



# DUEY STROEBEL

STATE SENATOR • 20<sup>TH</sup> DISTRICT

## Testimony on SB 429

*January 23, 2024*

Thank you Chairman Jagler and committee members for your consideration of Senate Bill 429, a bill I authored with Representative Binsfeld to allow school districts to commence fall classes the Monday before Labor Day and to require the Friday before Labor Day to be a non-instructional day.

Current law generally prohibits public schools from commencing fall classes prior to September 1. The Department of Public Instruction (DPI) has the authority to grant waivers to this prohibition upon the request of a school board, but there are a limited number of “extraordinary reasons” for which a school district can obtain such relief.<sup>1</sup>

As of January 2023, Wisconsin was one of just six states with a school start date in September. 34 states either provided school districts with the authority to set their start date or did not specify a start date in state law, nine states had a school start date prior to September, and one state provided its Board of Education with the authority to set the school start date.<sup>2</sup>

While past legislation has sought to repeal the school start date statute altogether, SB 429 attempts to arrive at a middle ground that would allow school districts to adopt an earlier start date while still providing families with the ability to use most of the month of August and Labor Day weekend for travel and tourism-related activities.

Some of the detractors of SB 429 and previous iterations of this proposal have insinuated that any legislation seeking to alter our school start date statute reneges on a compromise that was struck in the Legislature when the law was first put in place through the 1999 state budget.<sup>3</sup> Setting aside the fact that a deal brokered by a previous Legislature does not preclude future legislatures from revisiting the same topic, this contention also ignores the fact that the 2001 Legislature amended the statute in the following state budget to remove the local option to commence fall classes prior to September 1.<sup>4</sup>

Over the ensuing two decades, there has been no shortage of discussion on the interplay among many factors around our school start date law, including: AP exams, summer academic programs, fall extracurricular activities, transportation costs, tourism revenue and the tourism industry workforce. In the interest of brevity, I will not delve into all of the second- and third-order effects of the law. In recognition of the unique characteristics, interests and needs of the communities that make up Wisconsin’s 421 school districts, SB 429, above all else, seeks to restore local control over the commencement of fall classes.

References:

<sup>1</sup>s. PI 27.03 (5), Wis. Admin. Code.

<sup>2</sup>Education Commission of the States (February 6, 2023), 50 State Comparison: Instructional Time Policies. Retrieved from <https://reports.ecs.org/comparisons/instructional-time-policies-2023-03>.

<sup>3</sup>1999 Act 9, section 2066m.

<sup>4</sup>2001 Act 16, section 2673p.

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# AMY BINSFELD

STATE REPRESENTATIVE • 27<sup>TH</sup> ASSEMBLY DISTRICT

*Testimony before the Senate Committee on Education*

*Representative Amy Binsfeld*

*January 23, 2024*

Thank you Chairman Jagler and members of the Education Committee for hearing my testimony on Senate Bill 429 school commencement date.

Senate Bill B429 allows the opportunity for school districts to customize their school year plan to fit their community and its needs.

Senate Bill 429 would allow schools to start their school year as early as the Monday prior to Labor Day, but they must allow for the Friday of Labor Day weekend to be off. This still provides families the opportunity to enjoy a four day weekend at the end of the summer break.

This legislation was requested by some of my local superintendents due to transportation conflict with private and voucher schools. It was also noted that some schools with heavy tourism communities would not opt to start early as many kids are still working in those local establishments and could pose an issue for the tourism events.

Senate Bill 429 allows this to be locally controlled by school boards and community members in which to make that final decision of the start date of the school year. The date itself will not enhance the learning quality of our students, but could add additional benefits to the districts for different reasons. Reasons could include a building projects at the end of the year or because September 1 as currently set in statute falls on a Friday. Again this is an option for the districts and each school district should know and understand their own community to know whether this option is best for the students and the community as a whole or not.

Thank you for your consideration of Senate Bill 429.





**To:** Members, Senate Committee on Education  
**From:** Julia Hertel, Executive Director  
**Date:** January 23, 2024  
**Re:** Testimony in Opposition of SB 429

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Chair Jagler and committee members: Destinations Wisconsin is made up of 43 destination marketing organizations – mostly convention and visitor bureaus and chambers of commerce - located throughout the state. Each has a mission to promote their destinations and to drive tourism economic growth in their communities. As a reminder, Wisconsin's tourism industry is one of the top three drivers for our state's economy. According to the independent analysis from Tourism Economics, in 2022, the total economic impact was \$23.7 billion, including \$1.5 billion in state & local taxes.

We oppose legislation that would change Wisconsin's long-standing and reasonable September 1<sup>st</sup> school start date law. Wisconsin's economy will lose revenue and jobs, and our families will lose well-deserved vacations when the weather is at its best.

Removing the September 1 school start date would lead to less revenue for Wisconsin businesses and less tax revenue for Wisconsin state government during the peak summer vacation months when visitor spending is at its highest. Minnesota and Michigan, two major competitors to Wisconsin tourism, have state laws requiring schools to start after Labor Day. Further, moving the school start date back into August would mean a loss of high school and college seasonal employees when the state's tourism industry is already facing a labor shortage. It can also create uncomfortable learning environments in schools not equipped with air conditioning.

Local school boards and districts have great flexibility in setting their school calendar, including selecting holiday breaks, setting staff development days, and determining school hours. Recent advancements in technology and virtual schooling make this flexibility even greater. Advancement Placement (AP) course work can begin voluntarily over the summer for students interested in these courses. Since the September 1 school start date took effect, AP course participation and scores have increased significantly and are above the national average.

When originally passed into law, the tourism industry agreed to a compromise on the school start date. Originally, the tourism industry wanted to start after Labor Day, however the stakeholders negotiated a compromise and the resulting September 1 school start date works for Wisconsin and there is not a strong rationale to change it. On behalf of the Destinations Wisconsin members, I ask you to oppose this bill.

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**To:** Members of the Wisconsin Senate Education Committee  
Senator John Jagler, Chair

**From:** Kathi Kilgore, WHLA Contract Lobbyist

**Date:** January 23, 2024

**Re:** Oppose Senate Bill 429, relating to the commencement of the school term for public schools

On behalf of approximately 600 members of the Wisconsin Hotel & Lodging Association, including hotels, motels, resorts, bed and breakfasts and all of the businesses that support our industry, we respectfully ask that you oppose Senate Bill 429, which would make the September 1st K-12 public school start date earlier for all school districts starting with the 2024-2025 school year.

Education is clearly very important to everyone in this state. We all want to be sure that our kids have the best education possible. As business owners and managers, our members want to have an educated workforce. The truth is that this bill, while the intentions are good, will not fix the problems facing our educational system today. At the same time, this bill would have a negative impact on the lodging industry and all other businesses that make up Wisconsin's tourism economy.

While this bill is being pitched at a potential "compromise," our industry does not see it that way. Starting school before September 1st shortens the Wisconsin summer for vacations and travel by families with school age children, which negatively impacts the already short tourism season. Tourism and lodging businesses depend on the revenue generated in a full summer. Additionally, the tourism industry relies on the student workforce to help our properties operate during the busiest time of the year. Many students rely on this income as they save to go to college and advance their careers.

According to the *U.S. News & World Report* 2023 Best States Rankings, Wisconsin ranks number 6 overall for education, which includes both Pre-K-12 and Higher Education institutions. Wisconsin students are already outperforming most of their peers, which brings into question why repealing the current school start date law is truly needed.

It is also important to point out that local school boards have full authority and control over the other components of the school schedule, which empowers them to easily end school by early June, without eliminating holiday breaks, weather days, staff development days, teachers' conference days, and early release days. Legislation passed a decade ago which eliminated the 180-day requirement, enabling even more schedule flexibility.

According to the Wisconsin Department of Revenue, Accommodations and Food Service brought in more than \$683 million in state sales tax revenue, or nearly 10% of the state's overall sales tax in 2023. This is general purpose revenue (GPR) that helps fund many important agencies, programs, and purposes. Therefore, the more successful the tourism industry is as a whole each year, the more GPR generated to fund a host of critical purposes, including public education.

We respectfully ask that you oppose SB 429. The current law, which has been in place for two decades, allows DPI to grant a school district a waiver if the district can demonstrate and document sufficient need, and that provision is more than adequate to address any unusual circumstances as they come up.



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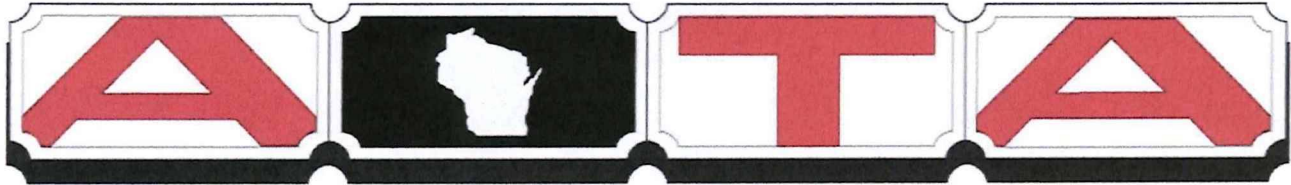
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## **WRA Supports Wisconsin's September 1 School Start Date Law**

**A consistent school start date has always been, and remains, in the best interest of:**

- *Tax revenues being returned to the state*
  - *Teen workers are valuable employees who rely on income for future plans*
  - *Overall economic development and sustainable economic growth*
  - *Quality of life for families*
  - *The hospitality reputation of the state*
- The current September 1 school start date was a compromise reached between the tourism industry and school groups. No further compromise is warranted
  - Minnesota and Michigan, two major competitors to Wisconsin, have state laws requiring schools to start after Labor Day. Changing Wisconsin's law would put the state's tourism industry at a competitive disadvantage
  - Visitors spent more in August than in June, generating state and local tax revenue. Removing the September 1 school start date would clearly lead to less revenue for Wisconsin businesses and employees, and less tax revenue for Wisconsin state government during the peak month of August
  - The labor pool relies on income from the last weeks of August. In many cases, these employees are high school students who will use the income for their post-secondary education
  - Local school boards and districts have great flexibility in setting their school calendar; selecting holiday breaks, staff development days, making up snow and cold days, and the last day of school. Wisconsin no longer requires 180 days of instruction, giving districts even more flexibility on length of school days
  - Families want to vacation together and the good weather and warm water makes August an ideal time for family vacations in Wisconsin. It is a reality of modern family life that the last two weeks of August may present the one-and-only opportunity for families to spend quality time together during a planned for getaway
  - August has warmer temperatures than June and could create uncomfortable learning environments in schools not equipped with air conditioning





# Association of Wisconsin Tourism Attractions

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January 22, 2024

To: Members of the Senate Committee on Education  
From: Tom Diehl, President  
Re: Opposition to Senate Bill 429, School Start Legislation

The Association of Wisconsin Tourism Attractions is registering opposed to Senate Bill 429, as it would have a significant negative impact on Wisconsin's economy.

**Tourism is a vital component of the Wisconsin economy.** Visitors generated \$1.5 billion in state and local revenue in 2022 and tourism supports more than 174,000 jobs, saving Wisconsin taxpayers nearly \$620 per household.

A big part of that revenue is generated in the month of August, when our weather is warm, and our lakes are at their peak temperatures. Looking around the state at some of our most popular lakes, the temperature difference tells you one reason June tourism does not compare to August in Wisconsin. For example, Lake Geneva on June 1 registers an average surface water temp of 65 degrees. By August 1 that temperature is up to 82 degrees. Lake Winnebago also experiences the same dramatic increase from 63 degrees on June 1 to 77 degrees on August 1.

AWTA has always stressed the importance of strong schools in Wisconsin, as we have a close working relationship with teachers and students who make up a large percentage of our workforce. We feel the September 1 school start date has proven to be successful for our students and teachers, families who enjoy vacationing in August and the Wisconsin economy.

One of the often-cited reasons for making this change is AP testing, which occurs in May. We are proud of the fact that Wisconsin is currently 1 of 14 states that exceed the national average of graduates scoring 3 or higher on AP exams. In fact, if you look at data from 2003 (shortly after the September 1 school start date took effect in Wisconsin) to 2020, Wisconsin has witnessed a 14-percent increase in those scoring 3 or higher on AP exams. In 2022, Wisconsin was 12<sup>th</sup> best in the nation for students scoring 3 or higher on AP exams.

Along with the significant loss of revenue, changing this law would add to the already difficult staffing issues many of our attractions are facing. With Minnesota and Michigan starting school after Labor Day, many of their residents enjoy vacations in Wisconsin in August. This change would negatively impact on the pool of potential employees and make it very difficult for our most popular attractions to operate at a high level in peak season.

Starting school after September 1 is clearly working in Wisconsin for both the schools and the tourism industry. We respectfully ask that you vote no to SB 429.



January 23, 2024

**Senate Committee on Education**

**Department of Public Instruction Testimony  
2023 Senate Bill 429**

Thank you, Chairperson Jagler, and members of the committee, for the opportunity to testify before you today. My name is Laura Roeker, and I am the Director of Teaching and Learning at the Department of Public Instruction (DPI). With me today is Tom McCarthy, the Deputy State Superintendent at DPI. We are here to testify in support of 2023 Senate Bill 429 (SB 429).

State law requires that no public school begins a school term until September 1<sup>st</sup>. School districts, however, are not prohibited from holding athletic contests or practices, or scheduling in-service or workdays, before September 1st. The prohibition against starting a school term before September 1st also exempts public schools whose term runs year-round. State law also allows a school board to commence the school term prior to September 1 in any school year if the school board requests DPI to allow it to commence the school term before September 1 and the school board includes reasons with its request. DPI may grant a request only if it determines there are extraordinary reasons for granting it, as defined by agency rulemaking.

The September 1st school start mandate was designed on behalf of the state tourism industry, which argued that starting school in August hurts revenue during peak periods of travel for families (from late August and through the Labor Day holiday weekend). The policy issue remains a key ask for the Tourism Federation of Wisconsin.

DPI sees this bill as an important first step in providing flexibility to school districts to start the school year prior to September 1<sup>st</sup> – allowing schools to focus on the academic needs of communities, especially as they look to address the impact of lost instruction during the COVID-19 pandemic. Each year, many school districts apply for an exemption provided within current law and the department is asked to play arbiter, decides what does and does not constitute an emergency.

DPI supports this proposal, in large part because it begins to restore local control around school start date to school boards, who best understand the needs of their students. Under SB 429, districts have the option to begin school the Monday before Labor Day. Aligning the public-school year with private schools within the district boundaries would also promote more efficient use of district transportation resources resulting in savings to districts. In addition, the bill preserves Labor Day weekend as an opportunity for families to take advantage of the remaining summer. Finally, the bill would reduce administrative burdens on schools and DPI to fulfill early commencement requests.



Page 2

SB 429 is a good first step, however school boards need to have authority over their school calendars. Previous proposals and some before this body still remove the September 1 start date completely. Thus, it only provides districts the flexibility to add an additional four days of instruction into the calendar year. It also ignores the fact that many school programs and extracurriculars start prior to September 1, which means that families are already bound to a particular calendar.

We are all committed to finding ways to improve academic achievement and close gaps for our learners. One tool that could be added to a district's resources is ultimate flexibility regarding their academic calendar.

Thank you for your time. We are happy to answer any questions.

Following today's hearing, if you have questions or would like additional information, please contact Kevyn Radcliffe, Legislative Liaison, at [kevyn.radcliffe@dpi.wi.gov](mailto:kevyn.radcliffe@dpi.wi.gov) or (608) 264-6716.

# WINNECONNE COMMUNITY SCHOOL DISTRICT



Learning Today...  
Leading Tomorrow

January 2024

Thank you for the opportunity for me to voice the Winneconne Community School District Board of Education and my support for the LRB 1594 that would allow school districts to start school prior to September 1st.

Providing flexibility to the school district's of Wisconsin is much appreciated. Winneconne is located on the Wolf River. We have a great deal of tourism during the summer months. However, by the end of August our restaurants begin to slow down and boating and fishing traffic begins to dwindle. Employees of many of our local businesses have returned to college or have begun their high school sporting seasons. For the families of the Winneconne Community School District, the events of summer are complete, again high school fall sports have begun, students are ready to re-establish routine, and families are ready for their children to be back in school.

By allowing us to begin school on the Monday prior to Labor Day, we will gain time on the front end and allow our students to finish school early June or even late May, allowing our older students to work more hours for our local businesses when "things" really begin to get busy - especially the fishing season. Additionally, we feel our students and their families are ready to begin school the Monday before Labor Day for the reasons mentioned above.

All of this being said, flexibility is what is appreciated. There is no requirement to begin school on the Monday before Labor Day. This proposal allows the local District to decide if this works for their community.

Thank you to Sen. Stroble, Sent. Knodl, and Rep. Binsfeld for finding a middle ground on this issue.

Respectfully,

*Peggy Larson*

Margaret "Peggy" Larson, District Administrator  
Winneconne Community School District



**Statement Before the  
Senate Committee on Education**

**By**

**Bill G. Smith  
State Director  
National Federation of Independent Business  
Wisconsin**

**Tuesday, January 23, 2024**

**Senate Bill 429**

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Thank you, Mr. Chairman, and members of the Committee. I appreciate this opportunity to make a brief statement in opposition to passage of Senate Bill 429.

Founded over 80 years ago, the members of NFIB can be found on the Main Streets all across our state. Our 10,000 members typically employ fewer than 20 employees and produce sales of less than \$500,000 per year.

These are truly the small businesses that are the strength of Wisconsin's economy – they provide the jobs, produce the products, create the innovations, promote the civic involvement, and always keep a commitment to the quality of life in their local communities.

Our tourism industry is dominated by thousands of small family-owned and operated businesses, located in small communities that rely every year and each season on a strong and growing tourism driven economy.

These are the businesses that rent boats and canoes on the Sugar and Wolf Rivers, who sponsor and rely on our creative economy by participating in a local art show, a music festival, managing a campground, or providing supplies and services to an industry that depends on their support.

For example, the sport of fishing alone provides 22,000 private sector jobs, generates over \$200 million in sales and tax revenue, producing a \$2.3 billion impact on the state's economy, according to the Department of Natural Resources.

While the Department of Tourism says the tourism industry generated a record breaking \$23.7 billion in total economic impact for the state, that impact was immediate and direct up and down Main Streets in communities throughout Wisconsin.

**National Federation of Independent Business in Wisconsin  
10 East Doty Street, Suite 519 – Madison, WI 53703 - 608/255-6083 – [www.nfib.com/wi](http://www.nfib.com/wi)**



**Statement Before the Senate Committee on Education – continued**

**Tuesday, January 23, 2024**

**Page Two**

In Chippewa County, for example, tourism supported 1400 part-time and full-time jobs, and generated over \$10 million in local tax revenue. The total local economic impact in 2022 climbed to \$174 million – a direct result of visitors to Chippewa County.

Mr. Chairman, it is reported that all 72 counties experienced an increase in total tourism related economic impact in 2022, supported 174,000 jobs, and generated \$1.5 billion in state and local tax revenue.

If taxpayers and legislators want a vibrant growth industry, tourism is it.

Why then, Mr. Chairman, would the legislature support legislation that would reduce the number of weeks for tourism travel and visits to our state, legislation that would reduce available jobs, legislation that would reduce state and local tax revenue, legislation that would be harmful to local communities, legislation that would have a negative impact on Wisconsin's small business economy.

NFIB members believe the legislature should do everything possible to extend, promote and prolong the seasons of tourism rather than promoting legislation that would effectively shorten the seasons by allowing the fall term to get underway during the summer month of August.

NFIB supports current law, which prohibits public schools from starting until after September 1<sup>st</sup>.

Senate Bill 429, if approved, would allow schools to push back the start of the fall term into August, a month critical to the success of the tourism industry.

On behalf of our small business community, **I respectfully urge members of the Committee to oppose passage of Senate Bill 429.**

Thank you for your consideration.