
Education Committee

HB 1492

Brief Description: Concerning waivers from school year requirements for purposes of economy and efficiency.

Sponsors: Representatives Klippert, McCoy, Haler, Pettigrew, Moscoso, Hayes, Hargrove, Buys and Hawkins.

Brief Summary of Bill

- Removes some limitations on school district waivers of the 180 school day requirement for purposes of economy and efficiency.
- Removes the expiration date for economy and efficiency waivers.
- Removes the requirement that the State Board of Education (SBE) provide a report to the Legislature with respect to economy and efficiency waivers.

Hearing Date: 2/15/13

Staff: Luke Wickham (786-7146).

Background:

Minimum Instructional Requirements.

A school district's basic educational program must consist of a minimum of 180 school days per school year. Currently, for students enrolled in grades one through 12, school districts must make available at least a district-wide annual average of 1,000 hours. In the future, this must be increased to at least 1,080 instructional hours for students enrolled in grades seven through 12, according to an implementation schedule adopted by the Legislature, but not before the 2014-15 school year.

Waivers.

The State Board of Education (SBE) is authorized to adopt rules regarding compliance with the program requirements of Basic Education, graduation requirements, accountability, and other specified matters. School districts are currently allowed to seek waivers of certain laws and rules

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under prescribed circumstances. The SBE may grant waivers of program requirements, including minimum instructional hours, the length of the school year, and student-teacher ratios, if the waivers are necessary to implement "a local plan to provide an effective education system designed to enhance the educational program for each student." The SBE or the Superintendent of Public Instruction are also authorized to grant waivers of these same requirements "in order for a district to implement a plan for restructuring its educational program."

In addition, pursuant to authority granted by the Legislature in 2009, the SBE has authority to waive the 180-day requirement for districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency. Only five school districts are eligible for these waivers, two of which have student populations under 150 and three of which have student populations between 150 and 500. The requirement of an annual average of at least 1,000 instructional hours may not be waived. Currently, two districts are receiving these waivers for purposes of economy and efficiency.

School districts seeking such a waiver must submit:

- a proposed calendar showing how the instructional hour requirement will be met;
- an explanation and estimate of the economies and efficiencies to be gained;
- an explanation of how the monetary savings will be redirected to support student learning;
- a summary of public comments received at public hearing on the proposal together with an explanation of how the concerns will be addressed;
- an explanation of the impacts on students who rely on free and reduced lunch and on the ability of the child nutrition program to operate an economically independent program;
- an explanation of the impact on employee recruitment;
- an explanation of the impact on students whose parents work during the missed school day; and
- other information as requested by the SBE to assure that the proposal will not adversely affect student learning.

Such a waiver may be granted for up to three years. All such waivers expire August 31, 2014.

By December 15, 2013, the SBE must examine these waivers and recommend to the education committees of the Legislature whether this program should be continued, modified, or allowed to terminate. This recommendation must focus on whether the waiver program resulted in improved student learning as demonstrated by empirical evidence.

Summary of Bill:

The requirement that school districts who obtain waivers of the 180-day requirement for purposes of economy and efficiency still provide an annual average of 1,000 instructional hours is modified to require these school districts to meet minimum instructional hour offerings. One of the application components for school districts seeking a waiver from the SBE for purposes of economy and efficiency is modified to require an explanation of the impact on employees in education support positions.

Many of the limitations on waivers for purposes of economy and efficiency are removed, including:

- that no more than five districts may be granted waivers;
- that certain waivers only be granted to districts with a certain number of students; and
- the limit on the number of waiver renewals a district may seek, although the time period for which a waiver may be granted remains a maximum of three years.

The waiver expiration date and expiration date of the section are removed. The requirement that the SBE examine the economy and efficiency waivers and make recommendations to the Legislature by December 15, 2013 is removed.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.