

Date of Hearing:

ASSEMBLY COMMITTEE ON EDUCATION
Patrick O'Donnell, Chair
SB 328 (Portantino) – As Amended April 26, 2017

SENATE VOTE: 25-13

SUBJECT: Pupil attendance: school start time

SUMMARY: Provides that the schoolday for middle schools and high schools shall begin no earlier than 8:30 a.m. Specifically, **this bill:**

- 1) Provides that the schoolday for middle schools and high schools shall begin no earlier than 8:30 a.m. no later than July 1, 2020.
- 2) Specifies that this requirement does not apply to a zero period or an extra period offered before the start of the regular school day.
- 3) Provides that the governing board of a rural school district may request, and the State Board of Education (SBE) may authorize, a waiver to delay implementation of the school start time requirement for two years, if the governing board of the rural school district demonstrates a verifiable, significant economic hardship that would result from implementation.
- 4) Provides that the waiver may be for two years and, upon approval of the SBE, may be extended for up to an additional two years.

FISCAL EFFECT: According to the Senate Appropriations Committee:

- 1) Unknown Proposition 98 General Fund cost pressure, likely in the low millions, for schools to provide additional staff time for supervision before school.
- 2) Very significant local costs for school districts to provide home-to-school transportation services and for local collective bargaining activities.

COMMENTS: According to the Centers for Disease Control and Prevention, the average start time for middle and high schools in California was 8:07 a.m. in 2011-12. The distribution of start times was as follows:

- Before 7:30 a.m., 3.5% of schools
- 7:30 to 7:59 a.m., 27.7% of schools
- 8:00 to 8:29 a.m., 47.6% of schools
- 8:30 a.m. or later, 21.2% of schools

These data reflect the distribution of start times among schools; the distribution among students was not reported. In addition, these data were collected through a survey by the U. S. Department of Education, which asked the question: "At what time do most of the students in this school begin the school day?" The survey did not distinguish between the regular school day and zero periods, as this bill does. Therefore, the reported start times are likely to include

zero periods from schools in which most students attend a zero period class, so they are not necessarily an accurate reflection of the start times for the regular school day. Nevertheless, these data suggest that about one-fifth of California's schools are already in compliance with this bill, about one-half would need to delay their start times by 30 minutes or less, about one-fourth would need to increase their start times by 31 to 60 minutes, and fewer than 5% would need to increase their start times by at least 60 minutes to be in compliance.

Adolescent sleep patterns. A growing body of research indicates that the sleep patterns of adolescents are different from younger people and adults. The onset of puberty is accompanied by a change in the circadian rhythm, which affects the timing of melatonin secretion. This, in turn, affects the timing and quality of sleep. A report by the National Sleep Foundation states, "Studies show that the typical high school student's natural time to fall asleep is 11:00 p.m. or later."¹ The inability to fall asleep before 11:00 p.m., combined with early start times for school could result in sleep deprivation. Sleep deprivation in adolescents has been associated with several negative consequences, including increased tardiness and/or absenteeism, poor grades, depression, anxiety, high-risk behavior (such as drug addiction), and car accidents.² Delaying school start time from 8:00 to 8:30 a.m. has been shown to reverse these outcomes.³ The research on adolescent sleep needs and patterns has led the American Academy of Pediatrics to issue a policy statement that says, in part, "...the evidence strongly implicates earlier school start times (i.e., before 8:30 AM) as a key modifiable contributor to insufficient sleep, as well as circadian rhythm disruption in this population [adolescents]," and "a substantial body of research has now demonstrated that delaying school start times is an effective countermeasure to chronic sleep loss and has a wide range of potential benefits to students with regard to physical and mental health, safety, and academic achievement."⁴

Why schools have early start times. According to Start School Later, which describes itself as a "non-profit organization dedicated to healthy, safe, equitable school hours," most schools started around 9:00 a.m. until the 1970s and 1980s. The early start time is more closely aligned with parents' work schedules, which became an increasingly important consideration, especially as both parents entered the workforce. An earlier start time accommodates the needs of families to have a safe place for their children after both parents leave for work. Earlier start times also results in more time after school for athletics and extracurricular activities.

What effect would this bill have? The average start time in California is 8:07 am. This includes about a fifth of schools that already have a start time of 8:30 a.m. or later. Among the remaining schools, about 60% would need to delay their start times by 30 minutes or less. The rest would need to make larger adjustments.

In addition, this bill applies only to the regular school day and exempts zero periods from its requirements. In other words, a zero period still could start before 8:30 a.m. if this bill in

¹ National Sleep Foundation, "Adolescent Sleep Needs and Patterns: Research Report and Resource Guide," 2000.

² Edward B. O'Malley, and Mary B. O'Malley, "School Start Time and Its Impact on Learning and Behavior." In *Sleep and Psychiatric Disorders in Children and Adolescents*, (Anna Ivanenko, ed.), CRC Press, 2008; and Nathaniel F. Watson, *et al.*, "Delaying Middle School and High School Start Times Promotes Student Health and Performance: An American Academy of Sleep Medicine Position Statement." *Journal of Clinical Sleep Medicine*, Vol. 13, No. 4, 2017.

³ Judith A. Owens, Katherine Belon, and Patricia Moss, "Impact of Delaying School Start Time on Adolescent Sleep, Mood, and Behavior." *Archives of Pediatric Adolescence Medicine*, Vol. 164, No. 7, July 5, 2010.

⁴ American Academy of Pediatrics, "School Start Times for Adolescents." Policy Statement, 2014.

enacted. A zero period is an extra period that is offered before the start of the regular school day and is typically used for elective courses. According to the bill's supporters, the objective is to establish a *state* policy that is consistent with our current knowledge of adolescent biology, circadian rhythms, and health needs, while leaving a *local option* for school districts to offer classes prior to the start of the regular school day if they choose. To the extent districts exercise this option, the effect of this bill would be further minimized.

Impact on collective bargaining. Existing law includes "hours of employment" within the scope of collective bargaining [Government Code §3543.2(a)(1)]. Accordingly, to the extent this bill requires schools to change their existing start times, collective bargaining contracts would be affected. Many, if not most, existing collective bargaining contracts will expire prior to the effective date of this bill—July 1, 2020—but some existing contracts may still be in effect by then.

Should charter schools be included? Charter schools, which enroll about 10% of the state's pupils, are exempt from the requirements of this bill. There is no reason to believe that the sleep requirements of charter school pupils are any different from traditional school pupils, and supporters of the bill argue that all adolescents would benefit from later start times. Moreover, to the extent that this bill constrains the start time of traditional schools but not of charter schools, it would create an uneven playing field and put traditional schools at a disadvantage in the competition for enrollment. For these reasons, the committee may wish to consider if the bill should apply to charter schools.

Arguments in support. Supporters cite research showing (1) the negative effects of sleep deprivation among adolescents and (2) that start times of 8:30 a.m. or later reverses those effects. They assert that adolescent sleep deprivation "is a public health issue that deserves a serious immediate response," and that starting school later is a "simple and obvious fix." Supporters also argue that adolescents' brains are "hard wired" to not sleep before 11:00 p.m., so simply going to bed earlier is not a solution. Finally, they argue that schools benefit from later start times, because experience has shown that the later time results in increased attendance (which increases revenue), reduced tardiness, improved academic performance, and a lower incidence of behavioral problems.

Arguments in opposition. Opponents argue that the bill "does not consider the impact it creates on various levels from parent drop off times and their work hours; feasible hours for extra-curricular activities, physical education, and athletic programs; and school transportation hours that are coordinated with other local school campuses and city ordinances." Opponents also argue that "the local school board knows more than the state about the education programs and needs within its jurisdiction," and the school start time decision should remain "locally driven and collectively bargained."

REGISTERED SUPPORT / OPPOSITION:

Support

American Academy of Pediatrics
American Academy of Sleep Medicine
California Federation of Teachers

California Sleep Society
California State PTA
Children's Orthopedic Center at Children's Hospital Los Angeles
Congressmember Zoe Lofgren
Educate. Advocate
Fresno Unified School District
High School Parent Engagement Group
Los Angeles County Office of Education
Lucile Packard Children's Hospital Stanford
Manhattan Beach Unified School District's Board of Trustees
National Sleep Foundation
Pasadena Unified School District Board of Education
Public Advocates
San Jose State University Department of Child and Adolescent Development
South Pasadena Unified School District
Stanford University School of Medicine Department of Pediatrics
Many individuals

Opposition

California Association of School Business Officials
California School Boards Association
California Teachers Association

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