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**The 10-Month School Year: Are We Ignoring Educational Research in Order to Preserve Summer Vacation? Finding a Compromise Between Educational Advancement and Overschooling.**

Mary T O'Sullivan

# **The 10-Month School Year: Are We Ignoring Educational Research in order to Preserve Summer Vacation? Finding a Compromise Between Educational Advancement and Over-Schooling.**

## **Introduction**

The optimal structure and length of the school year has been debated for years. While it is widely acknowledged that students lose academic knowledge over the traditionally long summer break, society and many states have been resistant to implement year-round schooling due to concerns about funding, economic impact on tourism, the decrease in a student's ability to engage in non-formalized summer learning, and the negative impact on family life. Yet, concerns regarding the United States' ability to compete globally, the ever growing achievement gap between wealthy and poor students, the changing family dynamic, and the need to combat child labor exemplify why some sort of academic summer program should be made available to all students, but particularly to under-achieving and under-privileged children.

Part I of this paper will look at the history of the traditional school year, outlining the rationales behind creating a "summers-off" system of education. Part II assesses and discusses why the traditional rationales behind the 9 or 10-

month school year are outdated, unpersuasive, and no longer relevant. Part III looks at the national and global prevalence of year-round schooling. Part IV argues in favor of year-round schooling, outlining many benefits that would result from its implementation. Part V discusses the obstacles and restrictions that prevent the implementation of year-round schooling. Lastly, Part VI proposes educational recommendations and attempts to find compromises between much needed educational advancements/reforms with the economic and social concerns that are in opposition to year-round schooling.

**Part I. A Very Brief History of the "Summers-Off" School Year**

Historically, schooling and education has been a responsibility that falls under the control of parents and local districts.<sup>1</sup> Courts have often taken the position that the federal government should, in most circumstances, defer to local agencies and districts in regulating and determining the requirements of education.<sup>2</sup> Thus, at the beginning of formalized education in our country, communities created schooling

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<sup>1</sup> *Miliken v. Bradley*, 418 U.S. 717, 742, 940 S.Ct 3112, 3126 (1974) ("we observed that local control over the educational process affords citizens an opportunity to participate in decision-making, permits the structuring of school programs to fit local needs, and encourages 'experimentation, innovation, and a healthy competition for educational excellence.'").

<sup>2</sup> See *id.*

schedules that were cohesive with the lifestyles and responsibilities of the student populations.

In rural areas schooling was structured around agricultural harvesting.<sup>3</sup> Local school boards and superintendents gave students summer months off so that students could help their parents with harvesting crops and caring for the farm.<sup>4</sup> Unlike their rural counterparts, in the mid-1800's children in urban areas were subject to year-round schooling.<sup>5</sup> Yet, because education was not compulsory at the time, students were able to take time off when they pleased, and thus, attendance became inconsistent and problematic.<sup>6</sup> To encourage maximum school attendance urban districts adopted the summers-off approach.<sup>7</sup>

Nationally, states and districts adopted the summers-off approach because "1) [p]oorly ventilated school buildings were nearly unbearable during heat waves. 2) Community leaders

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<sup>3</sup> Alex Altman, *A Brief History Of: Summer Vacation*, TIME MAGAZINE U.S., June 19, 2008, <http://www.time.com/time/magazine/article/0,9171,1816501,00.html> ; David Von Drehle, *The Case Against Summer Vacation*, TIME MAGAZINE U.S., July 20, 2010, <http://www.time.com/time/magazine/article/0,9171,2005863,00.html> . ("Long summer holidays are the legacy of our vanished agrarian past, when kids were needed in the fields during the growing season.") .

<sup>4</sup> *Id.*

<sup>5</sup> *Id.*

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* ("Poor attendance got some people wondering if such a long academic calendar was worthwhile. Why keep schools open year-round if most kids don't even go?") .

fretted that hot, crowded environments facilitated the spread of disease. 3) Wealthy urbanites traditionally vacationed during the hottest months, and middle-class school administrators were following in their footsteps.”<sup>8</sup> Furthermore, it was commonly believed by many physicians that “students were too frail, both in mind and body, for so many days at their desk. Too much education, they argued, could impair a child's health.”<sup>9</sup> Thus, the traditional school year structure was implemented not only to accommodate agricultural labor, yet also because of medical beliefs and the desire of families and society to have summers vacation months.

## **Part II. Outdated Rationales**

With a variety of rationales supporting students having summers off, the traditional 9 or 10-month school year became a national norm. Likewise, summer vacations became a staple of American schooling and a symbol of childhood. Society has grown accustomed to summer months off, and thus, the traditional

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<sup>8</sup> *Id.*

<sup>9</sup> Juliet Lapidus, *Do Kids Need a Summer Vacation? Why our schoolchildren get to take three months off*, SLATE, July 11, 2007, [http://www.slate.com/articles/news\\_and\\_politics/explainer/2007/07/do\\_kids\\_need\\_a\\_summer\\_vacation.html](http://www.slate.com/articles/news_and_politics/explainer/2007/07/do_kids_need_a_summer_vacation.html); Alex Altman, *A Brief History Of: Summer Vacation*, TIME MAGAZINE U.S., June 19, 2008, <http://www.time.com/time/magazine/article/0,9171,1816501,00.html>

school year has remained the status throughout the vast majority of the United States, despite the fact that many of the original rationales behind the 9 or 10-month school year are no longer relevant.

While there are still a large number of children who work in the agricultural industry, the majority of the school-aged children do not need summers off to harvest crops. Historically students in agricultural states engaged in farming experience not only to assist their families, yet also because it served as preparation for when they would one day own the farm. Today, there is much more mobility between professions and careers, and thus, it is important that all students are sufficiently educated and prepared to enter into a variety of career fields. Furthermore, with advances in agricultural machinery and technology, a child's availability to help on the farm is no longer as important as it was in the 1800s, especially when weighed against the well-recognized importance of academic education.<sup>10</sup>

Concerns regarding maximizing school attendance are no longer justifications for having a 9 or 10-month school year. In Pierce v. Society of Sisters, the Supreme Court held that

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<sup>10</sup> See *Brown v. Bd. of Educ. of Topeka Kansas*, 347 U.S. 483, 493, (1954) ("Today, education is perhaps the most important function of state and local governments.").

state laws compelling school attendance are constitutional.<sup>11</sup> Since which, states have widely adopted compulsory school laws and criminal sanctions for parents who fail to meet compulsory school law requirements.<sup>12</sup> Compulsory education laws have defeated the need for states and districts to attempt to maximize school attendance through scheduling school only 9 or 10 months of the year, and have opened the door for school

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<sup>11</sup> 268 U.S. 510 (1925).

<sup>12</sup> See, e.g., COLO. REV. STAT. § 22-33-104 (In Colorado, "every child who has attained the age of six years on or before August 1 of each year and is under the age of seventeen years, except as provided by this section, shall attend public school for at least the following number of hours during each school year: (I) One thousand fifty-six hours if a secondary school pupil; (II) Nine hundred sixty-eight hours if an elementary school pupil in a grade other than kindergarten; (III) Nine hundred hours if a full-day kindergarten pupil; or (IV) Four hundred fifty hours if a half-day kindergarten pupil."); N.D. CENT. CODE. § 15.1-20-01 (In North Dakota, "[a]ny person having responsibility for a child between the ages of seven and sixteen years shall ensure that the child is in attendance at a public school for the duration of each school year."); MISS. CODE. ANN. § 37-13-91 (In Mississippi, "Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished . . . ."); N.M. STAT. § 22-12-7 (In New Mexico, "[i]f unexcused absences continue after written notice of habitual truancy as provided in Subsection B of this section has occurred, the student shall be reported to the probation services office of the judicial district where the student resides for an investigation as to whether the student shall be considered to be a neglected child or a child in a family in need of services because of habitual truancy and thus subject to the provisions of the Children's Code.").

districts to require attendance in months where students have traditionally opted not to attend.

Many of the factors that originally led to the creation of the 9 or 10-month school year are no longer persuasive. Though summer vacation has long been used for family vacationing, in light of the well-recognized importance of education, concerns regarding travel are insufficient to dictate the structuring of the school year. This is particularly true because under the year-round school model, students receive a variety of two-week breaks that enable families to travel together. Additionally, historical arguments that were based in psychological theories regarding over-working students and fears of spread of diseases are outdated, disproved, and insufficient to justify maintaining the current educational structure. Lastly, with the ability of schools to have air conditioning, concerns regarding the heat being unbearable are now less persuasive.

### **Part III. Where Year-Round Schools Have Been Implemented**

While there is sparse data regarding the number schools and districts that provide year-round schooling, it is undoubtedly clear that in the United States year-round schools are the minority. As of the 2006-2007 school year, all but 7 states

offered at least one year-round public school.<sup>13</sup> Yet, 31 of the states that offered public year-round schooling did so in less than 50 schools.<sup>14</sup> In 2007, California led the nation in year-round school attendance, with 1,118,608 students enrolled in year-round schools.<sup>15</sup> Of the 50 states, and the District of Columbia, 17 states have indicated that they have a statewide policy regarding year-round education.<sup>16</sup> No year-round school policy is identical, as states with policies define what constitutes "year-round schooling" differently,<sup>17</sup> and vary in

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<sup>13</sup> NAYRE, *Calendar Reform Statistics, Schools, Districts By State 2007*, <http://www.nayre.org/> (PDF link available at the bottom of the page) (Maine, Mississippi, New Hampshire, New Jersey, Rhode Island, Vermont, and Wyoming are the states listed as not having any year-round public schools).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> Institute of Education Sciences, *State Education Reforms, Table 4.1 Year-round school policies, by state: 2008*, NATIONAL CENTER FOR EDUCATION STATISTICS [http://nces.ed.gov/programs/statereform/tab4\\_1.asp](http://nces.ed.gov/programs/statereform/tab4_1.asp) (The states that identified having year-round schooling policies are Arkansas, California, Florida, Illinois, Iowa, Maryland, Michigan, Minnesota, New Mexico, North Carolina, Ohio, Pennsylvania, South Dakota, Tennessee, Texas, Virginia, and West Virginia).

<sup>17</sup> *See id.* (For example, "Arkansas defines year-round schools as no fewer than the number of days required between July 1 and June 30 of each school year and in which no vacation, including summer, lasts more than 6 weeks," while "Oklahoma defines year-round schools as at least 10 months of 4 weeks during which the school will be in session and instruction offered not less than 180 days," and "Tennessee defines year-round schools as operating on a 200-day calendar.").

methods used to approve of a school or district's modified school year.<sup>18</sup>

While the United States debates the value and costs of implementing year-round schooling, many other countries have already implemented programs with extended school years. In the United States, the school year averages "180 instruction days per year, according to the Education Commission of the States, compared to an average of 197 days for lower grades and 196 days for upper grades in countries with the best student achievement levels, including Japan, South Korea, Germany and New Zealand."<sup>19</sup> Further, reports have shown that "[t]he Israeli academic year lasts 216 days, and kids in Japan plug away for a whopping 243 days per annum."<sup>20</sup> Thus, while the United States maintains the traditional school year, many other countries have implemented educational programs that increase student academic exposure and learning, and increase academic efficiency and performance.

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<sup>18</sup> See *id.* ("In Kansas, alternative school calendars are approved by the Commissioner of Education.").

<sup>19</sup> Erica Werner, *Obama: School Year Should Be Longer*, Huffington Post, Sept. 27, 2010, [http://www.huffingtonpost.com/2010/09/28/obama-school-year-should-\\_n\\_741338.html](http://www.huffingtonpost.com/2010/09/28/obama-school-year-should-_n_741338.html).

<sup>20</sup> Juliet Lapidus, *Do Kids Need a Summer Vacation? Why our schoolchildren get to take three months off*, SLATE, July 11, 2007, [http://www.slate.com/articles/news\\_and\\_politics/explainer/2007/07/do\\_kids\\_need\\_a\\_summer\\_vacation.html](http://www.slate.com/articles/news_and_politics/explainer/2007/07/do_kids_need_a_summer_vacation.html).

## Part IV. Why School Should Be Year-Round

### a. *Globalism*

Many believe that in light of concerns about globalism, summer vacation is not a luxury that the United States' education system can afford.<sup>21</sup> Today, "American students are competing with children around the world who are in many cases spending four weeks longer in school each year."<sup>22</sup> Many argue that education needs to be focused on global competition because "[a]s a nation, either our kids are getting dumber or everyone else's are getting smarter."<sup>23</sup>

Summer vacations may be a major factor contributing to the United States' student test scores being lower than many other nations. Harris Cooper, director of the education program at Duke University, has argued that "[t]ests given to kids in the spring and fall show children generally slide in math and reading during the traditional summer break lasting 10 to 12

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<sup>21</sup> See David Von Drehle, *The Case Against Summer Vacation*, TIME MAGAZINE U.S, July 20, 2010, <http://www.time.com/time/magazine/article/0,9171,2005863,00.html>

<sup>22</sup> *Id.*

<sup>23</sup> LZ Granderson, *We need year-round school to compete globally*, CNN OPINION, May 10, 2011, [http://articles.cnn.com/2011-05-10/opinion/granderson.yearround.school\\_1\\_year-round-school-math-and-science-international-student-assessment?\\_s=PM:OPINION](http://articles.cnn.com/2011-05-10/opinion/granderson.yearround.school_1_year-round-school-math-and-science-international-student-assessment?_s=PM:OPINION) ("American 15-year-olds ranked 14th in reading, 17th in science and 25th in math in a study of students in 34 nations and nonnational regions.").

weeks," and that "[b]oth poor students and their wealthier counterparts lose math skills, and kids from low-income families also decline in reading."<sup>24</sup> Thus, under the current school year structure, the average American student is less academically advanced in September than they were the previous June.

To compete globally, the United States needs to focus on efficiently preparing students for careers. In order to promote time efficiency, the United States needs to decrease the length of vacations, minimizing student-learning loss. The number of states with modified summer vacations (vacations less than the traditional 10-12 weeks) has reportedly doubled in recent years, demonstrating a national acknowledgement of the need to abandon the traditional school year structure.<sup>25</sup> Arguably, the less time students are away from school, the less time teachers will have to spend reviewing material from the previous year and acclimating students to classroom rules and procedures.<sup>26</sup> While opponents of year-round schooling contest that year-round schooling will deprive students of a much needed break from education, and result in students "burning out," some research has shown that making school year-round encourages more

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<sup>24</sup> Associated Press, *Schools Increasingly Cutting Back on Summer Vacation*, FOX NEWS, Sep. 2, 2007, <http://www.foxnews.com/story/0,2933,295525,00.html>.

<sup>25</sup> See *id.*

<sup>26</sup> *Id.*

efficient learning.<sup>27</sup> Through dividing the traditional three-month summer vacation into shorter more frequent vacations, students will have shorter yet more frequent breaks from school. Proponents of year-round schooling assert that more frequent breaks from schooling will leave children feeling more refreshed, and thus, will increase their positive attitudes towards school, and result in more effective learning.<sup>28</sup>

*b. Decreasing the Achievement Gap*

While many argue that summer vacation is a time for children to be children, and to explore new places and do new things, the luxuries of summer camps and vacations are not available to many low-income children in urban areas who are, in many cases, academically low-achieving.<sup>29</sup> Furthermore, researchers have asserted that throughout the summer, "deprived of healthy stimulation, millions of low-income kids lose a significant amount of what they learn during the school year. Call it "summer learning loss," as the academics do, or "the summer slide," but by any name summer vacation is among the most

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<sup>27</sup> Elizabeth A. Palmer & Amy E. Bemis, *Year-Round Education*, PDF available at [www.cehd.umn.edu/carei/reports/docs/year-round.pdf](http://www.cehd.umn.edu/carei/reports/docs/year-round.pdf).

<sup>28</sup> *Id.*

<sup>29</sup> David Von Drehle, *The Case Against Summer Vacation*, TIME MAGAZINE U.S, July 20, 2010, <http://www.time.com/time/magazine/article/0,9171,2005863,00.html> ("summer is a season of boredom, inactivity and isolation. Kids can't go exploring if their neighborhoods aren't safe.").

pernicious, if least acknowledged causes of achievement gaps in America's schools."<sup>30</sup> Particularly, researchers assert "while students made similar progress during the school year, regardless of economic status, the better-off kids held steady or continued to make progress during the summer, but disadvantaged students fell back."<sup>31</sup> Some have argued that in response, summers need to be filled with school enrichment programs that are addressing the needs of low-income children.<sup>32</sup> Through the implementation of year-round schooling, low academically achieving districts would have the opportunity to continue educational advancement without the disruption of summer, which would, thus, likely lead to a lessening of the achievement gap.

### *c. Familial Benefits*

Many familial benefits will likely result from a national implementation of year-round schooling. Research has consistently shown that parental involvement is one of the most

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<sup>30</sup> *Id.*

<sup>31</sup> *Id.*

<sup>32</sup> *Id.* ("Supporters range across the political spectrum from Republican Senator Richard Lugar of Indiana to Democrats in the Department of Education under President Obama, who has created a National Summer Learning Day to call attention to the issue. Some of the nation's largest private donors including the Bill & Melinda Gates Foundation, the Wallace Foundation, the Charles Stewart Mott Foundation and the Atlantic Philanthropies are putting their muscle into the cause.").

prominent, if not the most prominent, indicators of a child's academic success.<sup>33</sup> Replacing the long summer break with shorter breaks from school will enable parents and families to easily and regularly be aware of educational expectations. Through consistent schooling, teachers will likely be able to more effectively communicate academic expectations for students with parents, and ensure that parents are continuing to monitor learning when children are at home on vacation.

Year-round schooling will likely serve the economic needs of many families, as it will enable parents to work throughout the summer without having to pay for child-care services. This is particularly important in today's society where a large number of children are being raised in single-parent families. With year round schooling, parents will not have societal pressures to find jobs that enable optimal vacation time or favorable summer hours so that they are home with their children while they are off from school. Thus, year-round schooling will enable parents to pursue more time demanding careers.

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<sup>33</sup> Karen Bogenschneider, *Parental Involvement in Adolescent Schooling: A Proximal Process with Transcontextual Validity*, JOURNAL OF MARRIAGE AND FAMILY 718-33, 719, Aug. 1997, available at <http://www.jstor.org/stable/353956> ("The most consistent finding is that parents who are involved in school activities such as attending parent-teacher conferences, monitoring their children's progress, and helping with homework are more likely to have children who are performing well academically.").

*d. Increasing Teacher Professionalism*

For much of the United States' history, teaching was a profession dominated by men.<sup>34</sup> Yet, in the mid 1800's, with the increase of women in the labor force, and the common belief that educated men could obtain more professional employment than teaching, many women began to fill teaching positions.<sup>35</sup> By the 1900s, "nearly 75 percent of America's teachers were women."<sup>36</sup> Though today teachers are required to have college degrees and be certified in their particular teaching field, societal perceptions have commonly expressed that teaching is a job that requires a maternal nature, and is a profession that would enable a mother to balance a career with her duties at home. Thus, teaching has never been given the same credibility as other jobs that require college degrees. The perceived "summers and weekends off" and the less professionalism and society value associated with the teaching profession has in many ways deterred strong teaching candidates from pursuing careers in education.

Much of the debate regarding educational reform has revolved around the teaching profession. Research shows that as much as 20% of a student's success is directly related to

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<sup>34</sup> *Only a Teacher, Teaching Timeline* PBS, <http://www.pbs.org/onlyateacher/timeline.html>.

<sup>35</sup> *Id.*

<sup>36</sup> *Id.*

teacher quality.<sup>37</sup> Thus, higher quality teachers substantially increase a student's chances of academic success. Understanding the value of teachers, school districts need to focus on encouraging highly qualified individuals to become teachers. To do so, states and local districts need to combat the perception that teaching is a less admirable and respected profession.

Through making the school year year-round, the teaching profession will no longer be viewed as a 10-month job. Year-round schooling would help to alter societal views that teaching is an easy part-time job, and would, thus, increase respect for those who chose to enter the teaching profession. Increasing teacher respect and responsibility, would likely result in an increase of highly qualified teaching candidates, and a decrease in the number of individuals entering into the teaching profession primarily for the favorable work hours.

Year-round schooling, with its more frequent yet shorter breaks, would enable teachers to attend professional development classes that do not interfere with the regular school day. Unlike in the current structure, where teachers rarely attend professional development during the long summer break, shorter breaks that fall within the school year would permit teachers to attend professional developments that are tailored to the needs

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<sup>37</sup> *Teacher Quality*, EDUCATION WEEK, July 8, 2011, <http://www.edweek.org/ew/issues/teacher-quality/>.

of their current classrooms. With increased professional development and teacher "work days", year-round schooling would likely result in an increase in teacher salaries and responsibility, both of which, would help to increase the professionalism of the teaching profession, and thus, the efficiency and success of student academic performance.

Year-round schooling may help to create a sense of permanency and investment within districts. Under the traditional 10-month school year, teachers have the ability to take a teaching job within a district knowing that they can easily leave the position in June. Under the current system, there is a general sense that teachers are obligated to commit only to one school year, and thus, are less likely to view the position as permanent. Through altering the school year to become year-round, teachers may view their teaching commitments as more than just a 9 or 10-month span, and thus, may become more invested in their students and the school.

#### *d. Combating Child Labor*

Under a year-round schooling system, states will be able to minimize, or at least reduce, agricultural child labor. Today, many agricultural states permit and benefit from the use of child labor during the summer. The National Center for Farmworker Health (NCFH) estimates that of the 132 Million

children ages 5-14 who are engaged in child labor worldwide, 70% of those children are engaged in agricultural work.<sup>38</sup> An estimated 400,000 children in the United States use their summers to work in agriculture.<sup>39</sup> Further, the NCFH estimates that 300,000 - 800,000 children work on United States farms each summer.<sup>40</sup> Agricultural labor is considered one of the most dangerous jobs for children, as "the nature of agricultural work exposes child laborers to many risks and dangers, including long hours in scorching heat, hauling heavy loads, exposure to toxic pesticides and injury from sharp knives and other dangerous tools."<sup>41</sup> Agricultural work is an exception to the Fair Labor Standards Act.<sup>42</sup> As such, the majority of children in the agricultural world are not given wage and hour protections.<sup>43</sup> Furthermore, many children working in agriculture do not work on

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<sup>38</sup> NCFH, *Child Labor*, 2009, PDF available at [www.ncfh.org/docs/fs-Child%20Labor.pdf](http://www.ncfh.org/docs/fs-Child%20Labor.pdf) (do a google search for that link).

<sup>39</sup> Cynthia Boyd, *Despite child labor laws, children still toil in hot-summer fields in Minnesota*, MINNPOST, July 21, 2010, <http://www.minnpost.com/community-sketchbook/2011/07/despite-child-labor-laws-children-still-toil-hot-summer-fields-minnesot>.

<sup>40</sup> NCFH, *Child Labor*, 2009, PDF available at [www.ncfh.org/docs/fs-Child%20Labor.pdf](http://www.ncfh.org/docs/fs-Child%20Labor.pdf) (do a google search for that link).

<sup>41</sup> *Id.*

<sup>42</sup> Fair Labor Standards Act, Exemptions, 29 U.S.C.A. § 213(c) (outlining child labor law exemptions to agricultural work, including allowing children under the age of 12 to work on a family member's farm).

<sup>43</sup> *Id.*; NCFH, *Child Labor*, 2009, PDF available at [www.ncfh.org/docs/fs-Child%20Labor.pdf](http://www.ncfh.org/docs/fs-Child%20Labor.pdf) (do a google search for that link).

family farms, and instead work within the migrant community moving from area to area as harvesting needs arise. Thus, with constant movement, many farming children are not given stable educational resources and schooling.<sup>44</sup> Creating year-round schooling would help to minimize child labor abuses and would create permanency and regulation of the migrant child community and their educational needs.

## **Part V. Obstacles and Arguments Preventing the Implementation of Year-Round Schooling**

### *a. Economic Influence of Summer Vacation*

Proponents of year-round schooling will likely face opposition from industries that have invested in summer vacations and tourism. Many amusement parks and summer vacation spots help local economies through providing jobs and bringing tourists (and their pocketbooks) to the area. For example, tourism is "the third-largest industry in New Jersey after pharmaceuticals and chemicals."<sup>45</sup> Many argue that cutting tourism promotion or enacting programs that negatively impact

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<sup>44</sup>NCFH, *Child Labor*, 2009, PDF available at [www.ncfh.org/docs/fs-Child%20Labor.pdf](http://www.ncfh.org/docs/fs-Child%20Labor.pdf) (do a google search for that link).

<sup>45</sup>Associated Press, *N.J. tourism numbers increase slightly, but are still down from pre-recession figures*, NJ.COM, Mar. 24, 2011, [http://www.nj.com/news/index.ssf/2011/03/tourism\\_in\\_nj\\_was\\_a\\_355\\_billio.html](http://www.nj.com/news/index.ssf/2011/03/tourism_in_nj_was_a_355_billio.html).

tourism would be devastating to local economies.<sup>46</sup> Currently, “[r]esort owners and operators of theme parks in North Carolina, Pennsylvania, Indiana, and Texas have expressed that the shrinking summers are costing them customers and employees.”<sup>47</sup> These owners and operators assert that “[a]s a result of these decreases, many theme parks have been forced to reduce hours or even close sections of the park. A domino effect causes an economic loss to other businesses and for the local and state economies.”<sup>48</sup> Acknowledging the economic implications of year-round schooling, states will likely be hesitant to enact school programs that could harm tourism, especially in the current fiscal times.<sup>49</sup>

In addition to state interests in optimizing tourism, many major amusement parks and tourist attractions have influential

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<sup>46</sup> *Editorial: Killing tourism effort is wrong*, TODAY’S SUNBEAM, Mar. 7, 2012, available at [http://www.nj.com/sunbeam-voices/index.ssf/2012/03/editorial\\_killing\\_tourism\\_effo.html](http://www.nj.com/sunbeam-voices/index.ssf/2012/03/editorial_killing_tourism_effo.html) (“Tourism is a business. Big business. Estimates are that last year it amounted to around \$35 billion last year in New Jersey. Visitors come with money to spend whether on admissions, food, lodging and purchases. The spinoff for businesses can be substantial.”).

<sup>47</sup> Margaret A. Peercy & Ken W. McCleary, *The Impact of the Year-Round School Calendar on the Family Vacation: An Exploratory Case Study*, JOURNAL OF HOSPITALITY & TOURISM RESEARCH 147-70, 150, Oct. 2010, PDF available at <http://jht.sagepub.com/content/35/2/147.full.pdf+html> (“Some locations have reported as much as a 60% decline in attendance. The decline is evident the weeks after schools begin, usually starting around August 10. Weekend attendance also declines, and the decline continues into September and October.”).

<sup>48</sup> See *id.*

<sup>49</sup> See *id.* at 151.

lobbying power in state legislations. For instance, "the statute that prevents Virginia schools from reconvening early in August is known as the Kings Dominion Law, in honor of an amusement park north of Richmond."<sup>50</sup> Thus, it is very likely major tourist industries could legislatively prohibit local districts from instituting year-round schooling.

*b. Impact on Non-institutional Learning and Family Life*

Many people believe that summers are valuable times for students to grow and learn outside of the classroom environment. For some students, summer serves as a time in which students can engage in social learning, internships, exposure to new cultures, and the opportunity to gain job experience. Summer camps enable students to pursue their interests, whether in sports, the arts, or an academic field (ex: space camp) through hands-on social learning environments.<sup>51</sup> Summer internships and

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<sup>50</sup> David Von Drehle, *The Case Against Summer Vacation*, TIME MAGAZINE U.S, July 20, 2010, <http://www.time.com/time/magazine/article/0,9171,2005863,00.html>

<sup>51</sup> See Camp Group, *Value of Summer Camp*, [http://www.campgroup.com/advantage\\_value.htm](http://www.campgroup.com/advantage_value.htm) (arguing the benefits of summer camp) ("Camp remains one of the few institutions where young people can experience and satisfy their need for physical activity, creative expression and true participation in a safe community environment. The atmosphere is one in which children learn about living, working, and playing together and making positive contributions to their community. In addition, campers typically learn a healthy respect for

jobs are useful learning opportunities for students in which students gain valuable experience,<sup>52</sup> have the opportunity to assess whether they will one day like to go into a particular field, and can demonstrate their work-ethic for college and employment applications.

With full-year schooling, students will have decreased opportunities to fully submerge themselves in non-institutional learning, and thus, will find it more difficult to differentiate their jobs and college applications from other students' applications. Thus, it is likely that many parents and communities would object to year-round schooling that would negatively impact student ability to engage in non-institutional learning. This is particularly the case for affluent communities where students are economically able to attend camps and obtain prestigious internships or jobs.

Polls have consistently shown that public opinion does not support year-round schooling, with the majority of adults

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nature. Camp also teaches the socialization skills needed to cope in the real world.").

<sup>52</sup> See Del Jones, *CEOs value lessons from teen jobs*, USA TODAY, June 6, 2008, [http://www.usatoday.com/money/companies/management/2008-06-05-summer-jobs-ceos\\_N.htm](http://www.usatoday.com/money/companies/management/2008-06-05-summer-jobs-ceos_N.htm) (CEOs explain that unfavorable summer jobs are valuable learning opportunities, and are valued assets).

favoring the current system.<sup>53</sup> While a variety of factors likely contribute to the public's general opposition to year-round schooling, many advocates for maintaining the status quo assert that year-round schooling will harm familial relationships through not providing ample opportunity for families to vacation and spend quality time together.<sup>54</sup>

*c. Lack of Funding*

In the current difficult fiscal times, many states have cut back on educational funding.<sup>55</sup> Many argue that implementing year-round schooling would be too costly, as it would lead to increased spending on teacher and staff salaries, facility utilities/upkeep, and the air conditioning unit installations and costs.<sup>56</sup> Furthermore, opponents argue that current school

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<sup>53</sup> M. Alex Johnson, *Year-round school gains ground around U.S.*, MSNBC.COM, Oct. 27, 2010, [http://www.msnbc.msn.com/id/39748458/ns/us\\_news-life/#.T4s9nyOnncE](http://www.msnbc.msn.com/id/39748458/ns/us_news-life/#.T4s9nyOnncE).

<sup>54</sup> Margaret A. Peercy & Ken W. McCleary, *The Impact of the Year-Round School Calendar on the Family Vacation: An Exploratory Case Study*, JOURNAL OF HOSPITALITY & TOURISM RESEARCH, Oct. 2010, PDF available at <http://jht.sagepub.com/content/35/2/147.full.pdf+html>.

<sup>55</sup> See, e.g., Kimberly Hefling, *School Budget Cuts: Educators Fear Deepest Cuts Are Ahead*, Huffington Post, Oct. 24, 2011, [http://www.huffingtonpost.com/2011/10/24/schools-fear-worst-budget-cuts\\_n\\_1028054.html](http://www.huffingtonpost.com/2011/10/24/schools-fear-worst-budget-cuts_n_1028054.html) ("Already, an estimated 294,000 jobs in the education sector have been lost since 2008, including those in higher education.").

<sup>56</sup> Erica Werner, *Obama: School Year Should Be Longer*, Huffington Post, Sept. 27, 2010, [http://www.huffingtonpost.com/2010/09/28/obama-school-year-should-\\_n\\_741338.html](http://www.huffingtonpost.com/2010/09/28/obama-school-year-should-_n_741338.html) ("One issue is money, and although the

budgets cannot accommodate the needs of year-round schooling, and thus, it is unrealistic to expect schools to modify their current schedules.<sup>57</sup>

## **Part VI. Recommendations and Conclusions**

With research showing that the average United States student loses academic knowledge over the summer, it is essential that year-round programs be available to communities and children. Though there is a great amount of educational and social value in participating in summer camps, internships, or jobs, such opportunities are not available to all children, and thus, many children spend their summers bored and in front of the T.V. instead of actively pursuing their interests and experiencing new academic areas. Year-round schooling would provide children with shortened periods away from academic

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president said that lengthening school years would be "money well spent," that doesn't mean cash-strapped states and districts can afford it.").

<sup>57</sup> See James Haug, *Majority of year-round school programs will return to nine-month programs*, LAS VEGAS REVIEW-JOURNAL, Apr. 9, 2010, <http://www.lvrj.com/news/vast-majority-of-year-round-schools-to-return-to-nine-month-schedule-90321322.html>; see also Henry J. Walters III, *Year-Round School, We Won't Pay For It*, COLUMBIA TRIBUNE, Nov. 14, 2009, <http://www.columbiatribune.com/news/2009/nov/14/year-round-school/> (arguing that school budgets are not designed to encompass year-round schooling, and that year-round schooling is not realistic where tax-payers are unwilling to increase educational budgets).

settings, and therefore would limit unproductive time and learning loss, greatly advancing the United States' ability to produce a globally competitive workforce.

All low-performing districts, particularly in urban areas, should be mandated to have some year-round educational program available to students. In order to decrease the achievement gap, it is essential that under performing students have consistent access to academic programs and resources. Year-round schooling is vital for under-privileged students because their families are, in most cases, unable to privately provide academic enrichment opportunities over the summer. Through mandating year-round education for underachieving students, our country can begin to combat the current academic achievement and employment gap.

With an anticipated large amount of push back from summer camps and vacation destinations, states can create an opt-out summer program in which students would be exempt from compulsory year-round education if the parent can show that the child will be engaged in a comparable academic program. In essence, states can treat the summer portion of year-round schooling as a separate term in which parents can send their children to a privatized program, or can engage in home schooling. Through the opt-out program, families will have the freedom to spend

time together, students will have the ability to engage in non-formalized learning, and states can ensure that students are not falling prey to summer learning loss.

Even in higher achieving and more affluent areas, academic summer programs are essential to continual academic progress. In today's society, there are a large number of single parent working households and households where both parents work. Thus, the majority of families must find summer/school vacation childcare, much of which is non-academic based. Districts and states should consider creating educational enrichment camps that would be available during vacation times (whether long summer vacation or the modified shorter vacations). Educational enrichment camps could serve to provide remedial review, time for experimentation and creative thinking, and operate as a social platform for student interaction. The further that schools and districts go to provide consistent and constantly available educational options the more efficient our educational system will become.

While funding is by far the largest obstacle in any form of educational reform, it is essential that legislators, taxpayers, and districts keep in mind that more efficient and effective educating will result in a more competitive and economically marketable workforce. In order to address the many concerns

about the United States' ability to compete globally, the nation must focus its attention on improving the education and career preparation of students. Some research has shown that in the long run, year-round schooling will greatly improve American test scores, and thus, reap great financial benefits.<sup>58</sup> Specifically, the Organization for Economic Cooperation and Development estimates that in "boosting our scores for reading, math and science by 25 points over the next 20 years, the United States would gain \$41 trillion over the lifetime of the generation born in 2010."<sup>59</sup> Policy makers should not be shortsighted when asserting the financial costs and benefits of year-round schooling. While there is no clear solution to the short-term funding problems, it is evident that summer academic opportunities are essential to creating a productive educational system, and thus, policy makers must find a way to implement year-round educational programs.

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<sup>58</sup> LZ Granderson, *We need year-round school to compete globally*, CNN OPINION, May 10, 2011, [http://articles.cnn.com/2011-05-10/opinion/granderson.yearround.school\\_1\\_year-round-school-math-and-science-international-student-assessment?\\_s=PM:OPINION](http://articles.cnn.com/2011-05-10/opinion/granderson.yearround.school_1_year-round-school-math-and-science-international-student-assessment?_s=PM:OPINION).

<sup>59</sup> *Id.*