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## Education Committee

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### HB 2215

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

**Sponsors:** Representatives Klippert, McCoy, Hargrove, Hunt, Fagan, Billig and Angel.

**Brief Summary of Bill**

- Removes certain limitations on economy and efficiency waivers from the 180-day school year requirement.
- Strikes the requirement that the State Board of Education report to Legislature in 2013 with respect to waivers granted for purposes of economy and efficiency.

**Hearing Date:** 1/26/12

**Staff:** Cece Clynych (786-7195).

**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 twelve, 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 and at least 1,000 instructional hours for students in grades one through six, 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 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

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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.

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 impact upon students who rely on free and reduced lunch and the impact on the ability of the child nutrition program to operate an economically independent program;
- an explanation of impact upon 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 with an opportunity to reapply for an extension. 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:**

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

- There are no limitations upon the number of school districts that may be granted such waivers.
- Waivers are not limited by student population but are available to all school districts.
- While the time period for which a waiver may be granted remains at three years, there is no limit on the number of renewals a district may seek.

The expiration date is removed. The requirement that the SBE examine the waivers and make recommendations to the Legislature by December 15, 2013 is removed.

There is still a requirement that a district granted a waiver must continue to offer the requisite number of instructional hours, but the reference to "an annual average instructional hour offering of at least one thousand hours" is stricken, and instead it is restated in terms of "minimum instructional hour offerings".

**Appropriation:** None.

**Fiscal Note:** Requested on January 19, 2012.

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