college calendars.

Child care. Supporters of starting school in September say that starting school earlier puts a burden on families because the resulting school calendar includes more breaks, requiring parents to obtain expensive child care. Opponents counter that schools are not child-care centers, and that beginning school in September would not relieve parents of the problem of child care during the summer.

Attendance lag. Supporters of starting school in September also criticize August start dates because of poor attendance on August school days. For example, the Houston ISD recorded attendance of 177,752 students on August 9, 1999, the district’s first day of class, compared to 208,853 on September 1. Similarly, in the Austin ISD, only 66,882 students showed up for class on August 11, 1999, the first day, compared to 76,798 on September 1. School officials attribute high absenteeism in August to the timing of family vacations, new families transferring into districts, and other factors. Also, supporters contend that August start dates cause many migrant students to miss up to six weeks of school. Most migrant students do not return to school until after Labor Day, and according to the TDED report, as many as 200,000 migrant students may miss the first few weeks of school. Starting school in September, supporters argue, would lessen the likelihood that migrant children will fall behind in school and later drop out altogether.

Opponents respond that many students are likely to miss the first few days of school no matter when the scholastic year begins. They say that while concern for migrant children is commendable, these children often leave school in the spring, most in April, and miss the rest of the school year. Moving the school start date to accommodate a small percentage of the student population in only a few school districts would not be in the best interests of districts across the state.

Operating efficiency. Supporters also recommend beginning school in September on the grounds that cooling costs would not be as high as in August. Since May is seldom the hottest month, starting school in late August or early September and ending in late May or early June could result in lower air-conditioning costs for schools.

Opponents respond that schools may run more efficiently if school buildings are in use during August. A traditional Labor Day beginning would result in the school year ending in middle or late June, when temperatures can be no less hot than in August. Because weather is unpredictable from year to year, data are insufficient to determine the impact on electricity use of shifting the school year.

— by Marty De Leon
A year later, NHTSA published its own report, which mirrored the findings of the magazine study, conclusively linking phone use with a higher incidence of crashes. The results of these and other studies have spurred lawmakers to seek to enact “hang up and drive” laws restricting the use of phones while driving.

In a July 2000 Scripps Howard Texas Poll, 92 percent of Texans surveyed said talking on the phone while driving is dangerous, while 13 percent said they personally knew of an accident caused by a driver distracted by using a cell phone. Nevertheless, of the 52 percent who said that they own a cell phone, more than half said they use their phones at least once a week while driving.

Local initiatives

Last year, the Cleveland suburb of Brooklyn, Ohio, became the first U.S. locality to crack down on the use of handheld phones while driving. The municipal ordinance prohibits the use of mobile phones unless the driver keeps both hands on the steering wheel, but it makes exceptions for emergencies. According to news reports, the city has issued nearly 300 tickets for violating the ordinance since the ban took effect in March 1999. The fine for a first offense is $3, but a second ticket can carry a fine of up to $100.

Marlboro Township in New Jersey also has adopted an outright prohibition, while three Pennsylvania towns — Conshohocken, Hillstown, and Lebanon — make using a cell phone while driving a secondary offense, requiring that the motorist be stopped for another offense in order to be cited. However, a Pennsylvania state court of common pleas judge recently overturned the Hillstown ordinance as an infringement of state traffic laws. According to the Associated Press, the judge voided the ordinance on the grounds that its provisions were preempted by portions of the state motor-vehicle code dealing with careless driving.

An estimated 300 local jurisdictions are considering implementing some form of limitation on phone use, according to the National Conference of State Legislatures (NCSL). New York City has banned cab drivers from using cellular phones on the job, and Chicago is considering prohibiting motorists from using phones altogether. According to the Texas Poll, 56 percent of Texans surveyed said they would favor a local ban on phone use while driving, with 33 percent opposed to a ban and 11 percent uncertain.

State legislation

State lawmakers seeking to limit mobile phone use by motorists have had marginal success. Since 1995, according to the Wall Street Journal, 37 state legislatures have discussed the outright prohibition of phone use by drivers. So far, no state has outlawed the practice; instead, lawmakers have shifted their focus to restricting it. This year, 27 separate states have considered or are considering more than 70 pieces of such legislation, according to NCSL. Of Texans surveyed in the July 2000 Texas Poll, 59 percent said they favored a state law banning cell phone use while driving, with 29 percent opposed and 12 percent uncertain.

A few states have enacted related laws without directly penalizing cell phone use while driving. New legislation in Massachusetts requires drivers to keep one hand on the steering wheel at all times and stipulates that phone use must not interfere with driving. In Florida, vehicle operators must keep one ear free at all times to hear surrounding sound. California’s vehicle code now requires the presence of instruction manuals in all rental cars equipped with cellular phones.

The majority of restrictions proposed by state legislatures would require drivers to keep both hands on the wheel while talking on the phone.
telephone while operating a motor vehicle unless the vehicle was stopped or the telephone was used without use of either of the driver’s hands. The bill died in a subcommittee of the House Transportation Committee.

According to NHTSA, even hands-free phone use is not necessarily risk-free. The New England Journal of Medicine study concluded that “units that allowed the hands to be free offered no safety advantage over handheld units.” Agency research suggests that safety officials should be concerned not only with manual distractions but with visual and cognitive ones as well. Legislative efforts so far have not addressed cognitive distraction, which is difficult to gauge and even harder to predict.

Several states, including Georgia and New York, have sought but failed to enact laws requiring cellular communications industries to educate the public on the dangers of using a phone while driving. A bill in the Kansas legislature, HB 2705, would have given motor-vehicle operators a two-minute “grace period” to receive and transmit mobile-phone calls, designed to allow phone users either to conclude their calls or to pull off the road and park in a safe location; the bill died in committee. HB 4810, proposed in Massachusetts, and HB 2196, proposed in Pennsylvania, would forbid school bus drivers from using handheld phones while driving, except in emergency situations; both are pending before their respective legislatures.

States from Rhode Island to California have proposed the collection and publication of data on cell phone use at the time of an accident. Some proposals, such as one in Michigan, would require recording the involvement of mobile phones as a means of augmenting traffic fines, while others have sought these tabulations to justify impending legislation.

Although NHTSA envisioned such legislation as a means of building an extensive database on automobile safety, the complexities of its implementation make such a network unfeasible now. To create such a database, states would have to gather compatible records on wireless phone use. According to the Los Angeles Times, only Oklahoma and Minnesota use a comparable form upon which officers record such infractions.

The Texas Department of Public Safety recently began tracking wireless phone use in accident reports, but these statistics are not yet available for analysis. According to NHTSA, only 14 states document distractions in their accident reports.

Internationally, many governments have attempted to restrict vehicular phone use. According to NCSL, Austria, England, Israel, Italy, Singapore, Spain, and Switzerland are among the nations that have restricted or prohibited wireless phone use by motorists.

Arguments

Critics of phone use by motorists say that danger arises when distracted drivers fidget with their phones. Operating a handheld phone often requires the driver to try to dial or answer calls while steering, thus reducing control over the automobile, they say. Opponents of phone restrictions, however, point out that other “accepted” car activities, such as eating, applying makeup, tuning a radio, adjusting an air conditioner or heater, or reading a map, pose similar risks and yet are not restricted.

Opponents of restricting phone use while driving contend that some types of conversation are safer than others. In an interview with the Los Angeles Times, Tom Wheeler, head of the Cellular Telecommunications Industry Association (CTIA), said: “Talking to your divorce lawyer late at night on a twisting road when it’s raining is not the right call. Calling your wife to say you’re running late is OK.” CTIA has been the most ardent opponent of restrictions on wireless communication.

Some officials have credited cellular phones with increasing the personal security of drivers. Others laud vehicular phone use for providing faster emergency medical-response times, enabling motorists to alert law enforcement officials about dangerous situations and drunk drivers, and enabling stranded motorists to summon help. Yet critics point to the rising number of accidents involving driver distraction due to cell phone use, and they note that cell phone users almost always can pull off the road to use their phones.

— by Francisco Rivero