

# SENATE BILL REPORT

## SB 5982

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As of January 23, 2014

**Title:** An act relating to preserving K-12 instructional time.

**Brief Description:** Preserving K-12 instructional time.

**Sponsors:** Senator Ericksen.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/22/14.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Staff:** Susan Mielke (786-7422)

**Background:** One of the statutory basic education requirements is that school districts must offer 180 school days of instruction per year. A school day is defined as each day of the school year on which pupils enrolled in the common schools of a school district are engaged in academic and career and technical instruction planned by, and under the direction of, the school. There is no minimum number of hours in a school day.

The State Board of Education (SBE) is charged with assuring compliance with basic education provisions. Both SBE and the Office of Superintendent of Public Instruction (OSPI) are statutorily authorized to grant waivers from compliance with Basic Education provisions under certain circumstances. A late start of the instructional day or an early release of students is considered a school day counting toward the required 180 days and does not require a school district to seek a waiver.

OSPI is authorized to establish rules for a school district to receive full state basic education funding when at least one school in the district is unable to meet the 180-day requirement due to an unforeseen natural event, mechanical failure, or action or inaction by a person. Current law provides that a condition is foreseeable if, "a reasonably prudent person would have anticipated prior to August first of the preceding school year that the condition probably would occur during the ensuing school year. . ." OSPI rules limit this exception to the 180-day requirement to three days per school year.

**Summary of Bill:** The Legislature intends to preserve instructional time offered to students in all grades K-12 by limiting the number of late start and early release days occurring during

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the minimum required 180-day school calendar. Late start or early release of students resulting in partial days of instruction must be limited to no more than seven occurrences during the required minimum 180-day school year, except for unforeseen events. If a school district chooses to seek a waiver from OSPI or SBE to implement more than seven late starts or early releases then each additional partial day must count for no more than one-half day for the purposes of the allocation and distribution of state funds.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Partial days of instruction are not effective or efficient for students or parents. One hundred eighty days should mean 180 full days and not partial days.

CON: This is a slap in the face of local control. Late starts and early releases are used to provide professional development for teachers and principals and for other important activities, such as meeting with parents. This time is the only way to get time for training and/or collaboration for teachers and principals, which is necessary for staff to be able to continuously improve and help their students. Professional development is also necessary to focus on implementing the changes that the Legislature has passed, including the new teacher and principal evaluations and the new common core state standards. It is up to the local school board to be able to explain to the community why late starts and early releases benefit the students and the teachers. Everyone in the school is held accountable for making sure that this time is used wisely. Do not limit the time we need for improvement. Districts have students with different needs and therefore need different amounts of time. Without the late start and early releases, schools will be forced to use substitutes. If the Legislature wants to take some kind of action in this area it should first get a report on how the schools are using their time.

OTHER: Freedom Foundation is concerned with the use of tax funds; what does it buy when the day is shortened? Payroll is a part of where the money goes. It is important for families to know what they are getting for their tax dollars. It is not good for the students to have a jumbled and shortened day. Sometimes the time is used wisely, but not always. There is a need to get the data to know how this time is being used.

**Persons Testifying:** PRO: Senator Ericksen, prime sponsor.

CON: Jim Kowalkowski, Davenport School District & Rural Ed. Center; Lucinda Young, WA Education Assn.; Michael Howe, Director, Sequim School District; Roberta Kramer, Riverside School District; Brian Talbott, Nine Mile Falls School District; Randy Russell, Freeman School District; Pam Veltri, Medical Lake School District; Jean Marchinski, West Valley School District; Jerry Bender, Assn. of WA School Principals; Charlie Brown, Schools Alliance.

OTHER: Jami Lund, Freedom Foundation.