

COMMONWEALTH OF PENNSYLVANIA  
HOUSE OF REPRESENTATIVES

TOURISM AND RECREATIONAL DEVELOPMENT COMMITTEE

STATE CAPITOL  
ROOM 60 EAST WING

THURSDAY, DECEMBER 8, 2011  
9:30 A.M.

HEARING ON  
HB 137 (GODSHALL)

BEFORE:

HONORABLE JERRY A. STERN, MAJORITY CHAIR  
HONORABLE THADDEUS KIRKLAND, MINORITY CHAIR  
HONORABLE KAREN BOBACK  
HONORABLE SCOTT BOYD  
HONORABLE DOM COSTA  
HONORABLE KEITH GILLESPIE  
HONORABLE DOYLE HEFFLEY  
HONORABLE SUE HELM  
HONORABLE MARK LONGIETTI  
HONORABLE ROBERT MATZIE  
HONORABLE CARL METZGAR  
HONORABLE DAVID MILLARD  
HONORABLE DAN MOUL  
HONORABLE MARIO SCAVELLO

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WRITTEN TESTIMONY SUBMITTED:

ROBERT GODSHALL  
PRIME SPONSOR, HB 137

PATRICK CONWAY, PRESIDENT AND CEO  
PENNSYLVANIA RESTAURANT ASSOCIATION

CHAIRMAN STERN: Good morning, everyone. I'd like to call this meeting of the House Tourism and Recreational Development Committee to order. Before we begin, I want to remind the Members and the public that this meeting is being recorded on video and that it will be made available to the news media and also be posted on the internet. Could you please take the roll at this time?

(The roll was taken.)

Thank you. The topic of today's hearing is House Bill 137, sponsored by Representative Robert Godshall. The bill would require that school districts start the school year for students no earlier than the day after Labor Day. This issue has been before this committee before. Versions of the legislation were reported out of committee in 2005 and 2007, but neither bill went further on the Floor. In 2006, the committee commissioned a public opinion survey by Mansfield University. Forty-seven percent of the people favored the legislation, while twenty-six percent opposed it. That same year, the Legislative Budget Finance Committee released an economic study showing that starting school before the holiday cost the State's economy 378 million dollars. Today, we'll hear from testifiers representing various opinions on the issue, and our first witness this morning is Andrew Quinn on behalf of the Amusement Parks Association, and before I allow you to proceed, Mr. Quinn, I would just like to first of all say that the prime sponsor of this legislation had wanted to be here today, Mr. Godshall. Unfortunately, [he] was not able to be here at the meeting because of a family emergency, and he has his testimony in a letter addressed to me in your packets, and you can refer to that letter that Mr. Godshall wrote to the committee, so at this time, Mr. Quinn, you can proceed, and before you do that, I would just like to acknowledge the presence of Representative Gillespie from York County, as well. Go ahead and proceed.

MR. QUINN: Good morning, Representatives. My name is Andrew Quinn. I'm the Director of Community Relations for Kennywood Park in West Mifflin, PA. Kennywood is owned by the Palace Entertainment Company of Newport Beach, California, which owns and operates a total of forty parks and attractions in ten different states, including four here in Pennsylvania: Kennywood in West Mifflin, Idlewild and SoakZone in Ligonier, SandCastle, West Homestead, and Dutch Wonderland in Lancaster, PA. I also serve as the Chairman of the Legislative Committee of the Pennsylvania Amusement Parks Association on whose behalf I am testifying today.

Currently, in the state of Pennsylvania, there are eighteen amusement/ water parks in operation, which is more than any other state in the Union. Ten of those eighteen parks operating are over one hundred years of age. Most were started as trolley parks back before the turn of the Twentieth Century, and all have been maintained and upgraded during their long history. Below are the 2011 employment figures for our member parks. College students, 5,156. High school students, 6,848. Non-students and adults, 4,195, and teachers, 385. The total seasonal employment for our member parks is 16,584 people. Total full-time employment for our member parks is 902 people. In our relatively short operating season, about 130 days, we entertain more than 12 million visitors, collectively, across the Commonwealth. As you can see, this is just our industry. When added to other summer industries such as campgrounds, fairs, carnivals, summer camps, swimming pools, golf courses, summer vacation resorts, and their related industries and suppliers, these figures grow dramatically.

Our concern today deals with the opening of schools in Pennsylvania prior to the Labor Day holiday, the traditional end of summer vacation. Let me first state that the Pennsylvania Amusement Parks Association wholeheartedly agrees with and supports the ideas that students in

Pennsylvania schools should receive the best and most complete education that can be provided for them. The Pennsylvania Amusement Parks Association believes that a summer job is just not an earning experience, it is also a learning experience. Over our long history, our member parks have provided hundreds of thousands of students with their first job. We feel that there is more to the educational process in America than just attending school in the traditional way. The experience of a summer job provides students with several educational opportunities, such as showing them responsibilities involved in making a living, broadening their perspective of a working relationship with other people, and giving them the opportunity to sort out potential career interests. Of course, the earning experience provides many of them with the means to go on to higher education.

When schools open prior to Labor Day, the result is a loss of revenue and a decrease in the number of available employees for many seasonal tourist businesses. The state spends a great deal of advertising dollars inviting people into Pennsylvania, only to have those people visit during the last two weeks of August and find out that many of the attractions have closed before the Labor Day holiday due to lack of employees. In the week prior to Labor Day, half our member parks close their parks completely. The other half dramatically have limited operating schedules. The estimated loss in attendance for those days for our members is around a half a million visitors. The loss of revenue, wages, and tax dollars throughout the entire summer leisure industry during the last two weeks of August is in the millions of dollars.

The Pennsylvania Amusement Parks Association is in favor of legislation that would require schools in the Commonwealth to open after the Labor Day holiday. Thank you for allowing me to express our views on this matter. Your committee's time and attention are greatly appreciated.

CHAIRMAN STERN: Thank you, Andrew. I appreciate your testimony. I'm sound a lot like – Carl Crider from DelGrosso's Amusement Park shared many of the same sentiments and thoughts that you shared here today.

MR. QUINN: Carl read my stuff.

CHAIRMAN STERN: Okay, so appreciate that. I'd like to acknowledge the presence, also, of Representative Doyle, happily, with us, also. Any Members have any questions for Mr. Quinn at this time? Representative Longietti.

REPRESENTATIVE LONGIETTI: Thank you for your testimony. Thank you, Mr. Chairman for an opportunity. Just trying to get a grip on it in terms of is there, is there a lot more potential for travel at the end of August versus more towards the beginning of the year? And the reason that I, I ask that question is that schools have to have instruction 180 days. They have planned in their, their calendar certain other activities, so, you know, if they're going to – for example, one of my schools actually opened, I think, on August 22<sup>nd</sup> this year, which I was kind of surprised to find out, but if, if they're opening after Labor Day, then they're going to have to make some adjustments to the calendar, and potentially, that means finishing school later in June. How, how does that match up?

MR. QUINN: I think, you know, over the years that we've looked at this, there is, and, and Representative Godshall actually did a little study of how many full weeks schools went during the school calendar, and he was surprised that he found out there was, there was a two month period they went four days every week, so I – and I don't want to sit here and tell people how to orchestrate their calendars, but I think there's some wiggle room in those calendars. From a standpoint to, to answer your first question, "Is there more travel the end of August?" People are kind of creatures of habit. They go, "Oh, my God, school's going to start. Let's, let's

do one more thing.” In our neck of the woods, we actually service a lot of out of state, Ohio and West Virginia, tourists in southwestern Pennsylvania, and that’s where we’re getting a lot of people. Ohio, currently, is also studying this particular issue and seeing whether they would push theirs back, but for some reason, we seem to be getting a lot more Ohio tourists who aren’t in schools coming to our parks at the – in the last two full weeks of August, only to find out we’re limited in operation or closed for the day, so it was really those kind of things. [It] wasn’t the local situation with schools. It was more tourists coming in to the state of Pennsylvania from Ohio, West Virginia to our parks and finding out we were closed.

REPRESENTATIVE LONGIETTI: Are you seeing any trend lines in terms of – you know, my understanding is that you’re seeing things happening earlier in a school’s – before school starts, for example, football practice, band practice, cheerleading, and other activities where families are tied up because kids are actually involved in these activities sometime in August. Has that, has that been a trend that you’re seeing, or not necessarily so?

MR. QUINN: No, that, that seems to have always been about the same, you know. Under WPIAL [Western Pennsylvania Interscholastic Athletic League] rules, you know, they, they start whatever to start the end – that really doesn’t impact – we may have a number – out of, oh, say 1,700 seasonal kids, we may see, maybe, 10 to 20 percent of those kids affected by band camp or football camp, but it’s not the impact of having all our employees going back to school, so we can, we can work around that as – and we always do. Obviously, school activities take precedence for our, our seasonal team members, but it’s, it’s not the percentage that would affect our normal operation.

REPRESENTATIVE LONGIETTI: Last question. I notice you have a considerable number of college students that work at the park. What’s the situation with the colleges? Are

they – are you seeing, by and large, they're opening after Labor Day? Some of them are opening before Labor Day. What, what are you seeing?

MR. QUINN: It's a mixed bag, but it kind of trends to what the state does. The state – eastern in, in the state of Pennsylvania tend to run later than the western part of the state. We seem to, I don't know why, open earlier than a lot of these school districts and a lot of the colleges in the, in the eastern segment. The upside to the college situation is we will bring high school students on – we hire all, obviously, all season long to replace any turnover. We'll bring sixteen-year-old high school students who may not have been sixteen in June, not eligible for a hire for us. In late August, we'll bring them in and train them so they'll be ready for next year. The other thing we have in, in Kennywood, our three parks in Western Pennsylvania, we have about, I think, twenty-seven colleges and universities. However, you don't go to school, you know, nine till four at, at a college or university, so I get those kids when they're not in class or in the evenings when they don't have activities going on, so it's, it's not as impactful. Even though the colleges do start, most of them go the, the last week of August, though, out in Western Pennsylvania.

REPRESENTATIVE LONGIETTI: Thank you, Mr. Chairman.

CHAIRMAN STERN: Representative Boyd.

REPRESENTATIVE BOYD: Thank you, Mr. Chairman. I appreciate your testimony. What, what percentage of the parks in Pennsylvania close before Labor Day?

MR. QUINN: I would say 50 percent of them. I know of everybody that I, I called each park to get their calendars, and it came out to about a 50 percent we're actually closed during the week, Monday through Friday, the week before Labor Day, and there were a couple out in

Western Pennsylvania, including mine, that were closed three days the week prior to the last week of, of August.

REPRESENTATIVE BOYD: When do – what percentage of parks are closed pre-Memorial Day? Or, I mean, post-Memorial Day? The traditional season’s Memorial Day to Labor Day.

MR. QUINN: Correct. Most....

REPRESENTATIVE BOYD: Are they open, are they open full-time?

MR. QUINN: They’re, they’re – I would say a lot of them start up the week of Memorial Day. Now, we are fortunate. At Kennywood we, we do start about the 15<sup>th</sup> of May. We do have some closed days. We’re not – it’s probably last week of May, though, that we are full boar because at that point in time we do have college students that are – have gotten out, and so it, it has worked for us. I would say a number of the parks that aren’t in urban centers struggle a little bit more, and they’re probably post-Memorial Day, the first of June type of situation.

REPRESENTATIVE BOYD: So you sort of answered my next question. Implied in that answer is I was going to say, “What’s the difference between Memorial Day and Labor Day?” Why don’t we say to schools, “You can’t close – or you have to close before Memorial Day so that” – you understand the principle I’m trying to say. What’s the difference?

MR. QUINN: Correct. The difference is the weather situation. You usually get a better Septem – late August than you would have a late May.

REPRESENTATIVE BOYD: Right, but the point that I was trying to make is the parks are open full-time between Memorial Day and the typical end of school, which is anywhere from June 5 to June 15 depending on snow, so you have a limited staff there, but you’re open full-time, but from August the 25<sup>th</sup>, roughly, 26<sup>th</sup>, 27<sup>th</sup> when schools start until November – or I

mean, until September 5<sup>th</sup>, you, you have to close. I don't understand what the difference is between that two-week period of time around Memorial Day and the two-week period of time around Labor Day that one you have to – one you can be open, and one you're closed.

MR. QUINN: One, I think, is, is the college-age students. Again, we, we are short-staffed, but we, we make do with it. It's the college-age students that are available full-time because they have, you know, closed – or the, the universities have closed around us around the 15<sup>th</sup>, so we managed to get that. It's after the last week when both colleges and elementary – or high schools and elementary schools all go back. At that point in time, you're, you're out of everybody. You can – some of them do limp through. The ones to the east, I know, do have J-1 Visa program going for, for that end of the season, and they make it through with that.

REPRESENTATIVE BOYD: Forty parks in ten states, four in Pennsylvania. That means there's thirty-six in nine other states. What do those other states do? Do they have laws on their books that, that limit when schools can open?

MR. QUINN: Some do, and some don't. Virginia does. Michigan does. There are a couple others.

REPRESENTATIVE BOYD: Texas. Texas.

MR. QUINN: Texas. We actually have Florida, Texas. Now, again, in Florida and California, the, the makeup of a lot of, of those is adults. The tourism industry doesn't sleep in Florida. It goes, you know, 365 days a year, so it is – they, they managed to do it with nontraditional school workers, and, and the calendar does not affect them. The other states, Virginia, especially, we have two parts of Virginia. New Jersey, so as I said, some of them are, in fact, considering the same bill that you're considering here today.

REPRESENTATIVE BOYD: Two other questions if I can, Mr. Chairman. One of them is what impact do you see if we would actually enact this that this would have on year-round school? As resources are limited and we continue to throttle back on State funding for education, one of the ways that school districts, I believe, are going to be forced to extend their budgets, and particularly not having to build more buildings is go to a model that would be more of a year-round program, like three trimesters, and you would rotate when you would be out of school, so if we pass this, that would eliminate the possibility of that. What's your, what's your thoughts on that?

MR. QUINN: Well, I'm not an educator, so I'm, I'm going to do this from a layman's term. Every study I've seen. For instance, Los Angeles went to a year-round school situation. We were – it was in that situation for about – and it was to drive test scores, from what I remember, and it did not do that, and so they went back to a traditional calendar because of the expense of going year-round and operating those schools year-round. I'm looking at this bill. For instance, you know, it's no secret out there in the educational community that they're all screaming for more money from the State because some of the Federal money had dried up, and from that standpoint, I've always pointed out to educators. Even – I – I'll digress for one minute. I pay an amusement tax at all of the three parks. Actually, all four of the parks that, that we own here in Pennsylvania. For every person comes in, it's a dollar a head. I've said to each one of those superintendents in whose school district who all open before Labor Day, I keep saying to them, "Every time, you know, you open school and I lose all my employees, then, I, I have to close down. You lose a dollar a head. Now, you're looking for money. This is a great way of finding money. Let the tourism industry go for the eight days that they're shutting down for pre-

Labor Day holiday. It's going to drive more tax revenue. At that point in time, you know, there'll be more, more money for schools to use."

REPRESENTATIVE BOYD: And that raises my last question. Right now, school boards at the local level make the decision what their calendar would look like. In Lancaster County, where I'm from, I think, one, at this point, is opposed to Labor Day. I think the other fifteen are free. My question is have you reached out to those local boards and invited a dialogue, and even including trying to encourage some of the seniors who've met their class requirements for graduation to actually do some, do some, you know, work release programs? Try and develop a relationship with the schools, you know. We get accused of being heavy-handed. I think, I think the schools are a little irritated with us right now on a number of issues, so this is just another one that would be in that, in that environment. I, I guess I would love to see the industry develop a relationship with the education institution where you guys could work this out between the two of us and you wouldn't need Big Brother from Harrisburg to solve the problem. I'll leave it at that.

MR. QUINN: To answer your question, yes, we do – actually have a work release program with a number of schools in the spring, and [it] goes back to your other question. You brought it up, and, and it now dawned on me. We do have a thing for seniors. We've worked with several school districts. As I pointed out, we have gone to – the one that has a dog in the fight is obviously the school district that, that our park is actually located in, and I've said to each one of those superintendents, "Think about it. I can give you x thousands of more in just in the amusement tax, which goes directly to the school district," and they, they look at me and go, "That's a good idea," and nothing ever happens. Thank you.

CHAIRMAN STERN: Wanted to bring out to the Members' attention, and in the bill itself, House Bill 137, first page, "except that in a school district that is not on a year-round education calendar, the beginning of any school term for students shall not commence any earlier than the day after Labor Day," so it does mention about the year-round education calendar in the bill itself. Representative Scavello.

REPRESENTATIVE SCAVELLO: Thank you, Mr. Chairman, and thank you, Mr. Quinn, for your testimony. You know, I'm here ten years, pretty short time, but we talked about this legislation, I think. Every, every two years it comes up, and it's just a personal thing. In Monroe County, we have four school districts that about ten years ago, eleven years ago, decided to go and open up earlier before Labor Day, and then there's a school – and, and one of the reasons was that the bad weather that we get, and they want to make sure to get the – and then we have a school to our north that actually gets better scores than we do, Wallenpaupack School District, that opens up after Labor Day and, and gets the same kind of weather and everything, and I have a water park in my area, and there's a lot of seasonable businesses, and it's exactly what you're described. They can't open after Labor Day, and it's just weekends because of the kids going back, and it's a tremendous amount. It's not just the business at the water park. It's all the restaurants that get affected because it's – you know, and I don't know the numbers that you're looking at. The numbers that were quoted here, if we just take the amusement park and the water parks business, but all of those businesses that are on that road to the water park, all those restaurants, the hotels, they all lose out as well, and I don't know if that's in that number. Is it in the number?

MR. QUINN: No. It's – the inference is the impact is – goes down to suppliers and, and, you know, hotels. We have a – in West Mifflin alone, there were no hotels ten years ago. There

are now seven hotels, and every year I get little gifts from those seven hotels. I've never done anything with those hotels. Every year I get a basket, and I, and I donate it someplace because these guys can't believe – we do, I think, about eighty-five thousand tickets just – you have those seven hotels, and they're all Econolodge type of, of – they're not big Hiltons or anything like that, and they love us, and again, I didn't ask them to set up shop there, but, but it's – we're the one thing, apparently, that keeps them up and going in the summertime. We're not the garden spot of the world in West Mifflin, but we have – we now have seven hotels that are all functioning because we have out of state guests that are staying there.

REPRESENTATIVE SCAVELLO: Just a final comment, Mr. Chairman. They, they open up a week before. Monday, Tuesday, and Wednesday they're in school. Thursday and Friday's in service for the teachers, and then we open up the Tuesday after Labor Day. You wonder what was the – in those three days, what's happening, you know what I'm saying? Because you've got another week or so before you get back into the classroom. It just doesn't make any sense, and I'm just hopeful that they'll, that they'll wake up and realize what they're doing, and, and some of these kids are not getting jobs in the summer because what's happening, these businesses are thinking about hiring nontraditional people, and it takes employment possibilities away from some of these kids because these – the amusement park and the, the water park have to think about not losing everyone at one time. Thank you.

CHAIRMAN STERN: Thank you. Representative Millard.

REPRESENTATIVE MILLARD: Thank you, Mr. Chairman, and thank you, Mr. Quinn, for testifying before this committee today. Just a couple general questions for you.

Representative Boyd went over the topic of the Memorial Day start and the flexibility that would exist if, if that was done. Now, I serve on the board of one of the largest fairs in Pennsylvania.

We have an eight-day fair. We've had discussions from time to time whether to extend that to nine days. A lot of comments from the populace that, "Boy it'd be nice if we could come another day." Well, one thing that we found, bottom line, and this would be one of those fairs that occurs the end of September after Labor Day, has been that irregardless of start time/ stop times that there are only so many discretionary dollars available to be spent, and if you're on a time frame ending – basically, your, your major part of your season prior to Labor Day that you're going to get the bulk of those dollars within that time frame that you've already established. Am I correct on that?

MR. QUINN: I'm not sure there's a business out there that wouldn't take more dollars than they're, they're getting currently, and so I think, I'll give you an example, our park, for the first time in 114 years, is now open last weekend, this weekend, and next weekend for holiday lights. We've never done it before, so it's, it's a, it's a cost that we incurred because we know eventually we will continue that steady stream of dollars. I think the same can be said for if people realize here's the end date. I do think because we go further and further out on our advertising and marketing into other states I think there is incremental dollars that can be brought in if you have those extra days. I don't think anybody sits and says, "That's all I want. I don't want any more, and I'll take what I can get."

REPRESENTATIVE MILLARD: So you think that, that the timing of this would bring more dollars, bottom line?

MR. QUINN: I, I believe it would.

REPRESENTATIVE MILLARD: Okay. Are your hours of operation, your daily hours of operation, are they the same every day? Like, 9 a.m. to 10 p.m. or...?

MR. QUINN: No, we, we have a, a set opening time, but we have a flex closing time. It's based on the weather, the crowd, and how much spending is going on. If it's a, a light crowd and, you know, things aren't – you know, the games and, and the, the concessions aren't being – we may close at ten o'clock. If it's a big night and everybody's still spending, we'll go till eleven o'clock, and occasionally, if we have a real big crowd, we'll go till twelve o'clock, so we do have a flex close time, but we have a set opening time.

REPRESENTATIVE MILLARD: And I'm looking at your breakdown here for your employment figures. College student, high school. How many seniors do you employ?

MR. QUINN: As in, as in senior citizens?

REPRESENTATIVE MILLARD: Citizen – yeah, people that are retired that would have the availability to work in the absence of college students or high school students.

MR. QUINN: The nonstudent or adults is basically our seniors. I would say 90 percent of that number would be a senior number. The others would be, you know, kids who decided they're not going on or currently not in school. That number I, I – last time we did this was 2006 figures, and I looked at that. That number jumped significantly since 2006. I believe it's probably double than, than what it was in 2006, and I, I look at ours, for instance. You know, my whole gate staff is all seniors. They're reliable. They come back. Do I, do I think this number's going to grow over the years? I think it will continue to increase. I'm not sure if it will be the catalyst to where I can rely on seniors. The kids – when I say kids at college and, and high school students are the ones that do the, the out in the sun doing the, the rides or, or the heavy lifting. These seniors are the ones that we have that you want in – where they don't have to do a lot of moving, so that number has grown over the last five or six years.

REPRESENTATIVE MILLARD: And do you do a job fair?

MR. QUINN: Yes, we do.

REPRESENTATIVE MILLARD: How many applicants do you get? Excess applicants for positions available?

MR. QUINN: We have – we do have excess applicants, and if you've seen some of the job labor market out there, you will understand why you have excess applicants. They're not somebody in the hospitality business if you would really want to hire. We, we can't find that many behind the scenes to put the folks that wouldn't fit into that category, so in, in our business it's all about personality. It's a one on one with a, a customer type of thing, and, and not everybody fills that bill.

REPRESENTATIVE MILLARD: Well, I guess I share Representative Boyd's comment that it's probably the best approach to work with your local school districts because there are five hundred of them spread across the Commonwealth, and each one has a different situation, and I know that we'll have testimony, Mr. Chairman, from a superintendent in my school district because we have a unique set of circumstances with our Fair.

MR. QUINN: May I – Representative, you mentioned about the Fair. The bill, I believe, House Bill 137 does have a provision in there for extenuating circumstances such as – and we took in the Bloomsburg Fair as, as the example of that. I believe that is....

REPRESENTATIVE MILLARD: That would be the one.

MR. QUINN: Okay, and for instance, the, I guess those kids are allowed out of – school closes during the fair time, and that's, that's a, a legitimate – we're not looking at, at hurting anybody else's business on that, and so that, that would be something they could apply for that exemption, and it would be granted.

REPRESENTATIVE MILLARD: Thank you. Thank you, Mr. Chairman.

CHAIRMAN STERN: Representative Boback.

REPRESENTATIVE BOBACK: Thank you, Mr. Chair. Good morning, Mr. Quinn. I'm going to piggyback on Representative Boyd's question. What's the tradeoff between Memorial Day and Labor Day? And my question is at least you have a choice now. There have to be school districts that do start after Labor Day, so you do have that workforce, whereas if we mandated schools starting after Labor Day, and there is – as we've seen in the past, weather is unpredictable. Some schools would go two weeks, sometimes three weeks into June, and when I looked at your numbers, if you add your teachers with your high school students, that's two thousand more than your college students, so what's the tradeoff? Have you looked up that statistically? Because, again, I, I don't know that – I mean, I think if I were going with my family to a water park, regardless of when we would go, we would, we would look at the time that you were open, and that's how we would book it. One time. That's it. Whereas, I think you're saying, if we keep it open longer, more people will come, and Mr. Millard, he spoke about that. I don't know. There's just so many dollars, so I'm just wondering. Study done with a tradeoff? Better before, better after? Because now you have a choice. The schools stagger, so you have to get some high school students and teachers who do start after Labor Day working for you, but if it's mandated that they can't, how are you going to cope with that if they're all going to second, third week some years in June?

MR. QUINN: Yeah, again, the, the high school – or the college students are available and as, as I remembered with Representative Boyd, we do a, a work study release with a number of the school districts for seniors who are maintaining whatever grade level average that, that the principal and superintendent want. Again, it's – we manage to make do. Seriously, in late May with, with functioning, it's, it's not always the best of situations, but we get most of what we

need open to satisfy the folks that are coming, and we may start out – we have a, a – some traditions in Western Pennsylvania, school picnics that are, that are always, you know, the la – the third Friday in May, and so we need to be open. We find a way to do it, and it’s primarily with the college students and, and the seniors, but it really is painful the last week and a half of, of August. When I started there, I’d been there forty years. Everybody went back to school forty years ago after Labor Day. It slowly eroded, especially in Western Pennsylvania. The City of Pittsburgh, for some reason, is the only, and it’s the biggest single school district. They, I believe, they’re the only ones around that go back after Labor Day. I don’t know what their criteria is for doing that, but, you know, they have the same weather as everybody else. We just don’t have that many city kids working for us as, as we’d like, but from that standpoint, I think, it’s a transportation issue for them. It’s gotten tougher and tougher in the last twenty years to, to run – we used to run it just in the evenings fifteen years ago, and we’ve gotten to the point we can’t even do that anymore. We actually cannibalized two of our parks to get the third one to stay open during the, the week before Labor Day, but to answer your question, I don’t – I’m not sure there is an, an actual study that has ever been done on what the tradeoff would be.

REPRESENTATIVE BOBACK: My concern, and if I may, Mr. Chair. A last comment. My concern is one week after Labor Day or maybe three weeks into June, because of the weather, so again, that would be a concern of mine if I were in your position, and thank you. Thank you for your time.

CHAIRMAN STERN: Representative Costa.

REPRESENTATIVE COSTA: Thank you, Mr. Chairman. Andy, thank you for your testimony. I’m going to bring a disser – different aspect, and it’s just a comment, not a question. In my previous occupation, I was a Commander of the Pittsburgh Police Traffic Unit and stuff.

Our responsibility was to get the message out there about schools opening, and in Pittsburgh, it's a great help that the Pittsburgh schools do start after Labor Day for us, but it's a hindrance for the private schools and the parochial schools to start early because when we do our program for child safety, school bus, and things like that, we put it out there, and having those different starting dates makes it very confusing for motorists and stuff like that, and we get a lot more violations through school zones prior to the Labor Day because everyone feels that school's not in cer – you know, so as a child safety thing, I, I tend to be in favor of supporting this bill more for that than for other reasons, so just please keep that in mind. Thank you. Mr. Chairman.

CHAIRMAN STERN: Thank you, and thank you, Mr. Quinn, for testifying before the committee today. We'd like to proceed and continue with the hearing and ask our next two testifiers, John Delozier, who's with the Pennsylvania Tourism and Lodging Association, and John Oliver, who is representing the Pennsylvania Association of Convention and Visitors Bureau, and thank you again, Andrie – Andrew for your testimony today, and whoever wants to begin. John, either you or – John or John, so.

MR. OLIVER: Thank you. Good morning, Chairman Stern and members of the House Tourism and Recreational Committee. I'm John Oliver. I'm the current chair of the Government Affairs Committee for the Pennsylvania Association of Convention and Visitors Bureaus, and my day job is as President and CEO of VisitErie. I'm appreciative of the opportunity to speak to you today with regards to HB 137, which deals with the Post Labor Day School Start Initiative. Let me start by stating PACBB is strongly in favor of this legislation. Let me also state that PACBB and the entire tourism industry strongly believes in the need to provide a quality education to our children in Pennsylvania. We believe that a post-Labor Day school start and a quality education are not mutually exclusive. There have been a number of

issues and questions that have been raised by this proposed legislation that I would like to offer our opinion.

Will school – will later school opening dates affect student education? The bill does not affect the 180 day minimum educational requirement. Several schools in the state open after Labor Day already and have no trouble maintaining a ha – a high quality of education and still ending the school year in early June.

Should the state be mandating a specific statewide opening date? School boards will still have the authority to set their opening date as long as it's not earlier than the day after Labor Day. The School Code already has some school opening restrictions in law. Schools can't operate on Sundays and certain specified holidays, Memorial Day, Fourth of July, Christmas, Thanksgiving, New Year's Day, and up to five local holidays. The precedent for this bill is already in the law.

Is there an economic impact from starting school before Labor Day? Five years ago, the Legislative Budget and Finance Committee contracted with TrippUmbach, a Pittsburgh-based economic research firm, to conduct a study with the following findings. 378 million dollars would be added to Pennsylvania's economy if all schools began after Labor Day. This estimate is based on 164 million dollars in direct dollars that would be spent by families traveling during the week prior to Labor Day, as well as the re-spending of these dollars throughout the State's economy. School beginning before Labor Day cost the State 2,348 jobs annually. TrippUmbach's analysis indicates that adding 378 million in net revenue to the state's economy would create the equivalent of more than 2,300 jobs.

The Commonwealth loses 17.7 million dollars in state tax revenue as a result of schools starting before Labor Day. This figure is based only on travel and tourism losses resulting from

families not taking vacations during the last week of August. It does not include several million in additional dollars in uncollected hotel room taxes. The inability to work summer jobs during the last week of August cost teachers and students about 45 million dollars. These earnings, in turn, would generate an additional 3.7 million in additional state taxes and about 8.6 million in local tax revenue.

Expanding the school day by eight minutes would save 105 million dollars annually. If the school day was lengthened by eight minutes, it would be the time equivalent of three instructional days. These extra days could be used to offset the three instructional days lost to – due to schools starting after Labor Day. Each vacation added to the school calendar cost parents an additional 4.6 million in child care expense.

Is there a social impact from starting before Labor Day? Many families complain that opening school before the traditional end of summer holiday negatively affects family vacations. There have been reports of substantial absenteeism in some schools that start early due to scheduled family activities and vacations on the week before the holiday. Ending the summer vacation earlier and then having more non-holiday days off throughout the school year also forces parents to take off work or find child care on those days off which may not be holidays in their workplace. Jobs are affected. Students who work to get money for college or living expenses have to go back before summer is over and miss out on that pay. Some students are financially disadvantaged by early school openings since they may not have access to those jobs in which they have to commit to working through the Labor Day weekend where they may not be able to get bonuses available for those who do work through the holiday weekend.

Businesses in the community that employ younger workers, such as the tourism and hospitality industries, also suffer from early school openings since they lose these workers during

what should be one of their busiest weeks of the summer. As an example, Waldameer Park and Water World in Erie now closes the week before Labor Day due to manpower shortages and a decline in visitation. A recent statewide study showed that 55 percent of Pennsylvanian voters were in favor of a post-Labor Day school start. That's up from the 47 percent in favor in the 2006 survey.

Would Pennsylvania be the only state with this law? Virginia, Minnesota, Texas, and Michigan have a law on the books already. Wisconsin and North Carolina have September 1 minimums. In closing, I would urge you to move HB 137 to the Floor of the House to be voted on. Thank you for giving me the opportunity to speak to you today.

CHAIRMAN STERN: Thank you, John. Appreciate your testimony. At this time, we'll hear Mr. Delozier and allow you to proceed, and we'll open up with questions then after your testimony.

MR. DELOZIER: Good morning, Chairman Stern and members of the House Tourism and Recreational Development Committee. Thank you for the opportunity to speak with you today about House Bill 137 and the Labor Day School Start. The Pennsylvania Tourism and Lodging Association supports this proposed legislation with great enthusiasm, and we ask you to move this bill to the House Floor for a vote. My name is John Delozier. I am before you today representing PTLA, particularly the lodging segment of our association. As you probably know, the six hundred plus membership of PTLA represents lodging and tourism interests throughout the Commonwealth. Our membership consists of a cross section of these interests, including lodging members, lodging management companies, a wide variety of attractions, tourism promotion agencies, vendors to our industry, and hospitality schools.

In my current position with Pittsburgh-based Hospitality Lodging Investors, I oversee three hotel properties here in the state of Pennsylvania. Over the last twenty years, our company principals have developed, owned, or managed hotels and restaurants in Altoona, Monroeville, Hershey, Shillington, Wyomissing, York, State College, and Gettysburg. In addition to my involvement with PTLA, I also serve on the Board of Directors for the Gettysburg Convention and Visitors Bureau, and at this time serve that organization as their immediate past chair.

This committee has a – has been a strong advocate for the tourism community in the past, and I am confident that the commonsense nature of this bill also speaks for itself. I will avoid making comments on the studies that my colleague, Mr. Oliver, is including in his testimony to you. His numbers alone speak to the commonsense nature of this bill. A post-Labor Day school start would generate hundreds of millions of dollars for the state economy and create jobs. I will repeat one of Mr. Oliver’s numbers. However, as I know all of you are concerned about the state’s budget concerns, in one week, the last week of August, the Commonwealth loses 17.7 million dollars in state tax revenue when school starts before Labor Day.

This morning I will also avoid testifying about our state’s education system. I will avoid making comments that seek to direct school districts on exactly how to operate, and I will leave those issues to capable school administrators. As someone who spends a considerable amount of time on the college campus – campus at an adjunct level and as the spouse of an elementary educator, I assure you I support a strong education system that provides Pennsylvania children with the very best education possible. My colleagues and friends I represent here today join me in that support as well. With that said, we firmly believe a quality education and a post-Labor Day school start are not conflicting issues.

While I choose not to testify about the items my industry colleagues will address, and while I refrain from testifying as an expert on education, which I'm not, I will testify about that which I truly am passionate, the people of the tourism and lodging industry. What does one week mean to the people represented by PTLA?

Number one. At a small hotel in Gettysburg just one mile from the Gettysburg National Military Park, a housekeeper named Frankie has her hours cut from forty hours to sixteen hours for the last week of August. For Frankie, who uses our public transit system there and catches rides with co-workers, this is a significant loss of income. This is possibly a significant part of her rent payment or grocery money. I admit I'm trying to tug at some heartstrings here a little bit, but please hear me out on this. This is just one week. These are little numbers in the grand scheme of things, and granted, the week after Labor Day when everyone returns to the school, when everyone's done with their vacations, Frankie has to learn how to live on sixteen hours a week until the spring tourism season rolls back around. What we are asking for is that one additional week, one additional week where she is able to get on the bus and take pride in her work. These numbers aren't as little when we realize that Frankie is just one out of ten housekeepers at that particular property. Please understand that there's a Frankie working at a hotel in Hershey. Please understand that there's a Frankie at the Sheraton Center City in Philadelphia. The larger the hotel, the more individuals there are just like Frankie.

Number two. At that same eighty-three room hotel in Gettysburg, there's a young general manager named Bryan. Mr. Moul knows him well. As a lifelong resident of Gettysburg, Bryan knows one thing as absolute fact. When the kids go back to school the last week of August, things get very quiet in Gettysburg. His hotel revenues drop. In 2011, his hotel's weekly revenue performance during the last week of August was nearly half that of the

preceding four weeks. In fact, this drop in revenue was equal to Frankie's yearly salary or the equivalent of one full-time guest service agent's yearly salary. Again, little numbers in the grand scheme of things, and this is just one week, and just like Frankie must do at home, Bryan will tighten the proverbial belt around the hotel. He'll do whatever he can to operate his property efficiently until the tourist season comes back around in the spring. I ask again for that one additional week, the last week in August. You see my pattern by now. There are more managers just like Bryan here in the state. There are much larger hotels than Bryan's hotel. There's Chuck Dickinson from the Split Rock Resort and Golf Club in the Poconos. There's Tim Zuger from the Doubletree Hotel in Pittsburgh. The hoteliers of the PTLA membership ask you to consider this one more week.

Number three. I ask you for that one additional week on behalf of hotel owners and operators such as myself or Jim Purdum from Penn State Hospitality Services, our associate president. We have the ability to create additional jobs, additional tax revenue for the state, and our owners have the ability to develop new hotel supply throughout the Commonwealth. This additional week of revenue only helps us with these endeavors, and it's the small numbers I mention are multiplied throughout the state. The very large numbers Mr. Oliver mentioned are reality.

Number four. As the members of this committee are well aware, our local tourism promotion agencies have lost significant state funding in recent years. Give our large – give our lodging properties one more week to generate local tax revenues for these organizations before the tourism season ends each year. I can assure you the Gettysburg Convention and Visitors Bureau would put such tax use to good use promoting our destination, encouraging tourism spending here in Commonwealth.

Lastly, number five. I would be remiss not to mention our member attractions. Our members such as Kennywood in Allegheny County, DelGrosso's in Blair County, or the world famous HersheyPark. These members are particularly hard hit by pre-Labor Day school start, as they employ younger workers as well as teachers and other school employees during the summer season. These members also join me in asking you for this one extra week. A post-Labor Day school start allows these businesses to retain valuable employees and operate their businesses at full capacity during what could be a very profitable week.

Again, I know that this committee is a great advocate for our industry and for our PTLA membership. Thank you for letting me share my reflections on this proposed legislation and how it impacts individuals as well as businesses and our Commonwealth. Thank you for your work on this commonsense proposal and for moving this item to the House Floor.

CHAIRMAN STERN: Thank you, Mr. DeLozier, and thank you, Mr. Oliver, for your testimony this morning. Our first question will be presented by Representative Millard.

REPRESENTATIVE MILLARD: Thank you, Mr. Chairman. Mr. Oliver, in your testimony, you list a lot of numbers here from the Legislative Budget and Finance Committee on a study that they did. Do you have any numbers, or did they include in their study if there would be any direct cost to the school districts? In other words, if we're going to generate an additional 378 million dollars in our economy, is there any numbers to be subtracted from that 378 million from schools that would be forced to open a day after Labor Day or some point in time?

MR. OLIVER: Not directly. They did look at and, and felt that there were savings by these school districts, in particular, air conditioning, heating costs, by closing in, in August and, and remaining open later or readjusting school times. I think it might have been Michigan where

some districts added the eight minutes. They had some substantial savings because then they had three additional instructional days that they did not have to heat and cool. They did not have to transport kids, so the feeling was that there would be a savings to the district by doing that.

REPRESENTATIVE MILLARD: Okay. And, Mr. DeLozier, would you like to offer any comments with regard to that? I'm asking both of you these questions because Superintendent Mathias from my district will be here on, on behalf of the school boards, and I'm going to ask him the same questions.

MR. DELOZIER: As I mentioned, I, I'm hesitant to tell a school board how to operate its schools, so I – as far as the individual spending on and how that will impact, and I'm certain there's, I'm certain there's surveys that have been done, and they can look at those. What, what I do want to offer to the school district is that letting us have that last week of the year to generate some additional revenue for them is something we are very excited about.

REPRESENTATIVE MILLARD: Thank you. Thank both of you. Thank you, Mr. Chairman.

CHAIRMAN STERN: Representative Heffley.

REPRESENTATIVE HEFFLEY: Thank you, Mr. Chairman. The question was for Joe Oliver. In your testimony you stated a study that was done by a, a Pittsburgh firm regarding about 378 million dollars would be added to Pennsylvania's economy and about 17.7 million in state tax revenue. Was there additional studies done as to what would be lost by, by, you know, the students staying in school longer in June? I know [in] my family we do quite a few vacations, and I would love to be able to do more up to Labor Day, but we also start earlier. We start in June going different places if, if we can. Not with this job. June's a busy month, but prior to that, we would ta – we would, you know, as soon as the kids got out of school – my

daughters got out of school, we would take a camping trip for a few days if possible. I mean, is there been a study as to what's going to be lost, not only in June? But, also, the earlier testifier stated there were additional in-service days and additional days off during the school year when starting earlier. I have three ski resorts in my district, and I can tell you on whether it be Martin Luther King Day, President's Day, or that – any, any vacation day, those ski resorts are, are packed, and they look forward to those holidays, and, and the ski resorts are also staffed by a lot of high school and kids that work in the evenings and, and on weekends, so has there been any look at what would be lost in revenue if, if those schools didn't offer those extra service days and stayed open later into June?

MR. OLIVER: No, I don't believe that they – I'm not positive, but I don't believe they directly looked into that, but I do know that the hospitality industry did not feel that, that there was – their feeling was, was so much stronger that the losses in August would, would be far greater than the losses of business that they would see in late May, early June.

REPRESENTATIVE HEFFLEY: But there haven't – we don't – we didn't – can't – we don't know a number. We don't – hasn't been anything done in that regard.

MR. OLIVER: No.

REPRESENTATIVE HEFFLEY: And I guess the other thing is the snow days. Now, it seems more and more schools are cancelling for small amounts of snow, which, once again, fills our ski resorts every time there's a snow day. With that dynamic, I just – the school districts are kind of putting – pinned into a, into a box with any kind of snow as far as putting those buses on the road and then the liability, seem to be closing much, much easier. Do you – I don't know if there's any numbers in that as well, so.

MR. OLIVER: The only – I guess would be my opinion from somebody who grew up and went to New York State schools that virtually all of them start post-Labor Day and they're able to, to handle that even with snow days that – with weather that they have, so I mean, I think again, you know, there's, there's flexibility within the schedules of the, of the school districts to, to make that work, and yes, if they had to go later in June, the hospitality industry has pretty much said, "We would prefer to see school go later in June and get the week the end of August," that it certainly has a bigger impact on, on the hospitality and tourism business.

REPRESENTATIVE HEFFLEY: Thank you.

CHAIRMAN STERN: Representative Moul.

REPRESENTATIVE MOUL: Thank you. Thank you, gentlemen. By the way, Frankie and Bryan send their regards. I was glad to hear you mention Gettysburg. Every time I hear it up here, I'm thinking okay, *cha ching!* What a – I heard you mention Pittsburgh starts their school districts after Labor Day. Did I hear that correctly?

MR. OLIVER: That's, that's what Mr. Quinn said.

REPRESENTATIVE MOUL: Okay, has anybody done an analysis from a larger of an area that does start after Labor Day versus one that doesn't? Say that you would have really hard – as hard of numbers as we could possibly get, and how would it affect cities like Philly? I mean, Philly, I – you know, was just there this past week with this committee, and that's a town filled with, with hotels and planning to build four more downtown from what I understand, and, you know, how would starting school in a large urban area in your opinion, affect a, you know, the tourism there?

MR. DELOZIER: Representative Moul, I – to, to address your question the best – I'm not aware of any study that has been done specific to that. Each, each area can pretty easily

figure out what their revenues are for each of the weeks in the August and what one more week of even maintaining or even coming close to maintaining those revenues for the previous weeks in August would, would be. That's how I looked at it when it came to that particular hotel in Gettysburg. That's how we looked at it as a Convention and Visitors Bureau in Gettysburg. We can, we can receive the travel research that shows us easily where, where we'd be at that last week of the month performed anywhere close to the previous weeks of that month. I would think that our counterparts in the city of Philadelphia would be able to very easily come up with those numbers, as well, and, and even on a, even on a state level.

REPRESENTATIVE MOUL: I was, I was looking for some area that went from starting school before Labor Day to after starting, to see what that one week – I mean, we can, we can hypothetically say, “Oh, yeah, it'll be the same as all the other weeks,” but if we had a hard, cold data that would say, “Absolutely, it worked here,” then, then we could make that argument that it would pretty much work the same way everywhere.

MR. DELOZIER: Correct, and, and as far as I know, there would have to be a specific study done just to answer that question. I'm aware of nothing in, in this state that's been done.

REPRESENTATIVE MOUL: Right. Well, I can, I can also attest to your testimony that about the third – end of the third week in August, the families stop coming to Gettysburg. That business dries up, and we're counting on mainly couples or singles or, or conventions or whatever, but the family travel definitely does dry up the end of the third week in August. I would like to see that expanded, but thank you for your testimony. Thank you.

CHAIRMAN STERN: As the new Chairman to committee, I'll recognize Representative Longiatti.

REPRESENTATIVE LONGIETTI: That's why I like you as Chairman. Thank you. You know, I'm listening to all this, and there's, there's this obviously, if you accept it as true. There's this big disconnect because testimony says many families complain that opening school before the traditional end of summer holiday negatively affects family vacations, so they're, they're complaining, apparently. Recent statewide studies – survey shows that 55 percent of Pennsylvanians were in favor of post-Labor Day start. The bill requiring a post-Labor Day start has been defined as commonsense in nature, and yet, Representative Godshall's letter states that 89 percent of Pennsylvania's schools start before Labor Day and that that number has been steadily going up over the years, so, you know, there's only a couple options here. It sounds like either, A., school boards don't possess common sense. B., they're not getting the information, or C., there's some other reason why they're starting before Labor Day, and I guess we'll hear that when the school administrators come. Has there been any – you know, there's been a lot of talk over the years in Harrisburg, and, and I think Representative Boyd talked about efforts talking to school administrators, but has there been any grassroots effort – because my experience as a school solicitor is that when parents speak, in most cases school boards do listen, and I'm – if they're complaining, are they, are they truly – you know, is there been any effort amongst your employees organized by you all to get the message out to the school boards or through, through parents that are complaining, saying, “Well, gee, we would like to, to be here after Labor Day, but we, we can't.” What, what is being done there? Because it, it just seems like there's this big disconnect, according to what you're all saying, but 89 percent of schools start, start before Labor Day.

MR. OLIVER: I know that you don't have – at PACVB, we've encouraged our, our member tourism promotion agencies to reach out to their school districts to, to talk and make the

request and, and to see whether that's, that's possible. The issue does not seem to be top of the mind or, or important enough for most of the school districts to, to consider at this point, and I, you know, I certainly agree they have some, you know, large issues before them, particularly in the last few years with the, with the decrease in funding that, that's coming from the Federal and State levels, so, you know, this issue certainly hasn't been one that they've looked at as, as being important enough to, to really deal with, but there has been no, no real effort to, you know, to go out. We've talked about that as, as this bill might move forward that we would then need to, to reach out and look to try to get the support for that. We recognize that, you know, as TPA's having five hundred school districts across the Commonwealth, it's difficult to try to convince each and every one of them the fact that – of, of the advantages it would provide to, to our industry and to the state's economy to, to make the changes necessary to do that.

MR. DELOZIER: I'll just jump in there. I think your point is very well taken, and it probably – there has been a weakness on behalf of our industry to reach out to the individuals, and I think the point well taken that both of us would take back to our associations.

REPRESENTATIVE LONGIETTI: I appreciate that because when you, when you think about it – and I understand it is challenging. There's five hundred school districts, as you've mentioned, plus other private schools, but when you, you think about it, the school boards approve the school calendar. They vote on it, and, you know, once again, my experience has been they're, they're relatively responsive to the people that they represent. Now, the school administrators are making the case to them that this is what the school calendar needs to look like and here's why, and I don't think they're hearing from anybody else in the public. You all may be going to the administrator making your case, but the school board members are not hearing from students or parents saying, "It's important to us to start after Labor Day." I don't, I

don't think – I, I know in fifteen years as a school solicitor I can't remember – and I went to school board meetings all the time. I can't remember any parent coming in saying, “We would like to have the school start after Labor Day,” and maybe, maybe the, the PTA is a good group to solicit support from. I mean, if there really is – if there really are many families complaining. If there really are 57 percent of the people that say they want this, I guess the question is how passionately do they want it? Are they willing to speak up for it?

MR. OLIVER: Good point. Thank you.

REPRESENTATIVE LONGIETTI: Thank you, Mr. Chairman.

CHAIRMAN STERN: Thank you, Representative Longietti. Thank you, John and John, for testifying today, and [we] appreciate your testimony. At this time we're going to have Jim Buckheit, who is the Executive Director of the Pennsylvania Association of School Administrators, testify before the committee. We welcome you, and you may feel free to begin whenever you would like to, Mr. Buckheit.

MR. BUCKHEIT: Thank you, Chairman Stern, and, and it's a pleasure to be here with the distinguished members of the committee. My name is Jim Buckheit. I served as the Executive Director of the Pennsylvania Association of School Administrators. PASA represents over 800 school superintendents and other school leaders from across the Commonwealth. Our members are responsible, together with their elected school board members and professional staffs, for the design, delivery, and scheduling of instruction in Pennsylvania's five hundred school districts and other educational entities, including charter schools, career and technical schools, and intermediate units. We appreciate having the opportunity to share our views on House Bill 137.

Rather than read the testimony, I'd like to just highlight some of the key points. I'd also like to add my two cents in to some of the things that have been already been said. One key thing is we need to remember that population is not steady, that the population of school students in the state changes over time. 2008 was the year of the – that we've had the largest graduating class ever in the Commonwealth, and that number is starting to decline pretty rapidly, so the number of students, the number of school age children in the state is declining. We're going through a down part. We had the baby boom after World War II, and we had, you know, a little baby boom in the early [19]90's, and that's what the proof we're seeing right now, that we're seeing the population decline, so we're not taking – talking about a, a stable level of students available for the workforce. The other thing I want to mention is that schools spend 26 billion dollars a year. That's a huge economic generator into itself, and that generation produces – supports lots of activities, and there are lots of other activities that are associated with that economic activity. I'll talk more in a, in a minute, but there's a whole industry of child care services that revolves and works around the school schedule and provides services and child care to parents when school is not in session, and there are restaurants and other support services that go around football games and all kinds of other activities associated with schools and school-associated events that also support the economy, so you need to look at this from multiple dimensions. It's not just a one-dimensional issue.

PASA members are opposed to this bill. They do so as enactment of the bill into law will limit the authority of local, locally elected officials which determine what is best for their community. It will disrupt long-established family and community schedules in approximately 86 percent. We've been talk – hearing lots of numbers here. Our estimate is about 86 percent of

school districts across the state, and it actually may be harmful to tourism and economic activity in some communities, and most importantly, it's educationally unsound.

In a state as large and as diverse as Pennsylvania, our geographic features, regional economies, historic and cultural traditions, religious diversity, and even weather patterns each factor into the decisions made about annual school schedules. School districts across the state reflect this diversity, and in each district's unique conditions, by developing school calendars that address the needs and interests of the entire community.

The School Code addresses that the school board has the authority to set the calendar. We've already talked about that. I looked at what the history of that, particularly those statutes, are. They were set by the General Assembly in 1911, and those provisions, three separate provisions in the Code, have been amended several times over the decades, most rec – even in the last decade. Not once did the General Assembly ever talk about taking away the authority of the board to set that schedule based on the local conditions. It may have designated, “We want you to include this holiday as an official school holiday.” It may have added other factors, but they never limited the ability of a board to make that decision.

Examples of how districts consider community needs include: districts in some regions of the state close one or more days during opening week of deer season. One school district closes down the entire week that the county fair operates. Several school districts close each year on days that are special holidays in their own communities. One example of that would be Groundhog Day. Punxsutawney School District closes down around – on Groundhog Day, and there are many examples of where that exists across the state. Things that we don't consider here in Harrisburg, but there are special in the – very special in those communities. Many school districts in the state close on major religious holidays, such as Rosh Hashanah, Yom Kippur,

Passover, Holy Thursday, and Good Friday. That varies according to the community. Districts in some parts of the state that regularly face severe winter weather conditions also build their schedules to accommodate the, the contingent of, of having the makeup days without extending the school year into late June.

Districts also design school calendars taking into consideration the start of college summer programs, many of which begin the second week of June, and the State System of Higher Education Campuses begin – those summer courses begin the second week of June. These programs permit graduating seniors to get an early start in earning college credits and district staff to earn college credits during the summer, including those necessary for those teachers who must earn a level two or a permanent teaching certificate, those teachers who need – want to obtain certification in additional subject areas or earn professional education credits necessary to maintain a valid teaching certificate.

The point is that there are many patterns in school calendars across the school districts across the Commonwealth and that each exists for a reason. Each calendar was crafted by school officials in that specific community to respond to the needs of that community with the central need, that of offering a full year of instruction to each student in the community.

Something a little different. About 19 percent of the households in Pennsylvania have school age children. It's an important consideration. 19 percent. In those households, about 66 percent have both parents working. Who cares for children when school is closed? For some, relatives or friends, and others many non-profit agencies, child care centers, townships, and churches operate day camp programs during the summer months. I have personal experience with this. My daughter both attended such a program, and later, when she graduated from high school and went to college, she worked in such a program. It's very interesting. The camp shut

down the week before school started. Why? Because college students went off to college. They didn't have enough camp counselors to supervise the kids, so what did we as parents have to do? We had to either take off work to take care of our kids, or we had to work with other friends to sort of care for our kids. By starting school after Labor Day in most school districts as it is currently configured, we would have to do that for two weeks because the college – we're not changing the college schedules, and those college students are going to go back to school when they go back to school, so instead of one week of having to sort of weave together child care, we now have to do that for two weeks.

It's important that not only are – is that example, but these child care services are provided throughout the year, so other vacation periods throughout the year, these agencies and programs, offer – also offer those services, and those are largely dependent upon the availability of workers, again, college students or high school students to care for younger children, so we need to consider that this is another industry and that this is another important consideration when you make your decision about this legislation. We don't want our kids to be unsupervised, which I fear may happen in some cases if we start playing around with schedules because the system is largely set up now to deal with the calendars are – as they are.

In preparation to present this testimony, I reviewed a random sample of fifty school district calendars across the state, and I found about 86 percent held the first school day before Labor Day, and 86 percent the last school day after Memorial Day. We also found that districts across the state vary considerably in the number of student instructional and staff days, so we talk about 180 days, but I think in, in reality it's the rare exception that you're going to find a school district that provides only 180 days of instruction. Most districts offer between 181 and 184. I found one district in my sample, 191 days of instruction, so you need to think about if

start after Labor Day, you're going to compress more – more time. It's not just the 180 days. You're talking about some districts that offer longer school years. You're going to compress that time and push that very close to the edge of the end of June. Until recent state and Federal funding cuts, many districts across the state have been negotiating to increase their number of instructional days and contract days within our employee unions.

Because House Bill 137 takes a one size fits all approach, while it might improve economic activity around Labor Day, it has the potential to hurt economic activity around other areas of the state during other times of the year. We've already talked about the Bloomsburg Fair, talked about Groundhog Day. We talked about deer hunting and fishing season and other holidays where schools are closed. Now, because of the flexibility that districts have in creating their calendar, some of that will go away. If we start to compress the schedule and limit school – they're off – to operate after Labor Day.

Perhaps the most compelling reason not to approve this bill it is that it is educationally unsound. Duke University professor Harris Cooper is recognized as one of the leading researchers in the issue of summer learning loss. Basically, what summer learning loss is is the longer students are disconnected from learning activities, the more likely that they're going to lose ground from what they learned previously in the school year, and researchers have found that this has a more severe impact on disadvantaged students and English language learners. The students who would traditionally – are behind there's – their grade level in reading and math. Extending the school year to another week, largely, disconnects those students from their studies more than it does currently. What Dr. Cooper found is that basically there are three strategies for reducing summer learning loss. One is to extend the school year beyond 180 days. Two, require additional numbers of students to attend summer school where summer school is offered. Just

comment that because of the funding cuts last year, over 35 percent of school districts eliminated the summer school programs, and then third, they could modify the school calendar to eliminate the long summer vacation and replace it with shorter cycles and attendance breaks throughout the year.

This bill would require districts to compress their school schedules between Labor Day and early- and mid-June. In many school districts, it will actually end up extending summer vacations by one week, and in a few cases by two weeks. This is the opposite direction from where we should be heading. If we are serious about improving student achievement across the state, we need to expand learning time, not compress it. Just wrap up with a final note. Previous to my current position, I served as the Executive Director of the State Board of Education, and one of the things that the board did while I was there was it amended the attendance regulations, and it actually removed the requirement that students attend school a certain number of hours each day. The reason they did that was to provide school districts additional flexibility in how they designed their schedules and, and instructional programs because many districts far exceeded, it far exceed the minimum statutory requirement of 990 hours of instruction for high – for secondary and 900 hours for elementary schools. Most school districts far exceed that amount over the 180 day plus schedules that they operate, and the board felt we shouldn't be dictating that you have to be in school a certain number of hours a day, that it should be largely designed, the schedule should be designed based to meet the educational needs of that particular school district, so with that I'll be pleased to answer any of your questions.

CHAIRMAN STERN: Thank you very much, Mr. Buckheit, for your testimony today. This time I have questions by Representative Metzgar.

REPRESENTATIVE METZGAR: Mr. Buckheit, thank you for taking the time to testify today. Just one thing. I wanted to applaud you. You pointed out something that's, that's, I think, crucial when we're, we're discussing a bill like this that Pennsylvania is so diverse it is almost ungovernable sometimes, and I know we all run across that on a daily basis, so it's with, you know, a lot of reticence that we're, we're approaching this, but just a couple of things that I wanted to, to clarify with regard to your testimony. One thing is that you noted at the beginning that the school is an economic generator, and I, I'm not sure that that's quite accurate, particularly in the context that we have today, because it would be more like a redistributor of wealth, not a generator, as opposed to the tourism industry, which is why we find the tourism industry so attractive, is that it brings in outside wealth and then, and then bring – generates wealth for the community, and that's – I, I think one clarification. I'm, I'm not sure that that's quite correct where we're at. My, my first question, though, is, is you note that since 1911, not once have we, essentially, tried to, to handcuff school boards from doing what they want to do with the, the school schedule, and I note that in your, in your informal sampling of fifty schools, 86 percent of them are going beyond the parameters of to which 137 would, would allow. Do you think that there is some sort of relationship to the fact that we are now looking at it? Because 86 percent of the schools are looking – are, are beyond the expansion of they're – of this particular time frame to which we're trying to limit.

MR. BUCKHEIT: First, to your observation. You're absolutely correct about the economic generator issue, and then, you know, education is a major influence on the economy in the state. It may not be generating wealth, but it is certainly provides contracts and services and all kinds of other business, so there are a lot of tentacles that flow from the public education

community. The, this, the – your, your question is, I think, part – could you ask – recite again?  
I'm sorry.

REPRESENTATIVE METZGAR: You mentioned that, that not since 1911 have we tried to handcuff the school boards from, from making the schedule to which they want, and in, in your testimony, you note that 86 percent of your sampling, which was an informal sampling of fifty schools, are beyond the parameters of what House Bill 137 would allow. Wouldn't you think that the two are mean – are, are not independent of each other, that we're now looking at that?

MR. BUCKHEIT: Yes, absolutely.

REPRESENTATIVE METZGAR: Secondly, you, you note that the, based on some research that was, was done, you say that it is educationally unsound to, to pass a bill like House Bill 137. I think everyone in, in – sitting around the table here today will, will – when they speak to both administrate – the administration and educator alike, they say that the biggest problem that they have, or the two biggest problems, are the lack of parental involvement, number one, in the student pop – in the students at large and, and secondly, that the students, as they age, lack the responsibilities that are instilled in them whenever they have a job or, or some sort of occupation that they – they, they don't know how to work. They don't know how to do that. How can you, you say that it's educationally unsound and then in the same breath, every educator that I speak with, the first thing on their lips is those two issues?

MR. BUCKHEIT: Because everybody realizes, I would think, that if you explicitly asked superintendents across the state about extending the school year, they would say, "Absolutely," but most of us realize that, given the current environment, that's an impossibility. Given the current fiscal environment, that's an impossibility.

REPRESENTATIVE METZGAR: I'm not sure I got – understand your, your answer to the question. My, my question is, is how ca – aren't those two things mutually exclusive? You're saying that the school needs more time with these kids, but at the same time, we want them to have the values of a – that, that are only, you know, had by a job, and, and secondly, we want the parents to have more time and more involvement with them, but then you're asking and saying that we should less involvement, and they should have less opportunity to go to – to get a job. I, I can't see how those two jive.

MR. BUCKHEIT: Well, there's lots of places in the state. We talked a little bit about Philadelphia earlier. Philadelphia starts the school year after Labor Day. They've always done that. I would gather that some of the new hotels that are being creat – we talked about here. Very few high school students would be employed in those new hotels in downtown Philadelphia. I would, I would gather that, so, so, you know, we have to look at the reality in many parts of the state. Our view of the typical summer experience is somewhat disconnected from what the reality is, and I would say that probably in the city of Pittsburgh, Philadelphia, Harrisburg, and some of the other cities, the summer experience for the students in those communities is not what, perhaps, our experiences were during summer vacation, and they don't have the opportunities to participate in summer employment, and they may be some of the students that we may be talking about.

CHAIRMAN STERN: Thank you. Representative Moul.

REPRESENTATIVE MOUL: Thank you, Chairman Stern, and thank you, Jim, for, for your testimony. Before I get started into my questions, you are the Executive Director – are you an administrator yourself?

MR. BUCKHEIT: No, I'm not.

REPRESENTATIVE MOUL: Okay. You mentioned about school population in your testimony. What does that have to do with this issue?

MR. BUCKHEIT: Well, it has to do – you know, and heard some of the earlier comments from those who preceded me talked about the availability of the labor force. You know, availability of workers to staff their, their facilities. That’s a direct correlation to the population of who’s, who’s available in the labor force. The labor force, young labor force, will be decreasing, whether or not we extend the school year beyond Labor Day. By, by – so, you know, one of the things to look at is in, in recent years, an average grade level population in the state would be someplace around 140,000, so we have 140,000 third graders, 140,000 seventh graders. That’s going down below 130,000 in the, in the next few years, so there’s ten thousand – there will be ten thousand fewer seniors graduating from high school than there had been in the past. That’s ten thousand fewer workers potentially available to the tourism industry.

REPRESENTATIVE MOUL: Doesn’t your answer actually – as – I don’t even know how to say this. You’re fighting my fight for me on this by saying, “Since there’s even less, we’re really glad that we make it harder on the tourism industry to have these kids working and to bring more people into the state.” You’re, you’re actually making my argument for me, so you, you threw me off guard there.

MR. BUCKHEIT: I—you know, we wanted – and one of the things you need – the other end of the spectrum is the population’s getting older, so we need to be more creative about tapping into the retirement community.

REPRESENTATIVE MOUL: Well, okay, which would lead me into my next question, and I’m being a little facetious here. Who pays the salaries of your administrators?

MR. BUCKHEIT: The people of Pennsylvania.

REPRESENTATIVE MOUL: The taxpayers.

MR. BUCKHEIT: Yes.

REPRESENTATIVE MOUL: Wouldn't the tourism industry qualify as one of those taxpayers?

MR. BUCKHEIT: Yes.

REPRESENTATIVE MOUL: So then why would you want to shackle the hands of the people that are feeding you?

MR. BUCKHEIT: Because they're – as I said earlier, school boards and school administrators take into consideration the entire community. It's not one segment, not another segment. You have to balance the interests of everyone. That includes the tourism industry, and, and you know, as I noted, there are districts that shut down or adjust their schedules to events in their communities where that – do attract tourists and are economic generators in those communities. It's not like the reason anything that's being done in this regard. You know, this – there are districts that start after Labor Day. I, I would venture that if you looked at where some of those are located, man – some of them are located in areas where there, there probably is a need.

REPRESENTATIVE MOUL: Okay, you're only getting half the picture here. Half the picture is the tourism industry, in certain areas like mine, can utilize those children for another week, but the other half of the picture is is if school districts where those tourists are coming from, if they can't come because their kids are in school, whether they have a tourist area or not, it doesn't do any good, and we can't pull everybody from out of state, so without a statewide mandate to start after Labor Day, having the kids there if there's no one to come from the other

districts, what point is it? Would, would be my response to that, but let's move on a little bit.

Correct me if I'm wrong, 180 school days in a year. It's been that way how long?

MR. BUCKHEIT: Probably from the turn of the century – last century.

REPRESENTATIVE MOUL: Way before I got on this earth. Okay.

MR. BUCKHEIT: Yeah.

REPRESENTATIVE MOUL: When I was in school in Adams County, all of our school systems, even our parochial school systems, started after Labor Day. The first thing I would have to come out and say is I think I did all right. Okay, okay, all right. I'm sorry. I retract that, but...

CHAIRMAN STERN: Better re, rephrase that question.

REPRESENTATIVE MOUL: I stand corrected. What changed?

MR. BUCKHEIT: The world's turned around a few times since then.

REPRESENTATIVE MOUL: What significantly changed from when I was in school that started after Labor Day and generally by about the first week in June we were done? Every year, almost no matter what, including our snow days, and with all the global warming that's out here, we have less of those, and I'm trying to figure out what changed that started making schools say, "We know what's better for your children, and don't tell us what to do. We're starting a couple days before Labor Day, and we don't care if it screws up the tourism industry." What changed?

MR. BUCKHEIT: Well, first, the population has changed. Demographics of the state has changed. We're more diverse than we used to be, so that's, that's at the start. We have now accountability provisions and both Federal and state testing requirements. We have demands for performance that didn't exist when you and I were in school.

REPRESENTATIVE MOUL: You're still teaching 180 days.

MR. BUCKHEIT: Oh, but we're now going into 183 and 184 days.

REPRESENTATIVE MOUL: You pay the teachers' union extra for that?

MR. BUCKHEIT: I don't pay – I, I'm a taxpayer like you are.

REPRESENTATIVE MOUL: Do your schools that you represent those administrators pay more tax dollars of the people that are screaming, "Lower my property taxes"? Do they pay more of their tax dollars for those extra days, or do the teachers' unions do that for free?

MR. BUCKHEIT: They're negotiated district by district where that takes place. Some places, I would gather, they, they did pay more, and other places they, they may not have.

REPRESENTATIVE MOUL: Fair enough. Can you give – last question. Can you give me just one nonrebuttable reason to start school before Labor Day?

MR. BUCKHEIT: I believe the most significant issue is summer learning loss. The longer you keep kids out of school, the longer....

REPRESENTATIVE MOUL: Are you recommending a twelve-month year of school?

MR. BUCKHEIT: We would probably recommend a, a year-round school. If, if we were to design a, an educational program from scratch, rather than have to incrementally change it from where we are now, we would design year-round school, and I'll tell you, there is not one single school district with year-round school in the state. Back in the early [19]90's, York City School District attempted to go in that direction, and it was the parents who didn't want to go that way, largely because of the child care issue.

REPRESENTATIVE MOUL: So by starting school a few days before Labor Day, you're easing that child care issue? Being that my daughter, now she's graduated, but all through – both my daughters had something that I didn't have coming through those same schools in Adams

County. They each got, every year, a week of Spring Break, just like the college kids do. Now, I'm wondering, wouldn't they be better, by your testimony, to be in school during that Spring Break?

MR. BUCKHEIT: Not necessarily. As I suggested from the professor from Duke University suggests extending the school year throughout the year with short breaks throughout the year.

REPRESENTATIVE MOUL: I can't argue with a professor. Thank you for your testimony. Thank you, Mr. Chairman.

CHAIRMAN STERN: I'd like to remind the Members that we're running about a half hour behind schedule here. I appreciate the questions, but I'd like to recognize Representative Longietti if we could just speed up our questions so we could be fair to the other testifiers that are here today. Thank you.

REPRESENTATIVE LONGIETTI: Thank you, and I'll try to be brief. Just to, just to refocus, so for a minute, you're not, you're not asking for a law that says we start school before Labor Day. You're just asking keep it the way it was since 1911. Allow this – the local school district to decide.

MR. BUCKHEIT: Yes, absolutely.

REPRESENTATIVE LONGIETTI: Everybody, I think, agrees Pennsylvania's a diverse state. I wonder if you can shed any light, given that fact, that 89 or 86 percent of the schools are choosing to, to start school before Labor Day. That seems to be a little bit nondiverse, and, and I wondered if you could shed any light on that.

MR. BUCKHEIT: The, the – well, there's actually some districts that – most of the districts that I looked at start one week before Labor Day, and there are also, I, I believe, around

6 or 7 percent of the ones that I looked at start two weeks before Labor Day, and with those districts finishing before Memorial Day, and so, you know, those particular community traditions set that schedule. We have lots of other places, such as the larger urban districts in the state, that operate – they traditionally have operated after Labor Day and stay that way, so we have this, this scope. Usually, there's, there's pretty much a three week period where districts extend time, and I think it goes to, a lot, again, around the diversity of our communities, different religious populations, different cultural and, and local traditions, all set around this new environment around high stakes testing in the springtime and, and trying to maximize student learning before students take that – those tests in March of each year, so I, I think that's helps drive the schedule, push that schedule a little bit forward beyond Labor Day, and that's been the trend, probably since the late [19]90's, when those – that high stakes testing began.

REPRESENTATIVE LONGIETTI: Isn't it a little bit of a head scratcher, you know, just listening to, you know, the vast, vast, vast majority start pre-Labor Day, but it sounds like, anecdotally at least, Philadelphia starts post-Labor Day. Pittsburgh starts post-Labor Day, and your observation is that kids in the urban centers don't work summer jobs nearly as much as other kids, and it, and it almost causes you to scratch your head. Why, why are the urban centers starting post-Labor Day, but their kids don't work as – in higher numbers in summer?

MR. BUCKHEIT: And some of that has to do with the student achievement levels in those districts and the need to have lengthy remedial programs in the summer months, so they may not start until then, but they're running – as soon as school ends, they're running, basically, a new program targeted at students throughout the summer. School districts like Philadelphia operate breakfast and lunch programs throughout the school year, not just during the school year

but during the summer months as well, so there's other things that are happening in the schools besides just the regular instruction that takes place in the 180 days.

REPRESENTATIVE LONGIETTI: Last question. You kind of answered it. I don't want you to spend lots of time on it, but why – you know, why not? Why not post-Labor Day, and somebody said add eight minutes to the school day or, you know, cut down on a couple of the other breaks during the school, school year, and you can, you can still get out when you usually do in June and start post-Labor Day?

MR. BUCKHEIT: I, I think, you know, again, it's compressing the schedule. Jamming more content, jamming more learning into a shorter time period is not educationally sound. It's better to, to continuous learning over a longer period with fewer gaps is the best – the optimal way to have students achieve.

REPRESENTATIVE LONGIETTI: Thank you, Mr. Chairman.

CHAIRMAN STERN: Representative Heffley.

REPRESENTATIVE HEFFLEY: Thank you, Mr. Chairman. I, I guess, concerning, sometimes concerning me in your testimony here is that it would – it's appearing to me that your association is more or less using this as an incremental way to expand the school year. I mean, I understand a professor had made a statement that children probably would learn better if they, if they didn't have such a long break. In my school district I think they go three days before Labor Day. They have a four or five day weekend, as Representative Scavello had referred to earlier, which, I mean, they go back and, and pretty much do nothing for three days, really, I mean. And then, they have a four or five day weekend, and they go back to school, and they start the school year, so to me it seems like a lot of wasted time, and I don't see that those three days are really – I mean, how much more are they going to lose in three days they haven't lost in the last two

months? If you want to look at it in that regard, but I mean, have there been other studies that show that summer breaks are, are healthy in, in learning? And I guess that that's part of my concern is overall education has to be about educating children, and, and what is, what is the best way for our children to get a good, sound education? I think part of that is, is having a summer job, but to make them, you know, a well-rounded youth experience, and I think a lot of learning is done outside of schools, but obviously, we're, you know, we're – several debates we're, you know, talking about education in the state, and I just – I don't see that starting three days before Labor Day is, is going to solve that, that problem, and I just would look for more research and studies being done that, that schools that are starting pre-Labor Day have had – has there been a big increase in, in surging test scores? Has it been that phenomenal of a – I guess I'm on the fence in the situation. I'm trying to look at all sides of it, but really, I – the fact of wanting to expand the school year, I think there's a lot that can be learned in – especially in rural communities like, like ours, working summer jobs, whether it be on a farm or an, an amusement park. You can learn a lot more there and learn life skills that you're not going to learn sitting in the classroom or sitting in study hall for three periods a day, so thank you.

CHAIRMAN STERN: Representative Millard.

REPRESENTATIVE MILLARD: Thank you, Mr. Chairman. Just a couple of comments here. You, you mentioned about the certain fairs and other entities that, that do not follow a traditional schedule all during the summer, and I just want to throw a couple statistics out for the Members here. Five hundred school districts in Pennsylvania, all across the Commonwealth. There's one hundred and fifteen fairs in Pennsylvania, and they do not all take place from the end of a traditional school year in June to Labor Day. Contained within those 115 fairs all across their Commonwealth are 67 FFA [Future Farmers of America] and 4H [Head,

Heart, Hands, and Health] organizations. Now, when you're talking FFA and 4H, you're talking students, school students, who raise animals and show them, an educational experience, and for some of the fairs that, in fact, do start after Labor Day, when somebody – when a student has raised an animal all year long, it's important for them to complete their project with competition statewide, or at least the fairs are all tied in to each other statewide, so I don't see that some of the times off after Labor Day for some of these entities that have a week off that it's all fun and games. Some of it, in fact, is educational and does fit in to dovetail into the various start and stop dates for school districts across Pennsylvania, so I agree with you that this bill is not a one size fits all bill. If there is enough diversity, enough differences, in things that take place in communities all across this Commonwealth, that I think if we would be hamstringing school districts if we mandated a certain start and stop time, and I'm not taking away from the tourism industry, the dollars that they generate, but I know this, that in, in my area, the, the fair that starts after Labor Day is a tremendous economic generator, so those are just my comments. Thank you, Mr. Chairman.

CHAIRMAN STERN: Thank you. I'd like to thank you, also, Jim, for testifying this morning on behalf of the Pennsylvania School Administrators. Thank you.

MR. BUCKHEIT: Thank you.

CHAIRMAN STERN: And at this time, we would call Charlie Groff to present testimony, representing Groff's Farm Golf Club and also representing the Pennsylvania Golf Course owners association. Welcome, Charlie, and please begin your testimony.

MR. GROFF: Chairman Stern, members of the committee, my name's Charlie Groff, and I'm owner of Groff's Farm Golf Club, a public daily fee golf course located in Mt. Joy, Lancaster County. I'm also chair of the Government Affairs Committee of the Pennsylvania

Golf Course Owners Association and also their past president. Thank you for the opportunity to appear and voice the PGO's strong support for House Bill 137, which would require school districts under most circumstances to begin their school year no earlier than the day after Labor Day. We have testified on this issue in the past years and commend, commend Rep, Representative Godshall for introducing the legislation and applaud the committee for holding this public hearing.

There are roughly 800 public and private golf course and practice facilities in Pennsylvania. The PGO represents public daily fee and private courses, as well as resort venues and practice facilities such as driving ranges. From family-owned businesses where parents teach their children to game into the past and future hosts of the United States Opens. The members of the PGO reflect the full range of facilities that make up the golf industry in Pennsylvania.

PGO courses are also dependable contributors to the local economies where they are located. The Pennsylvania golf industry is responsible for tens of thousands of jobs statewide and helps neighboring businesses generate millions of dollars in off-course revenue. As an amenity often sought by companies looking to locate their facilities, golf courses provide area economic development agencies with an important tool in their efforts to attract and retain top businesses. In addition, golf courses, the open space they provide, are a tremendous environmental resource. While the boundaries of some courses blend quickly into rolling farmland, others represent the only substantial green space in areas of heavy and continuing development.

When it comes to Pennsylvania tourism, PGO members are a key reason why thousands make the Commonwealth their family vacation destination each year. Most, if not all, of

Pennsylvania's visitor and convention bureau websites, including the Commonwealth's own VisitPA.com, contains links to our members' courses. It's easy to understand why golf has a real potential to enhance a visitor's experience, length of stay, and overall spending.

Before I share our reasons for backing HB 137, I would like to note that PGO recognizes the important responsibility school districts have in educating our children, and we appreciate the scheduling challenges they face. We do not support reducing the number of school days. However, our view is that there is ample time between Labor Day and late May/ early June to complete the school calendars required by state law. Doing so will benefit Pennsylvania tourism and the – and all the industries related to it that generate substantial tax revenues that help fund education in the Commonwealth.

As with other tourism interests that support the passage of HB 137, the PGO believes this legislation is vitally important to the golf and tourism industries for two reasons. First, it will enable Pennsylvania families to continue their recreational travel until the beginning of September, and second, a post-Labor Day start will allow young people who, who not only enjoy their summer employment opportunities but also play a vital role in the day to day operations of golf courses and other venues to remain in place until the traditional end of summer.

Unlike other states who are home to a large number of golf-related businesses, such as product manufacturing or professional service companies, almost 90 percent of the revenues generated in Pennsylvania's golf industry come directly from rounds played or time spent in a stand-alone practice facility. With roughly 15 percent of Pennsylvania's golf population being between the ages of 5 and 19, another 45 percent being their parents' age, the widely-held practice of starting school in early August had – has had a tremendously negative impact on course revenues. We estimate that moving the start date of school year until after Labor Day will

result in tens of thousands of more rounds of Pennsylvania courses, generating millions of dollars in additional revenues.

Those additional rounds of golf play will continue to rise if courses are able to retain their summer help to the end of the season. PGO member courses employ thousands of seasonal employees throughout Pennsylvania who are vitally important to the long-term success and stability of the courses that hire them. From providing top notch service in our restaurants to maintaining the most important aspects of our facilities, the young people who enjournce – enjoy summer employment at golf courses gain valuable work experience and play a major role in our overall success. Giving them those extra weeks at the end of the summer will be a win-win for everyone, making sure our courses remain valuable tourism attractions in all the regions of the Commonwealth.

While some may view golf simply as an activity for the well-to-do, the fact is that most PGO facilities are small businesses, not like the other companies that make up a community's local economy. Beyond their local impact, these small businesses are a vital component of the multi-billion dollar tourism industry in the Commonwealth. Enacting the provisions of HB 137 is an important step to make sure the golf industry remains a vibrant part of Pennsylvania's multi-faceted tourism economy, and it will put us on equal footing with other golf-rich states, such as Michigan and Virginia, that already require schools to start after Labor Day.

Mr. Chairman, on behalf of the Pennsylvania Golf Course Owners Association, I want to thank you for the opportunity to provide this testimony on this critically important legislation. I would be pleased to answer any questions.

CHAIRMAN STERN: Thank you, Charlie, for your testimony this morning. [Do the] Members have any questions? Thank you very much, Charlie, for your testimony today. At this

time we would call Harry Mathias, Superintendent from the Central Columbia School District and also representing the Pennsylvania School Boards Association.

MR. MATHIAS: Representative Stern, thank you for the opportunity today. I commend you for your leadership of this committee and that, that you're holding hearings on this matter important to Pennsylvanians. I want to thank all the committee members for your time, and I do want to acknowledge Mr. Millard. I want to thank you for your support of our district and thank you personally for your constant communication with me on issues before the General Assembly. Thank you.

Good morning. My name is Harry Mathias. I'm the Superintendent of the Central Columbia School District in Columbia County. I appreciate the opportunity to be with you today testifying on behalf of the Pennsylvania School Boards Association on House Bill 137.

Pennsylvania has a long tradition of local control of public schools. From the creation of school boards in 1834, the General Assembly has deferred to local officials in making many decisions about how best to operate public schools on a daily basis. State government establishes the minimum number of days that schools must operate, but which days they are open is a local decision and appropriately so. Needs of communities vary widely and may be unique, and school calendars reflect that diversity. Pennsylvania's 500 school districts must work to find the best means to provide quality education to students tailored for their individual communities. A state mandate restricting the start of classes in every school district would sharply conflict with this longstanding and effective policy of permitting local officials and locally-elected school directors to establish the school calendar. Eliminating the flexibility of our school districts now have, as proposed in House Bill 137, does not serve the best interests of our students or our communities.

In my school district, Central Columbia, we traditionally start school before Labor Day each year to accommodate a community tradition. Like many other school districts in Columbia County, my district schedules vacation during the fourth week of September, believe it or not, every year so that students, staff, and their families can attend and participate in the Bloomsburg Fair. The Bloomsburg Fair, which has been going strong in Columbia County since 1855, is the number one tourist event in Columbia/ Montour Counties. The fair alone employs 500 workers. Its 635 vendors employ thousands of residents of the region, including hundreds of high school students, including many of my own, and in 2010, the fair generated 3.7 million dollars in direct revenue during its eight-day run, making it a tremendously important event in our community.

Each year our school district's calendar permits four weeks of instruction before the Bloomsburg Fair begins. In our school district, as well as the surrounding districts, if we were not permitted to begin school until after Labor Day, less than three weeks would fall before the start of school and the start of the Fair. In that case with so few instructional days between the first day of school and the Fair, it would be difficult to recommend that our school district close during the Fair. As a result, this House Bill may actually harm the one tourist event, the number one tourist event, in our region.

It is not just my school district that opens its doors before Labor Day. Over the years, more and more school districts have begun opening school before the Labor Day holiday. According to PSBA's [Pennsylvania School Boards Association] research, in this school year, 84 percent of school districts, or 421 out of 500, started their school year before Labor Day, and we believe also that includes Pittsburgh, and I know that's been discussed earlier this morning. In addition to accommodating community events, many of these districts start classes before Labor Day to permit long weekends during the winter months as a means to save energy and to enable

school districts to incorporate snow days into the calendar to account for adverse weather conditions that may make school transportation dangerous. Most importantly, with the increasing pressure on, on school districts to reach student achievement targets and make adequate yearly progress under the No Child Left Behind Act each year, many school districts seek to ensure that their students have as much classroom instructional time before the Pennsylvania System of School Assessment tests are given in the spring to help guarantee that students are adequately prepared for these tests. This is also the case with advanced placement examinations, which are given to students in the spring on a timeline set by the College Board. Starting classes before Labor Day gives students more instructional time and ensures that they have the best opportunity to exceed on these vital assessments, while later school start dates could have the potential to negatively impact a district's ability to achieve AYP [adequate yearly progress] or a student's ability to score well on an AP exam.

Additionally, without flexibility in developing the school calendar, many school districts would be forced to tack on days at the end of the school year. This can create conflicts for families going on vacation, for students and staff who have registered for college courses over the summer, and for students attending academic, religious, and sports camps. We have noticed in the last few years an increase of our older students, particularly our juniors and seniors, expressing concerns about military training that's occurring earlier in June. Additionally, this may prevent seniors from having adequate transition time between high school graduation and the start of their post-secondary studies.

In the current school year, Central Columbia missed five days due to the September flooding, and three of these days had nothing to do with the high water itself. It was because the Bloomsburg Municipal Water Supply failed to operate. We are fortunate that our teachers

association agreed to alter our school calendar and add three of these days back in prior to PSSA's [Pennsylvania System of School Assessment] testing, but we are still tacking two days on to the end of the year. Had we started school after Labor Day, the last day of our – of the school year would currently be June 13<sup>th</sup>, and that is prior to any winter weather effects.

As this committee considers the concerns of the tourism and amusement industry, I hope that you will remember that a school district has no agenda in school calendar decisions other than to ensure that our students are learning in optimal education environments with due consideration to local community concerns and events. If school districts in certain regions affected by summer labor needs wish to apply those considerations to their school calendar, they may do so under current law. If other school districts like Central Columbia have unique scheduling needs, they may make their scheduling considerations, again, under current law. School calendar decisions are never easy for Pennsylvania's 500 school districts, but we do our best to balance community desires with what we know is right for our students. Our school districts and locally-elected school directors are in the best position to understand the critical factors that drive the calendars, including such things as additional time beyond the 180 mandated days needed to prepare our students, the number of parent-teacher days, in-service days, mandated testing days, and days that may be added on due to adverse weather and so on.

I urge this committee not to mandate a blanket approach to school calendars that would negatively impact 84 percent of our school districts, preventing them from addressing the needs of their students and their communities. I respectfully urge the committee not to approve House Bill 137 and to continue to allow school districts the flexibility to make these decisions based on what is right for their district.

Thank you for your time. Thank you for listening, and I'll be happy to try to answer some of your questions.

CHAIRMAN STERN: Thank you, Mr. Mathias. I appreciate your testimony today on behalf of being Representative Millard's constituent in his, in his legislative district but also for the work you do in, in Central Columbia, and [I] appreciate you being here today representing school board associations as well.

MR. MATHIAS: Thank you.

CHAIRMAN STERN: At this time, I believe Representative Moul has a question.

REPRESENTATIVE MOUL: Not scared are you?

MR. MATHIAS: Not at all. Maybe I should be.

REPRESENTATIVE MOUL: Representative Millard's a really good friend of mine, so I, I will take it easy on you, or he will beat me up. You say you take off the week for the Fair?

MR. MATHIAS: Yes.

REPRESENTATIVE MOUL: So you do realize how important tourism is in your area.

MR. MATHIAS: Yes, we do.

REPRESENTATIVE MOUL: So would it be fair to say, in your mind, that an area like mine that counts on that week up through Labor Day weekend that we shouldn't start before Labor Day because that's really important to our area.

MR. MATHIAS: I believe you should make that local decision, and if that is important to your school district, then, you should be able to adjust the calendar to suit the needs of your area.

REPRESENTATIVE MOUL: Do you take any other days off during your school year?

MR. MATHIAS: Yes. We take mandated days such as Memorial Day....

REPRESENTATIVE MOUL: Other than holidays. Do you have a Spring Break?

MR. MATHIAS: We do not.

REPRESENTATIVE MOUL: Whereas the schools in my area have a, a week off Spring Break. Why wouldn't it be prudent just to have your schools switch that week? Instead of Spring Break, it's Fall Break, and that way it fits in with your Fair, still get your 180 days in.

MR. MATHIAS: Trying to understand your question. We do take the week off for the Fair, and if we want to call that "Fall Break," we can.

REPRESENTATIVE MOUL: Well, what I'm saying is in, in Adams County where I'm from, the schools take a week off in the spring. They call it Spring Break.

MR. MATHIAS: Sure.

REPRESENTATIVE MOUL: Obviously you – it's more prudent for your school to take the week off for the Fair. Instead of having a Spring Break, you call it Fall Break, but you still start after Labor Day. Would that really change the dynamics of your school?

MR. MATHIAS: Our position, again, would be that Adams County schools should create their calendar however best it fits the needs of Adams County, and if having a Spring Break is the best thing for your school district, your students, and your schools, that locally direct – elected directors should be able to make that decision, and under current law they can do that.

REPRESENTATIVE MOUL: Absolutely, but if all the other school districts are in school and those families can't come to my area because their, their students – what point is it?

MR. MATHIAS: I'm a huge fan of history, and I visit your county at least once every year. In fact, I was down there just several weeks ago. I love to come down to Gettysburg in the fall. The leaves are off the trees, and you can very much see the battlefield. My family's less so. It's not every year with my family, but we do come down to visit you quite often. My position

on that is, is that I have a recreation dollar in my personal budget, as I think many families do. They have a recreation dollar, and they – they’re going to spend that in the way they best see fit of maybe going to HersheyPark or maybe going to Gettysburg or maybe going to, God forbid, the shore in New Jersey. We should have a shore in Pennsylvania, but we don’t. They – if they have that dollar in their budget, they’re going to spend it, and they’re going to spend it in the time that’s available to them, so if I have a recreation dollar and I happen to have a weekend in November that I can come down and see the battlefield, I’m going to come do that. If a family recognizes that school begins for them on August 22<sup>nd</sup>, yet they still want to bring their family down to visit your battlefield, they’re going to do that within the window that’s available. I don’t see it as an impediment that that one additional week they’re suddenly in school. They’re still going to come simply in the time that’s available.

REPRESENTATIVE MOUL: Well, with all due respect, I would, I would argue the difference with you that closing your store early wouldn’t hurt your cash register, which is what you’re doing to us by not allowing the schools – those families to come, maybe, the second time, and that’s what this boils down to. We have to close our cash registers too early in the evening, and most businesses would tell you that that’s going to hurt their business. We have – and I’m going to try to say this without being rude, so please don’t take me the wrong way. We have the school districts saying, “Please don’t tell us what to do. It’s our business. We’ll run them the way we want to, even if it adversely affects your business. By the way, we don’t like those cuts coming from the State. Send us more money.” You can’t have it both ways, but thank you. I appreciate your testimony.

MR. MATHIAS: Sure. Thank you.

CHAIRMAN STERN: Representative Millard.

REPRESENTATIVE MILLARD: No Fair for you.

CHAIRMAN STERN: Take it easy, Dave.

REPRESENTATIVE MILLARD: Superintendent Mathias, thank you for appearing here today, and I think that you really summed up the fact that this bill is not a one size fits all bill. I have five school districts that I serve in Columbia County, and, Representative Moul, they don't all start the same time. There, there's flexibility, and it all goes back to the local things, although they all close, in part or all, for the Bloomsburg Fair. Their start dates are varied because of other things that take place within their, their school district coverage area, so I think that that in itself proves, even in an area like Columbia County that has a week-long situation after Labor Day, that there has to be flexibility to the school boards to establish their school calendar, and I guess that we could debate all day how many days should be off for Easter, and, you know, all the like, but again, I want to highlight the fact that these are not all vacation days when they are off because it really does dovetail into something of an educational value that these students are involved in, so I'll just let it there, and thank you, again. Thank you, Mr. Chairman.

CHAIRMAN STERN: Thank you. Any other members have any questions this morning? Representative Boback.

REPRESENTATIVE BOBACK: Thank you for the opportunity. I'm really confused, and maybe, Representative Moul, you can clarify this for me. Is that week that is in your district, this spring week, is that in conjunction with activities that occur in Gettysburg?

REPRESENTATIVE MOUL: No. It's just a week off.

REPRESENTATIVE BOBACK: See, I guess, then, I have to concur with Representative Millard because my feeling is why would they do that if there's opportunity for the local community to make money on such a wonderful area as Gettysburg as is done in Columbia

County, which I proudly – I represent a portion of Columbia. I mean, they do that for the – not only the local economy because it is a learning experience for many of the students that participate in the Fair, but it's also done to boost the local economy in that county, so I don't understand why you have a week for spring. I mean, that, that's – I don't – it's not done in my district.

REPRESENTATIVE MOUL: Neither do the parents of those students at those schools. We don't get it, either. However, they have the flexibility – the school boards have the flexibility to do that, so that's what they do. I can assure you that from the tourist industry in my area, we would much rather have a shorter week off and not start those kids two days before the Labor Day weekend, which is normal, either two or three days before that Labor Day weekend. They would trade those in a heartbeat so that they could keep their businesses open to families.

REPRESENTATIVE BOBACK: And, and they have that option, though, Representative Moul. They have that option under the law the way it is now, and perhaps your parents groups need to approach your school board because they have the authority to grant that concern. Even with different districts that participate in the highly touristy areas, that's something that I would take to your school boards, also. That was suggested before that you could help our local economy by starting after, but, I mean, you have that option now, so it's really up to your school boards to take advantage of that, I feel, and I, I just needed clarification. Thank you. I, I can't understand a Spring Break. I mean, that's, that's just – to me, wow.

REPRESENTATIVE MOUL: It, it didn't exist.

REPRESENTATIVE BOBACK: In my part of the state.

REPRESENTATIVE MOUL: It didn't exist when I went to school. Might have got a day or two off. We always started after Labor Day, and we were almost always done right

around June 6<sup>th</sup>, and I would say that the education probably didn't change that much. I don't know, but I don't get it. I just don't understand.

REPRESENTATIVE BOBACK: Did they build that in, in case you have an overabundance of snow days that it would just take away from that week, perhaps?

REPRESENTATIVE MOUL: Well....

REPRESENTATIVE BOBACK: And if you don't have the snow days, they get that week?

REPRESENTATIVE MOUL: They traditionally build into our, our school year several snow days added in, plus that week off. Both my children got that week off every year that they were in school.

REPRESENTATIVE BOBACK: Thank you, Representative. Thank you for indulging me, Chairman, and thank you, sir, for being here. I appreciate it.

CHAIRMAN STERN: Thank you, and, and I just wanted to note, Representative Boback, in my district or my area, too, they have this Spring Break, as well, a period of a few days extra built into certain – and it's negotiated by the school board. It's their decision to do that. They have the ability to set the days of instruction, and we get the local school districts that option now. I think that probably plays in with the bill, as well, if there's additional days to play with within the calendar year of 180 instructional days, then where are these days, you know, where are you putting these days? And I think that's the point that Representative Moul is trying to get at here this morning, and the other thing would be the in-service days that, that there's so many in-service days, and I, and I want to just ask this question. I, I need to know. What are the average in-service instruction – instructional days that are an average in a school district? I

know some school districts it's six and seven days, but those are additional days built into your school calendar as well, correct?

MR. MATHIAS: The latest phase I – the latest date I've seen on that is anywhere from five to – four to six to seven in-service days are in addition to the 180 instructional days for in-service.

CHAIRMAN STERN: A lot of those days are built in, and then students are – don't go those days?

MR. MATHIAS: School districts are mandated under state law to have 180 days of instruction. Many contracts with the teachers associations will add additional days onto that for professional development. For example, our contract is 185 days. We still have 180 days of instruction. The only way that can vary is if the Department of Education rules otherwise. The most common way they will rule otherwise is under a component called Act 80, in which case a district must submit an application to the Department under Act 80 where they agree to exchange instructional time for professional development time. In submitting that application, you must affirm that you still meet the mandated number of hours of instruction. You heard Mr. Buckheit speak to that earlier. There's a mandated number of hours, so you must stay above that in order for the Department to approve an Act 80 request. That is something that school districts do. We at Central Columbia do that very rarely. We'll do it maybe one day per year, a half a day sometimes is for parent-teacher conferences, things like that. It's our opinion that we want to maximize instructional time, so we – if we're going to do professional development, we like to tack that on as extra days just for teachers and get the students their 180 days.

CHAIRMAN STERN: Thank you. I just wanted to clarify that. I know there's additional days now that are filled in, and I was wondering, you know, where those days came

from, and back from prior times whenever most schools started after Labor Day, and, and I think that trend was probably – I’m not sure when it started trending, but it seems like sometimes now the schools are beginning to start even earlier in, in August, so the trend is moving the other way. Instead of....

MR. MATHIAS: It is, and that was asked earlier. We started this year, and this is fairly traditional for us, about eight days before Labor Day. There are several reasons. The main reason, and again, this was asked earlier, is because of the No Child Left Behind Act. Now, again, there was earlier comments about what has changed, and that is what has changed. The No Child Left Behind Act passed in 2002, and it dramatically changed how education in the United States looks. I’m not sure everybody’s recognized it because we still think of 180 days in compulsory education, and we’ve missed the fact now that the No Child Left Behind Act mandates levels of proficiency for all students. It goes beyond the mandate of 180 days, so given the fact that the measurement of that proficiency is a set point in time, if we can have more days before that, that increases our chances, our odds, of getting to proficiency, and there’s one other thing I think you should, should consider is that in our school district, we have a very large percent of our, our – percentage of our students engaged in extracurricular activities. In our high school, at Central Columbia High School, well over 50 percent of our student population is involved in extracurricular activities. If you walk into our school district on the first Monday in August, it is alive with band and field hockey and boys’ and girls’ soccer and cross country and tennis and football and all levels of all that. There are hundreds of students walking around our schools very early in August because the PIAA [Pennsylvania Interscholastic Athletic Association] sets dates where those things begin. If you would say to a family, “Well, you

know, we want you to use additional time to take vacation time.” In our school district, over half the students at our high school are engaged that week anyway in activities such as that.

CHAIRMAN STERN: And, and these activities are mandated or set, then, by something outside the school district parameters. You mentioned the PIAA.

MR. MATHIAS: Yes.

CHAIRMAN STERN: So they’re already telling you, basically, when you have to start assembling kids or getting them into the schools to prepare for the beginning of the football season, which is kicking off, and, of course, we have to adhere by those guidelines out there, correct?

MR. MATHIAS: And soccer and field hockey and band.

CHAIRMAN STERN: And all the other sports activities that are related.

MR. MATHIAS: Yes, you’re correct, sir.

CHAIRMAN STERN: I appreciate that. Thank you for your testimony today, Mr. Mathias. We appreciate you testifying before the committee. I’d just like to also mention the attention here today. The, the Executive Director with Thaddeus Kirkland, who’s the Chairman on the Democratic Caucus, and Eric Bayne is with us today. To my left, to my right, is Allen Taylor, the Executive Director of the S – is on the Republican Staff. I’d like to thank them for their work and, and efforts in this committee today. Representative Kirkland could not be here today, but he – and that’s why you have Executive Directors. He’s getting ahead of me of here, but I just wanted to mention those working together here on this committee. Also, in your packets of information, we have a letter from the Pennsylvania Restaurant Association addressed to the House Tourism Recreational Development Committee endorsing and supporting House Bill 137, so on behalf of the Pennsylvania Restaurant Association, we thank them for their

testimony and for their endorsement of House Bill 137, and if I see no other Members with questions, I'd like to adjourn this meeting and thank everyone for coming today. Thank you.

Meeting is adjourned.

(Whereupon, the meeting adjourned at 11:45 a.m.)

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