

SENATE BILL REPORT

ESSB 6242

As Amended by House, March 6, 2014

Title: An act relating to waivers from the one hundred eighty-day school year requirement.

Brief Description: Concerning waivers from the one hundred eighty-day school year requirement.

Sponsors: Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators King, Rolfes, Litzow, Billig, Fain, Chase and McAuliffe).

Brief History:

Committee Activity: Early Learning & K-12 Education: 1/31/14, 2/06/14 [DPS, w/oRec].

Passed Senate: 2/17/14, 48-0.

Passed House: 3/06/14, 86-9.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: That Substitute Senate Bill No. 6242 be substituted therefor, and the substitute bill do pass.

Signed by Senators Litzow, Chair; Dammeier, Vice Chair; McAuliffe, Ranking Member; Rolfes, Assistant Ranking Member; Billig, Brown, Cleveland, Fain, Hill and Rivers.

Minority Report: That it be referred without recommendation.

Signed by Senator Mullet.

Staff: Susan Mielke (786-7422)

Background: In 2009 the Legislature created a pilot program authorizing the State Board of Education (SBE) to grant waivers from the 180-day school year calendar to enable small school districts to operate on a flexible school calendar. The school districts are still required to meet the minimum number of instructional hours required by law. The waivers are limited to two waivers for small school districts with fewer than 150 students and three waivers for school districts with 151–500 students. The waivers may be granted for up to three years. After each school year SBE must determine whether the flexible calendar is adversely affecting student learning. If SBE determines that student learning is adversely affected then the school district must discontinue the flexible calendar. The Bickleton and Patterson school districts have implemented a four-day school week using these waivers since January 2010. The pilot program will end August 31, 2014.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The 2009 legislation also required SBE to recommend whether the waiver program should be continued, modified, or allowed to end. At the November 2013 SBE meeting, SBE recommended that the waivers be allowed to continue for an interim period.

The 2013-15 operating budget provided \$97 million to increase the minimum number of instructional hours from 1000 hours averaged across the school district to 1080 hours for students enrolled in grades seven through 12, beginning with the 2014-15 school year.

Summary of Engrossed Substitute Bill: The expiration date for the waiver program is removed. The requirement to provide the minimum number of instructional hours is retained, but the phrase "at least 1000" hours is removed. The limit of a total of five waivers and the cap of 500 students is maintained, but removes the limit of two waivers for districts below 150 students and three waivers to school districts with 151–500 students. Terminology referencing the statewide student assessments is updated.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Staff Summary of Public Testimony on Original Bill: PRO: The small school districts operating on a four-day school week are getting great results. The teachers, administrators, and community all like the four-day school week, and they are getting great results with their students. It is one tool that is helping some districts, so if it is working then we should not take that tool away from them. We support this because these school districts worked with their communities to implement this and we support that kind of dialog. SBE supports the cap differential being removed while maintaining the cap of five so the waiver is more flexible.

CON: We oppose this policy. There are no studies that show significant improvement in student achievement. SBE did not find significant improvement in student achievement but still recommended continuing the policy. It also does not save a significant amount of funding. It only cuts the days that classified staff can earn money. It also impacts the classified staff insurance and pensions. You could allow this to continue for only those school districts that currently have the waiver.

Persons Testifying: PRO: Senator King, prime sponsor; Julia Suliman, SBE; Marie Sullivan, WA State School Directors Assn.

CON: Lucinda Young, WA Education Assn.; Doug Nelson, Public School Employees.

House Amendment(s): The requirement that school districts may not waive the annual average instructional hour offering is changed to require that districts offer a minimum instructional hours offering. In addition to other waiver application requirements, districts must explain the

impact of the waiver on employees in education support positions. The waivers remain limited to five school districts, but the language requiring that two of the waivers be granted to districts with fewer than 150 students and three of the waivers be granted to districts with 150–500 students is restored. The description of how students will be counted is removed. Both the waivers and the section expire August 31, 2017.