

FACT SHEET:

EDUCATIONAL LEAVE

Working parents need flexibility at work in order to participate in their children's education. Not only is such time important for parents, who want to be involved in their children's learning and growth, but studies have shown that children benefit immensely from having their parents engaged with their education.¹ Children with involved parents generally earn higher grades and test scores, attend school more regularly, and are also more likely to graduate and continue on to post-secondary education.² On the other hand, children whose parents are away from home after school and in the evening are more likely to test in the bottom quartile on achievement tests.³ Unfortunately, parents who most need flexibility to help their children with school problems, i.e. those whose kids are struggling with academics or discipline issues, are least likely to have such benefits.⁴ Supporting parental involvement in all families may help to address the persistent achievement gap between many minority and disadvantaged students and their white counterparts.⁵

Although many parents contribute to their children's educational advancement during non-work hours, by helping with homework and offering general support, certain school-related events, including parent-teacher conferences, often cannot be scheduled outside of business hours. Many parents find it extremely challenging to arrange for attendance at school and parent-teacher meetings.⁶ For such parents, the time demands of their employment are largely responsible for preventing their involvement in school-related activities.⁷ Minimal flexibility, i.e. a dozen or so hours a year of job-protected time off, can make a world of difference for parents who wish to attend these school events but do not, for fear of losing pay or even their jobs.⁸

STATE AND LOCAL EDUCATIONAL LEAVE LEGISLATION

Thirteen states and the District of Columbia have recognized the importance of this issue and have adopted educational leave laws.⁹ The laws vary as to whether provision of such leave is mandatory, how much time parents can take off, which employees are covered, which school events are covered, whether parents must work a certain number of hours a week to be eligible, how much notice parents

must give their employers before taking time off, and whether parents can or must substitute paid leave for unpaid educational leave. Below are a few highlights:

- California has the most generous leave law, in terms of hours, requiring that employers with 25 or more employees at the same location allow up to 8 hours of unpaid leave per month (no more than 40 hours per calendar year) for employees to participate in their children's school or daycare activities.
- The District of Columbia requires that all working parents be entitled to 24 hours of unpaid leave during any 12-month period to participate in a child's school-related events, including school and PTA-sponsored events, performances, sports games or practices and student meetings with teachers or counselors.
- Illinois restricts its mandatory 8 hours of unpaid educational leave to employees who have been employed at least half-time for at least 6 months and requires employees to exhaust all accrued vacation, personal, compensatory, or any other leave (other than sick or disability leave) before taking unpaid leave. Vermont and Rhode Island similarly restrict educational leave to employees who have been employed for an average of at least 30 hours per week.
- Colorado restricts its 18 hours of unpaid educational leave per academic year to non-supervisory and non-executive employees working for employers of 50 or more employees. Colorado employers can deny leave when an employee's absence may endanger a person's health or safety or result in a halt of service or production.
- Louisiana, Rhode Island and Colorado require employees to make a reasonable effort to schedule leave so as not to unduly disrupt the operations of their employers.
- Nevada law prohibits employers from terminating, demoting, suspending, or discriminating against employees who attend school conferences at the request of a child's school administrator, leave work when notified of a child's emergency, or use their 4 hours of unpaid educational leave per school year to attend or volunteer at a child's school-sponsored event or school-related activity.
- Tennessee allows state employees with children enrolled in schools to take off up to one day a month from work to participate voluntarily in the educational and teaching process.
- Vermont and Massachusetts provide leave for parents to participate in school activities directly related to the academic achievement of a child and to accompany their children to routine medical or dental appointments, such as check-ups and vaccinations.

Eleven other states, including New York, have considered educational leave bills in their state legislatures.¹⁰ In addition, Illinois has considered amending its School Visitation Rights Act to extend the allotted leave from 8 to 24 hours and delete the provision requiring exhaustion of accrued vacation leave. Like the existing state educational leave laws, the proposed bills vary considerably with regard to hours allowed and conditions for eligibility. Most importantly, however, these bills show that state legislators around the country recognize job-protected educational leave as vital to the health of American families.

EDUCATIONAL LEAVE IN NEW YORK CITY

The time is ripe for educational leave in New York City as well. In March of 2007, Mayor Bloomberg announced the launch of *Opportunity NYC*, a conditional cash transfer program

inspired by a similar program in Mexico, which is aimed at helping New Yorkers break the cycle of poverty. The program seeks to help families make better decisions for their future by providing them with financial incentives. *Opportunity NYC* will target 2,550 families in six of the poorest communities in the city: Central and East Harlem in Manhattan, Brownsville and East New York in Brooklyn, and Morris Heights/Mount Hope and East Tremont/Belmont in the Bronx.¹¹

Families with incomes at or below 130% of the federal poverty level (approximately \$22,000 for a family of three), and who have at least one child in public school in a critical transition year (fourth, seventh, or ninth grade) are eligible to enroll.¹²

The privately-funded pilot program will provide monetary incentives to “promote school attendance, parental engagement, achievement, and improved performance on standardized tests.”¹³ For example, parents can earn \$25 for attending parent-teacher conferences and \$25 for reviewing their children’s Regents exams and discussing those results with their children’s teachers.¹⁴ The program also provides financial incentives for parents to take their children to routine medical and dental visits. Families can earn up to \$50 for maintaining health insurance for all children in the household and may earn from \$100 to \$200 per family member for preventative health screenings and \$100 per family member for preventative dental care.¹⁵

The fact that *Opportunity NYC* pays a low-income parent who takes a child to the doctor or who attends a school conference certainly eases the financial burden if the parent has to miss work. But the program could more directly address the fact that many parents risk losing their jobs if they take time off from work. The problem arose in Mexico as well, where parents often could not get permission to take time off for medical appointments and had trouble staying eligible for benefits.¹⁶ This experience indicates that financial incentives alone may not be enough to ensure the participation of parents in school activities and medical appointments that must be scheduled during working hours. Job security is an essential ingredient for success.

Mayor Bloomberg’s *Opportunity NYC* pilot program began in September 2007. If the privately-funded pilot program is a success, the Mayor hopes that public money will eventually fund a more expansive version of the program.¹⁷ We hope that the Mayor will consider incorporating job protection into the benefits of the *Opportunity NYC* program. In addition, we urge city officials to take action to ensure educational leave for all working parents in the city.

¹ *A New Wave of Evidence: The Impact of School, Family, and Community Connections on Student Achievement*, National Coalition for Parent Involvement, *available at*

<http://www.ncpie.org/WhatsHappening/researchJanuary2006.html>; *see also* A.B. 1607, 2006 Leg., 212th Sess. (N.J. 2006) (“Studies show that parental involvement is key to a child’s success, especially academic success. The importance of communication between parents and teachers, relative to the progress of their children . . . cannot be underestimated.”); Jody Heymann, *THE WIDENING GAP: WHY AMERICA’S WORKING FAMILIES ARE IN JEOPARDY—AND WHAT CAN BE DONE ABOUT IT*, 53 (2000) (“One of the most important factors affecting how children fare in school is parental involvement.”).

² *A New Wave of Evidence* (January 2006).

³ Heymann, *THE WIDENING GAP*, 57.

⁴ *Id.* at 53.

⁵ *Id.*

⁶ Jean Flatley McGuire and Kaitlyn Kenny, *Workplace Flexibility 2010: Facts on Short Term Time Off*, *available at* http://www.law.georgetown.edu/workplaceflexibility2010/definition/general/STO_FactSheet.pdf.

⁷ *See* Heymann, *THE WIDENING GAP*, 53 (finding that parents nationwide lack the paid leave and flexibility necessary to take time from work in order to help their children with school problems); Heather Weiss, et. al., *Making It Work: Low-Income Working Mothers’ Involvement in Their Children’s Education*, Harvard Family Research Project, January 2007, *available at* http://www.gse.harvard.edu/hfrp/projects/fine/resources/digest/obstacles.html#_ftn1 (finding that mothers who worked part time had higher levels of involvement in their children’s school than did mothers who worked full time).

⁸ *See, e.g.*, 880 Ill. Comp. Stat. § 147/5 (finding that “the basis of a strong economy is an educational system reliant upon parental involvement” and stating legislative intent “to permit employed parents and guardians who are unable to meet with educators because of a work conflict the right to an allotment of time during the school year to attend necessary educational or behavioral conferences at the school their children attend”); Heymann, *THE WIDENING GAP*, 53 (finding that too many parents lack the paid leave and flexibility they need to take time from work to help their children with school problems).

⁹ These states are California, Colorado, Hawaii, Illinois, Louisiana, Massachusetts, Minnesota, Nevada, North Carolina, Rhode Island, Tennessee, Texas and Vermont.

¹⁰ These states are Georgia, Iowa, Maryland, Mississippi, New Jersey, New York, Ohio, Pennsylvania, South Carolina, West Virginia and Wisconsin.

¹¹ *Mayor Bloomberg Releases Incentives Schedule for Opportunity NYC, Aimed at Helping New Yorkers Break the Cycle of Poverty*, Press Release, June 18, 2007.

¹² *Id.*

¹³ *Id.*

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Ray Rivera, *In Mexican Town, Maybe a Way to Reduce Poverty in New York*, *New York Times*, April 25, 2007.

¹⁷ *Id.*