

MAINE STATE LEGISLATURE

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THE EXTENDED SCHOOL YEAR

A Proposal to Increase the Return on the State
Investment in Public Education

A Report Prepared for the 105th Maine Legislature

December 1, 1970

by the

MAINE EDUCATION COUNCIL

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The Maine Education Council is pleased to submit this report on The Extended School Year as its response to HP 1193, an Order of the 104th Legislature.

Father Charles Murphy
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The amount of research completed on this topic and the reactions of Maine superintendents of schools to the questionnaire suggest that the 104th Legislature was indeed wise in ordering this study to be made.

Mrs. Marion M. Bagley
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The Maine Education Council hopes that the 105th Legislature will give careful scrutiny to recommendations contained in this report and will take the action that seems best in order that the momentum toward obtaining better use of our school facilities and better achievement by our school youngsters not be lost.

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BACKGROUND

The intent of Legislative Document 1210 (see Exhibit I, APPENDIX A) was to increase the minimum school year from 175 to 180 days. The L. D. was referred to the Joint Standing Committee on Education. A majority of the committee reported L. D. 1210 as "ought not to pass as covered by other legislation" and a minority of the committee signed an "ought to pass" report. The majority report was accepted in both Senate and House.

Following this action the 104th Legislature passed a Joint Order (see Exhibit II, APPENDIX A) which directed the Maine Education Council to study the minimum school year and report its findings to the next regular or special session of the Legislature.

PROCEDURE

An analysis of the wording of the Joint Order suggested that the following tasks should be completed:

1. Examination of the existing law.
2. Determination of the desirability of extending legal requirements.
3. Examination of the ways in which the school year might be extended.
4. Examination of the practice of counting in-service education days as a part of the school year.
5. Preparation of a written report for the next session of the Legislature.

The following procedure was developed by the Maine Education Council as one which would fulfill the above tasks: first, compare Maine school law relating to the minimum school year to statutory minimums in the other 49 states; second, survey the practices in other states in which the minimum school year has been extended; third, formulate tentative recommendations and ask the superintendents of schools of Maine to evaluate them; and, fourth, write model legislation for the consideration of the next regular or special session of the Legislature.

DEFINITION OF TERMS

School day - a day on which both pupils and teachers are engaged in planned learning activities.

In-service day - a day on which teachers are engaged in activities designed for their professional improvement and approved by the superintendent of schools of the local unit.

Work day - a day in which teachers are engaged in activities relating to the opening and closing of their schools.

School year - the number of school days scheduled by the board of education of the local unit.

Minimum school year - the number of school days established by the Legislature which must be equalled or exceeded by each local school unit in the state.

Extended school year - a school year of 200 to 240 school days.

SUMMARY OF RECOMMENDATIONS

The Maine Education Council makes the following recommendations to the Legislature in response to HP 1193. Each recommendation will reappear in the text of this report with appropriate elaboration.

Recommendation 1. The present legal minimum school year should be increased to 180 school days.

Recommendation 2. Two in-service days for teachers should be made mandatory for all administrative units. Additional in-service days may be scheduled at the discretion of the local unit. State reimbursement for in-service days, equal to 1/180th of the annual state subsidy payment to the local unit, should be made for up to five such days. In order to be eligible for reimbursement the local superintendent should be required to file a report of the in-service program with the Commissioner of Education.

Recommendation 3. The state should help finance experimentation with extended school year programs. Proposals from local school units approved by the State Board of Education should be funded, to the extent that money is available, according to the following formula:

$$\begin{array}{r}
 \text{Number of} \\
 \text{pupils par-} \\
 \text{ticipating} \\
 \text{in extended} \\
 \text{school year} \\
 \text{programs} \\
 \hline
 \text{total number} \\
 \text{of pupils in} \\
 \text{local unit}
 \end{array}
 \times
 \begin{array}{r}
 \text{Number of} \\
 \text{school days} \\
 \text{in excess of} \\
 \text{180 (not to} \\
 \text{be less than} \\
 \text{20 nor more} \\
 \text{than 40)}
 \end{array}
 \times
 \frac{1}{180}
 \times
 \begin{array}{r}
 \text{annual} \\
 \text{school} \\
 \text{subsidy}
 \end{array}
 =
 \begin{array}{r}
 \text{state aid} \\
 \text{for extended} \\
 \text{school year} \\
 \text{program}
 \end{array}$$

In its examination of the existing school law, the Maine Education

Council noted an omission in regard to the length of the school day and some inadequate language with respect to waiver of the minimum school year. To remove these deficiencies the Council makes the following supplementary recommendations to the Legislature. Again, the recommendations will reappear in the report with supporting arguments.

Supplementary Recommendation 1. The school days for kindergarten, grades 1-6, and grades 7-12, should be of sufficient length to allow for at least 450 hours, 900 hours, and 990 hours, respectively, of planned learning activities in a 180 day school year. Successive school days need not be the same length.

Supplementary Recommendation 2. The present law should be amended to make clear the intent of the Legislature that the State Board of Education may waive the legal minimum school year only after the petitioning local unit has demonstrated its inability to meet the 180 day requirement.

THE EXISTING LAW

The primary reference to the minimum school year in the statutes is Section 855 of Title 20, "...and every administrative unit shall make provision for the maintenance of all its schools for not less than 180 days annually of which not less than 175 shall be actual school days and no more than 5 may be devoted to in-service education of teachers." A secondary reference, which was made consistent with Section 855 by an amendment passed by the 104th Legislature, is found in Section 1281, "No school shall be given basic approval for attendance, tuition or subsidy purpose within this Title unless it meets the following requirements...It has minimum school year of 180 school days, of which not less than 175 shall be actual school days and no more than 5 may be devoted to in-service education of teachers."

The historical development of the present law is summarized in the following paragraph:¹

The first reference I am aware of is contained in Chapter 24 of the Public Laws of 1875 which required 12 weeks of attendance provided a school was maintained for that period of time. In 1893, by Chapter 216, a minimum of 20 weeks was established. The number was raised to 26 in 1909 (Chapter 29) to 30 in 1915 (Chapter 89) to 32 in 1929 (Chapter 243) and to 36 in 1953 (Chapter 40) which has remained unchanged except for the amendment of 1967 (Chapter 425) which changed the terminology from 36 weeks to 180 days of which not less than 175 shall be actual school days and no more than five may be devoted to in-service education of teachers.

¹Letter to Chairman of the Maine Education Council from Dr. Kermit S. Nickerson, Deputy Commissioner of Education, August 6, 1969.

It should be noted at this point that at least one city in Maine deviated widely from the legal minimum requirements for the minimum school year throughout the last decades of the past century. For example, in 1872, the Portland School Committee scheduled a 44-week school year as follows:¹

The school year is divided into two terms. The first term is to commence on the last Monday in August, and to continue, exclusive of vacations, twenty-two school weeks or until the close of the examination in February. The second term is to commence two weeks preceding the first Monday in March and to continue until the close of the examinations in June.

The vacations in the several schools shall be as follows: One week commencing on the Monday preceding the annual Thanksgiving day; one week from Christmas to New Year's Day, both inclusive; from the examination in February to the commencement of the second term; one week immediately preceding and including May Day; and from the examination which occurs in June to the last Monday in August. There shall be holidays on the Fourth of July, on Fast Day, and on the afternoons of Wednesday and Saturday.

and in 1882 the Portland school committee adopted a calendar for the school year as follows:²

The school year ends on Saturday next preceding the first Monday in July, and is forty-four weeks in length, inclusive of the following holidays and vacations: Thanksgiving and the day following; eight days including December 25 and January 1; the week including February 22; Fast Day; the week including May 1; and Memorial Day.

In 1889 the school year for the Portland School Department was

¹ Rules and Regulations of the School Committee, City of Portland, 1872-1873.

² Rules and Regulations of the School Committee, City of Portland, 1882-83.

described as follows:¹

The school year ends on the Friday next preceding the first Monday in July, and is forty-two weeks in length, inclusive of the following holidays and vacations: Thanksgiving and the day following; the week including February 22; Fast Day and the day following; the week including the first day of May, and Memorial Day.

The paragraphs above indicate that the minimum school year for the Portland schools was 220 days in 1872, 198 days in 1882, and 190 days in 1889. Thus, as the minimum school year in the State as a whole was being increased by the Legislature, the school year in Portland was being decreased by the city school committee.

As an example of current practice for the 1968-69 school year, the Portland School Committee scheduled 179 school days, 2 in-service days for new teachers, and 2 work days for a total of 183 days. Because of dangerous snow conditions five school days were lost. One make up day was scheduled to meet the 175 day minimum requirement.

PRACTICES IN OTHER STATES

The minimum school year of each of the 50 states is summarized, as of 1965, in a publication of the United States Office of Education.² In order to bring the information up to date, letters were sent to each of the other 49 chief state school officers asking for verification of the 1965 information or for statutory changes since 1965. Table I below

¹Rules and Regulations of the School Committee, City of Portland, 1889-90.

²Steinhilber, August W. State Law on Compulsory Attendance, U. S. O. E., Washington, D. C., 1966.

presents the results of this survey.

TABLE I
Legal School Year and Teacher-Pupil Contact
Days for the States

(1)	(2)	(3)
<u>State</u>	<u>Legal School Year</u>	<u>Teacher-Pupil¹ Contact Days</u>
Alabama	180	175
Alaska	180	180
Arizona	160	160
Arkansas	120	120
California	175	175
Colorado	180	180
Connecticut	180	180
Deleware	180	180
District of Columbia	180	180
Florida	180	180
Georgia	175	175
Hawaii	180	180
Idaho	180	180
Illinois	185	176
Indiana	180	180
Iowa	180	180
Kansas	180	180
Kentucky	181	175
Louisiana	180	180
Maine	180	175
Maryland	180	180
Massachusetts	180	180
Michigan	180	180
Minnesota	175	175
Mississippi	0	0

¹This column differs from column (2) only if specific language was available.

Missouri	176	174
Montana	180	180
Nebraska	180	180
Nevada	180	180
New Hampshire	180	180
New Jersey	180	180
New Mexico	180	180
New York	180	180
North Carolina	180	180
North Dakota	175	175
Ohio	176	176
Oklahoma	180	175
Oregon	0	0
Pennsylvania	180	180
Rhode Island	180	180
South Carolina	0	0
South Dakota	175	175
Tennessee	180	180
Texas	165	165
Utah	180	180
Vermont (elm.)	170	170
Vermont (sec.)	175	175
Virginia	180	180
West Virginia	0	0
Wisconsin	180	175
Wyoming	180	180

A review of Table I shows that 29 states now require 180 days in which both teacher and pupil are in attendance and 3 others, including Maine, require 180 days inclusive of in-service days for teachers.

PRACTICES IN OTHER COUNTRIES

A study¹ of the length of the school year in 51 countries revealed

¹Setting The Stage for Lengthened School Year Programs, A Special Report Prepared for the Governor and the Legislature of the State of New York by The State Education Department, Albany, New York, March, 1968, p. 9.

an average elementary school year of 210 days and an average secondary school year of 204 days. Table II below shows the school year for 21 of the nations.

TABLE II

Comparative Length of the School Year in
Representative Countries of the World

<u>Name of Country</u>	<u>Number of Elementary School Days</u>	<u>Number of Secondary School Days</u>
China	252	240
Austria	240	240
Czechoslovakia	240	240
Denmark	240	240
Venezuela	236	236
U.S.S.R.	228-234	228-234
Germany (West)	233	233
Netherlands	200-240	233
Norway	228	228
Poland	220	220
Rumania	216	222
Sweden	214	214
Australia	213	213
Japan	210	210
Greece	210	190
India	200	200-210
Finland	200	185
France	185	185
United States	180	180
Ecuador	170	165
Italy	154	154

RECOMMENDATIONS 1 AND 2

Because the present law permits children in one local school unit to receive 180 days of instruction while children in an adjacent unit are

receiving only 175 days of instruction, the Maine Education Council believes that school days and in-service days should be completely separated in law and practice and that all school children be guaranteed the same minimum number of school days. Further, because so many states are now requiring that the minimum school year include 180 school days, the Council believes that five days of instruction should be added to the minimum school year.

Recommendation 1. The present legal minimum school year should be increased to 180 school days.

The present law permits up to five days of the prescribed 180 day school year to be devoted to the in-service education of teachers. This means that a local unit could decide to devote five days to in-service education and 175 days to pupil instruction and a different local unit could offer its students 180 days of regular instruction. The Council has recommended that all public school pupils receive a minimum of 180 days of regular instruction. However, because the Council believes that the in-service education of teachers is important, it recommends that two days be mandated by the Legislature specifically for in-service education and that the state subsidy to each local unit be increased by two/one hundred eightieths to help support the cost of these two days. This recommendation in conjunction with Recommendation 1 will have the effect of clearly separating school days from in-service days and will make uniform minimum opportunities for all pupils and teachers in the state.

Recommendation 2. Two in-service days for teachers should be made mandatory for all administrative units. Additional in-service days may

be scheduled at the discretion of the local unit. State reimbursement for in-service days, equal to 1/180th of the annual state subsidy payment to the local unit, should be made for up to five such days. In order to be eligible for reimbursement the local superintendent should be required to file a report of the in-service program with the Commissioner of Education.

EXTENDING THE SCHOOL YEAR BEYOND 180 DAYS

The idea of extending the school year is not a new one. The Rotating Four-Quarter plan (with pupils attending three or four twelve week quarters) has been discussed and experimented with since 1924.

In recent years, mostly because of spiralling costs of education, extending the school year has been a popular topic with school boards and state legislatures.

In 1963 the New York State Legislature directed the State Education Department to design demonstration programs and conduct experimentation with rescheduled school years.

A 1966 survey of the preferences of Florida teachers, parents, and pupils for various extended school year designs resulted in the following summary:¹

<u>Plan</u>	<u>Teachers</u>	<u>Parents</u>	<u>Pupils</u>
1. Present 180-day school year	16.2%	20.1%	18.4%

¹The Rescheduled School Year, Research Division, National Education Association, 1968, p. 8.

2. Present program plus voluntary summer session	17.9%	23.1%	31.4%
3. Present program plus summer session, voluntary for some mandatory for students who have failed	60.9%	47.1%	36.7%
4. Rotating four-quarter plan, with one-fourth of enrollment on vacation each quarter	1.6%	1.7%	3.5%
5. Continuous four-quarter, with two years of acceleration in 12	1.6%	4.8%	4.2%
6. Rotating trimester plan, with one-third of enrollment on vacation each trimester	0.6%	1.2%	3.3%
7. Continuous trimester, with two years of acceleration in 12	1.2%	2.0%	2.5%

In 1969, the Florida Legislature directed the Florida State Department of Education to make a comprehensive study and evaluation of the extended school year.¹

Perhaps the best way to come to grips with the purposes of the extended school year is to examine a bill² that would have provided an extended school year for the state of New York and a state aid formula to help support it. The initial portion of the bill reads as follows:

Section 3603. Extended school year. 1. To increase learning through increased utilization of educational sequence, school districts may extend the school year in excess of the traditional one hundred eighty days. New programs shall be so structured as to take advantage of innovative teaching techniques

¹See APPENDIX B.

²State of New York Document 3023-A. IN SENATE 1969-1970 Regular Session, February 10, 1969.

and learning devices. Extended school year programs shall be designed to:

- a. help socially, culturally and economically deprived children overcome the limitations of an impoverished environment;
 - b. minimize the memory loss associated with and resulting from long summer breaks in the learning process of all children;
 - c. facilitate the enrichment of the school program for the average child, the superior learner and the disadvantaged child including the physically handicapped, the mentally retarded, the emotionally disturbed and the slow learner;
 - d. provide more efficient use of educational facilities;
 - e. open the door to an extension of vocational training programs to eligible students interested in working in either the local high school or in a special vocational training program funded through a board of cooperative educational services.
2. School districts may, at their discretion with the approval of the commissioner of education, reorganize any or all of their elementary, middle, secondary, or vocational training schools in terms of a longer school year to provide for a minimum of two hundred or more days of instruction. Such reorganization may include an extension of vocational training offered by a board of cooperative educational services.
3. School districts wishing to reorganize one or more schools in terms of approved extended school year programs shall submit such proposals to the commissioner of education for approval.
4. The commissioner may give his immediate approval to lengthened school year programs which do not require a transition period before they become self-sustaining.
5. Approval of such programs as require a transition period shall be based on the availability of funds to support extra transition period costs.
6. Apportionments of state aid to school districts, which have established an approved elementary, middle or secondary school or vocational training extended school year program, which does not require a transition period, shall, include additional operating expense aid based on the length of time the school year is actually extended and the number of children participating therein.

The bill described above did not receive the approval of the New York Legislature because of a dispute over the meaning of the term "disadvantaged." It should be noted that the bill would have permitted extended school years at the discretion of the local school units and the state commissioner of education and that state aid would have been provided.

WAYS OF EXTENDING THE SCHOOL YEAR

A multitude of extended school year plans exist. Some are theoretical but many others have been experimented with in public school systems. New York has made the most determined effort in trying out the most promising plans. Two publications of the experimental results are available.¹

The Maine Education Council believes that the specific design for extending the school year can best be decided by the local school board acting upon the advice of its professional personnel. This recommendation does not mean that the state does not have the responsibility to provide leadership and funds to help the local units plan and implement acceptable, workable, extended school year designs. Indeed one superintendent included the paragraph below in a letter to the State Commissioner of

¹Extended School Year Designs, An Introduction to Plans for Rescheduling the School Year, The University of the State of New York, The State Education Department, Office of Research and Evaluation, 1966.

Setting the Stage For Lengthened School Year Programs, A Special Report Prepared for the Governor and the Legislature of the State of New York, The State Education Department, Albany, New York, March, 1968.

Education.

I, therefore, would recommend that the State Board of Education provide the leadership and set up the machinery for a thorough examination of our curriculum, the length of school day, the length of school year, and the utilization of our school facilities.¹

The Council also believes that state financial support should be computed by a simple formula so that the local unit will know in advance the exact amount of state support to be received. Until extended school year designs gain general recognition by the legislature, programs developed by local units should be submitted to the State Board of Education for approval before state support can be requested.

Recommendation 3. The state should help finance experimentation with extended school year programs. Proposals from local school units approved by the State Board of Education should be funded, to the extent that money is available, according to the following formula:

Number of pupils par- ticipating in extended school year programs	X	Number of school days in excess of 180 (not to be less than 20 nor more than 40)	X	$\frac{1}{180}$	X	annual school subsidy	=	state aid for extended school year program
total number of pupils in local unit								

SUPPLEMENTARY RECOMMENDATIONS

In 1946, before the creation of the State Board of Education, a

¹Letter of July 25, 1969 to William T. Logan, Jr., Commissioner of Education, State of Maine, from Woodrow A. Mercier, Superintendent of Schools, Union 113, East Millinocket, Maine.

number of communities in Maine were operating double sessions with some children receiving three to four hours of instruction per day.¹ In response to a specific question by the Commissioner of Education, the Attorney General ruled that pupils must be scheduled for at least five hours of school attendance.²

Since that time the State Board of Education has required local units to schedule school days of at least five hours duration. School administrators wishing to shorten an occasional school day below the five hour minimum are now in the habit of obtaining approval from the State Board.

The school law does contain one reference to the length of the school day. Section 1281, subsection 2, as a part of the accreditation standards for high school states "Length of School Day. It has a school day of sufficient length to allow 200 minutes per week for each subject in the basic schedule."

In contrast the State of Pennsylvania has a well defined school day with provision for flexibility.³

The minimum hours are required by the School Laws; the recommended hours are suggested to program activities not included in pupil instruction time.

¹Memorandum to Ralph W. Farris, Attorney General of Maine, from Harry V. Gilson, Commissioner of Education, December 13, 1946. (See APPENDIX C)

²State of Maine Inter-Departmental Memorandum to Harry V. Gilson, Commissioner of Education, from Ralph W. Farris, Attorney General, December 23, 1946. (See APPENDIX D)

³School Administrators Handbook, Pennsylvania Department of Public Instruction, 1968.

Hours Based on School Term of 180 Days

<u>Grade</u>	<u>Minimum</u>			<u>Recommended</u>		
	<u>Day</u>	<u>Week</u>	<u>Year</u>	<u>Day</u>	<u>Week</u>	<u>Year</u>
K	2.5	12.5	450	-	-	-
1-6	5.0	25.0	900	5.5	27.5	990
7-12	5.5	27.5	990	6.0	30.0	1,080

Section 1504 (b) of the Public School Code of 1949, P. L. 30, as amended, provides that the Superintendent of Public Instruction may reduce the length of the daily session at the request of the board of school directors for cogent reasons relating to road or climatic conditions, health, safety or welfare of the children if, in his opinion, the school plan submitted by the school district shows that the local program is adequate to assure such pupils a minimum of 900 hours of pupil instruction. Such approval to shorten sessions shall be for a period of one year. Annual extensions may be granted upon review of the circumstances of each case. Individual daily sessions may be shortened due to inclement weather or for other valid reasons which are beyond the control of school officials.

The Maine Education Council believes that the school law should provide for a minimum length of the school day but in such a way that local superintendents have maximum flexibility in daily scheduling.

Supplementary Recommendation 1. The school days for kindergarten, grades 1-6, and grades 7-12, should be of sufficient length to allow for at least 450 hours, 900 hours, and 990 hours, respectively, of planned learning activities in a 180-day school year. Successive school days need not be the same length.

The Maine Education Council believes that the following language from Section 855 of Title 20, pertaining to waiver of the minimum school year, needs revision.

The State Board of Education shall have the right to reduce or waive the minimum number of days required upon application from any school committee or board of directors in the State.

During the 1968-69 school year the administrators of 55 school units¹ requested and received waivers of the minimum school year. In 49 of these cases snow conditions were blamed for the days lost. In the remaining 6 cases the reasons given included bomb threats, roof collapse, construction delays, and equipment delays. A complete list of units and waivers granted may be found in APPENDIX E of this report.

It should be noted that 182 school units did not ask for waivers of the minimum school year.

Because public school education is, by the Constitution of the State of Maine, a function of the state and because the state now supports over 40% of the cost of public education, the Maine Education Council believes that the legislature should restate this section of the school law.

Supplementary Recommendation 2. The present law should be amended to make clear the intent of the Legislature that the State Board of Education may waive the legal minimum school year only after the petitioning local unit has demonstrated its inability to meet the 180 day requirement.

¹See APPENDIX E.

RESPONSES OF SUPERINTENDENTS OF SCHOOLS

A draft copy of this report, minus this section, was sent to each superintendent of schools in Maine along with a set of nine questions.¹ The yes-no responses of the superintendents are given below in Table III. A complete set of their responses may be obtained by writing to the Chairman of the Maine Education Council.

TABLE III

<u>Question</u>	<u>Yes</u>	<u>No</u>	<u>Yes & No</u>	<u>No Response</u>
1. Do you favor extending the legal minimum school year to 180 school days?	76	18		
2. Do you agree that a minimum number of in-service days should be made mandatory for all units?	69	22		3
3. Do you agree that the State should help finance in-service programs for teachers?	80	13	1	
4. Do you favor experimentation with extended school year programs?	86	8		
5. Do you believe that primary responsibility for developing experimental extended school year programs lies with the local school administrators?	53	36	3	2
6. Do you believe that primary responsibility for developing experimental extended school year programs lies with the State Department of Education?	41	47	3	3

¹See APPENDIX F for the complete questionnaire.

7.	Do you believe that experimentation with the extended school year is important enough to justify state support, up to \$100,000.	76	15	1	2
8.	Do you agree with Supplementary Recommendation 1?	74	11	1	8
9.	Do you agree with Supplementary Recommendation 2?	76	10	1	7

MODEL LEGISLATION

The recommendations of this report would be implemented if the following amendments were made to the existing laws pertaining to public schools.

AN ACT Relating to the Minimum School Year.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 20, 855, amended. The first sentence of section 855 of Title 20 of the Revised Statutes, as amended by section 8 of chapter 425 of the public laws of 1967, is further amended to read as follows:

The school moneys of every administrative unit shall be so expended as to give as nearly as practicable the same aggregate annual length of terms in maintenance of all of its schools for ~~not less than 180 days annually of which not less than 175 shall be actual school days and no more than 5 may be devoted to in-service education of teachers when both pupils and teachers are at school for the regular session.~~

Sec. 2. R. S., T. 20, 855, amended. The third sentence of section 855 of Title 20 of the Revised Statutes is amended to read as follows:

The State Board of Education shall have the right to reduce ~~or waive~~ the minimum number of days required upon application from any school committee or board of directors in the State, ~~such application to be supported in writing with a statement of the reasons for such request,~~ provided satisfactory written evidence of the inability of the local unit to maintain its schools for 180 days is supplied to the board.

Sec. 3. R. S., T. 20, 855, amended. A fifth sentence is added to section 855 of Title 20 of the Revised Statutes to read as follows: The school days for kindergarten, grades 1-6, and grades 7-12, should be of sufficient length to allow for at least 450 hours, 900 hours, and 990 hours, respectively, of planned learning activities in a 180-day school year.

Sec. 4. R. S., T. 20, 1281, sub- 3, amended. Subsection 3 of section 1281 of Title 20 of the Revised Statutes, as amended, is further amended to read as follows:

3. Minimum school year. It has a minimum school year of 175 180 actual school days, except that the State Board of Education shall have the right to reduce or waive the minimum number of days required upon application from any school committee, board of directors or board of trustees of any academy in the State, such application to be supported in writing with a statement of the reasons for such request, provided satisfactory written evidence of the inability of the local unit to maintain its schools for 180 days is supplied to the board.

AN ACT Relating to the In-Service Education of Teachers.

Sec. 1. R. S., T. 20, 3735, additional. Title 20 of the Revised Statutes is amended by adding a new section 3735, to read as follows:

3735. In-service education of teachers.

The in-service education of teachers is declared to be a responsibility of the State to be exercised through the local administrative units. Two such days of education shall be scheduled by each employing unit and three additional days may be scheduled. The State will reimburse each

local unit an amount equal to 1/180th of the annual state subsidy to the local unit for no more than five in-service days, provided the local unit supplies the Commissioner of Education with an adequate report of the in-service program.

AN ACT Relating to Extending the School Year.

Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 20, 3736, additional. Title 20 of the Revised Statutes is amended by adding a new section 3736, to read as follows:

3736. Extending the School Year.

Continued experimentation by local administrative units with school years exceeding the minimum of 180 days for the purposes of making maximum use of school facilities and increasing the achievement of the pupils shall be encouraged by the State through its participation in the cost of such experimentation.

The Commissioner of Education shall allocate to local administrative units whose plans for extending the school year meet his approval a sum of money computed by the following formula provided that the total amount allocated does not exceed the amount appropriated for this purpose.

Number of pupils par- ticipating in extended school year <u>programs</u>	X	Number of school days in excess of 180 (not to be less than 20 nor more than 40)	X	$\frac{1}{180}$	X	annual school = subsidy	=	state aid for extended school year program
total number of pupils in local unit								

APPENDIX A

EXHIBIT I

 ONE HUNDRED AND FOURTH LEGISLATURE

Legislative Document

No. 1210

S. P. 344

In Senate, March 5, 1969

Referred to the Committee on Education. Sent down for concurrence and ordered printed.

JERROLD B. SPEERS, Secretary

Presented by Senator Berry of Cumberland.

 STATE OF MAINE

IN THE YEAR OF OUR LORD NINETEEN HUNDRED
SIXTY-NINE

AN ACT Relating to Minimum School Year.

 Be it enacted by the People of the State of Maine, as follows:

Sec. 1. R. S., T. 20, § 855, amended. The first sentence of section 855 of Title 20 of the Revised Statutes, as amended by section 8 of chapter 425 of the public laws of 1967, is further amended to read as follows:

The school moncys of every administrative unit shall be so expended as to give as nearly as practicable the same aggregate annual length of terms in all its schools, and every administrative unit shall make provision for the maintenance of all of its schools for ~~not less than 180 days annually of which not less than 175 shall be actual school days and no more than 5 may be devoted to in-service education of teachers~~ when both pupils and teachers are at school for the regular session.

Sec. 2. R. S., T. 20, § 1281, sub-§ 3, amended. Subsection 3 of section 1281 of Title 20 of the Revised Statutes, as amended, is further amended to read as follows:

3. Minimum school year. It has a minimum school year of ~~175~~ 180 actual school days, except that the State Board of Education shall have the right to reduce or waive the minimum number of days required upon application from any school committee, board of directors or board of trustees of any academy in the State, such application to be supported in writing with a statement of the reasons for such request.

In House May 13, 1969

Ordered, the Senate concurring, that the Maine Education Council established pursuant to Chapter 452 of the Public Laws of 1967 is authorized and directed to examine in detail existing law as it relates to a minimum number of school days to determine the desirability of extending legal requirements to possibly include a 210-day school year, and also to determine to what extent it would be advisable to use preschool and inservice training in arriving at said minimum school year; and be it further ORDERED, that the Maine Education Council submit a written report of its findings, together with any necessary recommendations and implementing legislation, at the next regular or special session of the Legislature.

HOUSE OF REPRESENTATIVES
READ AND PASSED

MAY 15 1969

SENT UP FOR CONCURRENCE

Bertie W. Johnson
CLERK

IN SENATE CHAMBER *Read*
TABLED BY SEN. SEN. KATZ
OF OF HENNEBAGO

MAY 16 1969

PENDING - *Passage*
REC. ASSIGN'D FOR MAY 19 1969
JERROLD S. SPEERS, SECRETARY

IN SENATE

TAKEN FROM TABLE ON MOTION

BY PRESIDENT AND ON FURTHER

11193

MAY 19 1969

MOTION BY *Read Passage*

IN CONCURRENCE

Jerrold S. Speers
SECRETARY

Name: *Rushiel S. Waxman* (Waxman)
Town: Portland

Received 5/20/69

APPENDIX B

CHAPTER 69-103

Senate Bill No. 541

AN ACT relating to education; directing the state department of education to initiate a study of school facility use; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. The state department of education shall make a comprehensive study and evaluation of the maximum use of public school facilities on a twelve (12) month or extended basis, with particular emphasis on curriculum to be offered, administration of personnel, and financing of capital outlay projects.

Section 2. The state department of education shall prepare and submit to the members of the legislature sixty (60) days prior to the convening of the 1970 session of the legislature its report and recommendations together with drafts of laws necessary to effectuate such recommendations.

Section 3. This act shall take effect immediately upon becoming a law.

Approved by the Governor June 18, 1969.

Filed in Office Secretary of State June 19, 1969.

APPENDIX C

December 13, 1946.

Memorandum to Attorney General

Subject: Authority of Commissioner of Education to require that local school systems operate a minimum number of hours on each school day

Principally as a result of the heavy influx of war workers into certain communities of the state at the beginning of World War II, school housing facilities in some of these communities were overtaxed to the point that the school day was reduced from minimums of five hours or more to three or four hours per day to permit double sessions to operate morning and afternoon. This situation was tolerated until emergency school facilities could be provided in these communities but, as a result, there has been an increasing tendency on the part of other communities throughout the state to reduce school privileges to children in terms of the length of the school day as one means of meeting problems resulting from increased enrollments, inadequate housing, lack of teachers and increased costs of maintaining schools. This tendency is assuming epidemic proportions with the result that the educational opportunities of many of the children of this state are threatened with serious curtailment at a time when the need is for expansion of such privileges.

The state school laws provide that the schools be maintained a minimum of 32 weeks per year, 4 weeks per month and 5 days per week but there is no specific definition in the law of what constitutes a school day. However, the Legislature has definitely distinguished between a full day of school and half a day. In Section 83 of Chapter 37 in establishing regulations for the enforcement of compulsory attendance laws, it is definitely stated that "absence.....of 1/2 day or more shall be deemed a violation....." of requirements for school attendance.

Since the law thus distinguished between a day of school and a half day of school, is the Commissioner of Education correct in assuming that a community, which limits any of its pupils to half a day of school attendance totalling less than five hours, is failing to comply with the laws pertaining to the operation of schools.

G:G

Commissioner

APPENDIX D

STATE OF MAINE

Inter-Departmental Memorandum

December 23, 1946

To: Harry V. Gilson, Commissioner Dept. Education

From: Ralph W. Farris, Attorney General

Subject: Authority of Commissioner of Education to require that local school systems operate a minimum number of hours on each school day.

I have your memo of December 13th relating to the above entitled subject matter.

You state that as a result of the heavy influx of war workers into certain communities of the State at the beginning of World War II, school housing facilities in some communities were over-taxed to the point that the school day was reduced from minimum of five or more hours to three or four per day to permit the operation of double sessions. This situation was tolerated by your department until emergency school facilities could be provided in these communities; but as a result there has been an increasing tendency on the part of other communities throughout the State to reduce school privileges to children in terms of the length of the school day, as one means of meeting problems resulting from increased enrollments, inadequate housing, lack of teachers and increased costs of maintenance. This tendency, you say, is assuming epidemic proportions, with the result that the educational opportunities of many children are threatened with serious curtailment, when the need is for expansion; and you call my attention to the provision of statute that schools be maintained a minimum of 32 weeks per year, 4 weeks per month and 5 days per week, though "school day" is not specifically defined. However, the legislature has definitely distinguished between a full day of school and a half-day, in this connection (Section 83, Chapter 37): "Absence . . . of ½ day or more shall be deemed a violation. . ." etc.

Your inquiry, based upon the above statements of facts, is whether you are correct in assuming that a community which limits any of its pupils to half a day of school attendance, totalling less than five hours is failing to comply with the laws pertaining to the operation of schools.

In answer to this inquiry, I will say that the Commissioner of Education is correct in his assumption.

/s/ Ralph W. Farris
 Attorney General

RWF:c

APPENDIX E

State of Maine
DEPARTMENT OF EDUCATION
Augusta

April 25, 1969

To: State Board of Education

From: William T. Logan, Jr., Commissioner of Education

Subject: Request for Waiver of 175 Days of Pupil Attendance

In compliance with the direction of the Board regarding the waiver of 175 days of pupil attendance, I have carefully reviewed all requests for waivers and present herewith my recommendations for State Board consideration.

The efforts made by many school systems to revise schedules and make up time lost because of inclement weather has been very commendable. Some school officials in the storm area decided not to ask for any waiver, while others have kept requests at a minimum. The usual allowance of three or four days for storms would have been sufficient in normal times but this has been a very unusual year. In addition a few school systems have had interruptions for other reasons which has further complicated compliance with the statute. While local conditions have varied as high a degree of consistency as possible has been maintained.

The following waivers are recommended:

<u>Superintendent</u>	<u>Administrative Unit</u>	<u>Waiver Recommended</u>
Allen, Fred E.	S.A.D. 43 (Mexico) H.S.	1
Bowers, Carl E.	Sanford	2
Brown, Robert P.	S.A.D. 54 (Skowhegan)	1
Cairns, Gary C.	Freeport - Pownal	2
Christie, Donald M.	S.A.D. 15 (Gray)	2
Ciaravino, Casper	S.A.D. 28 (Camden)	3 <u>1/</u>
Cushman, Hartland L.	S.A.D. 48 and Harmony	3
Doe, Arthur F.	S.A.D. 16 (Hallowell)	2
Doughty, James F.	S.A.D. 2 (Greenville)	2
Fenlason, A. Harold	S.A.D. 25 (Sherman Mills) and Union 115	1 1
Grover, Philip P.	Acton	3
Hatfield, Lloyd D.	South Portland	1
Higgins, Dale D.	S. A. D. 40 (Waldoboro)	5 <u>2/</u>
Holsapple, Donald	S. A. D. 46 (Dexter)	5 <u>3/</u>

APPENDIX E cont.

<u>Superintendent</u>	<u>Administrative Unit</u>	<u>Waiver Recommended</u>
Hoyt, John G.	S.A.D. 55 (Hiram)	1
Ingalls, Hollis	Union 102 (Machias)	2
Kinney, Basil E.	S.A.D. 34 (Belfast)	2
Ladner, Richard S.	Union 30 (Lisbon)	1
Lawrence, Charles F.	S.A.D. 37 (Harrington)	2
Fairchild, Thomas L.	Union 43, Monmouth	2
	Wales - Richmond	1
Diggle, Elliott A.	Union 37, Rangeley	1
Marx, Richard E. A.	S.A.D. 36 (Livermore Falls) and Jay	3
Mathews, Floyd O.	Mount Desert Island H.S.	5 <u>4/</u>
McBrine, Joseph F.	S.A.D. 1 (Presque Isle)	2
McMonagle, Edward	Rumford	2
McReavy, Robert	S.A.D. 4 (Guilford)	3
Nutting, Chester A.	S.A.D. 39 (Buckfield)	3
Patey, G. Stanley	S.A.D. 17 (South Paris)	2
Ronco, Carroll B.	S.A.D. 57 (Alfred)	2
Russell, J. Weldon	S.A.D. 53 (Turner)	2
Ryder, Ralph K.	S.A.D. 44 (Bethel) (elem.) (sec.)	3 8 <u>5/</u>
Sawyer, Richard M.	S.A.D. 41 (Milo) Atkinson	3 8 <u>6/</u>
Seekins, John I.	S.A.D. 71 (Kennebunk)	2
Selwood, Arnold L.	Augusta	1
Smith, Bruce L.	Arundel	2
	Dayton	1
Smith, Douglas K.	Glenburn	2
Smith, Gwyeth T.	S.A.D. 56 (Searsport)	2
Smith, Merton L.	S.A.D. 58 (Phillips)	2
Snow, Aubrey H.	Union 51 (Coopers Mills)	3
Soucie, Norman P.	S.A.D. 23 and 38 (Carmel)	3
Strout, Francis L.	S.A.D. 20 (Fort Fairfield)	1
	Easton	2
Strout, Gilbert S.	S.A.D. 50 (Waldoboro)	2
Thompson, Julian P.	S.A.D. 59 (Madison)	2
Tonon, Mario A.	Brunswick	3
Ulmer, Ralph L.	Union 46 (Topsham)	1
Webber, Lewis E.	Auburn	1
Wright, Stanley	Union 15 (No. Windham)	1
	Raymond	1

Private Schools

Seventh Day Adventist - Same schedule as local schools	
Coburn Classical Institute, Waterville - Extended Daily Schedule	4

APPENDIX E cont.

<u>Private Schools</u>	<u>Waiver Recommended</u>
Kennebec Valley Council for Retarded, Hallowell	2
Cheverus High School, Portland - Extension of daily schedule	3
Lincoln Academy, Damariscotta	2
St. Ignatius, Sanford - Extension of daily schedule	3
St. Hyacinth, Westbrook	2
John Bapst, Bangor	2

- 1/ S.A.D. 28 - One day was lost because of a bomb threat.
- 2/ S.A.D. 40 - Three days were lost in September due to delay in completing building.
- 3/ S.A.D. 46 - Three days were lost due to collapse of roof.
- 4/ Mount Desert Island High School - The opening of the new school was delayed five days for lack of equipment.
- 5/ S.A.D. 44 - The new high school was delayed eight days in opening and ten days were lost by storms.
- 6/ Atkinson was snowed in for two weeks.

APPENDIX F

Questions concerning the draft
of the extended school year
report.

NOTE: If you circle a "No" response please take a few moments to
indicate an alternative that is acceptable to you.

- | | | | |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 1. | Do you favor extending the legal minimum school year to 180 school days? | Yes | No |
| 2. | Do you agree that a minimum number of in-service days should be made mandatory for all units? | Yes | No |
| 3. | Do you agree that the State should help finance in-service programs for teachers? | Yes | No |
| 4. | Do you favor experimentation with extended school year programs? | Yes | No |
| 5. | Do you believe that primary responsibility for developing experimental extended school year programs lies with the local school administrators? | Yes | No |

APPENDIX F cont.

- | | | | |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 6. | Do you believe that primary responsibility for developing experimental extended school year programs lies with the State Department of Education? | Yes | No |
| 7. | Do you believe that experimentation with the extended school year is important enough to justify state support, up to \$100,000? | Yes | No |
| 8. | Do you agree with Supplementary Recommendation 1? | Yes | No |
| 9. | Do you agree with Supplementary Recommendation 2? | Yes | No |
| 10. | General comments: | | |

NOTE: Please try to return this questionnaire by June 15, 1970.

Thank You.