

# SENATE BILL REPORT

## SB 5092

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As of January 23, 2019

**Title:** An act relating to providing flexibility to school districts by authorizing school district waivers.

**Brief Description:** Providing flexibility to school districts by authorizing school district waivers.

**Sponsors:** Senator Fortunato.

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/25/19.

**Brief Summary of Bill**

- Authorizes the Washington State Board of Education to grant waivers of state laws and rules to schools, within limits.
- Authorizes school districts to use the savings that result from a waived law or rule after providing an award to the school and teacher that developed the idea.

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

**Staff:** Alex Fairfortune (786-7416)

**Background:** 180-Day School Year Waivers. The Washington State Board of Education (SBE) has authority to grant waivers for the minimum 180-day school year requirement. Waivers may be granted either to enhance the educational program for each student or for the purposes of economy and efficiency.

Equivalency Course Waivers. Beginning January 1, 2019, districts with fewer than 2000 students may apply to the Office of the Superintendent of Public Instruction (OSPI) for a waiver from provisions relating to career and technical education course equivalencies. SBE is authorized to adopt rules establishing the criteria for evaluating these waivers.

**Summary of Bill:** The bill as referred to committee not considered.

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*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.*

**Summary of Bill (Proposed Substitute):** SBE may grant waivers, or partial waivers, to schools for some state laws and rules. To apply, a school principal must submit an application to SBE indicating the requested laws and rules to be waived, and a supporting rationale for how the waiver will improve student learning or the delivery of education services in the school. SBE must provide time for review and comment at a public meeting for all waiver requests and submit a list of all granted waivers to OSPI.

OSPI must establish an advisory committee composed of OSPI staff, school district board members, and teachers to develop criteria to be considered in making waiver determinations. These criteria must be reviewed and updated every two years.

Laws and rules regarding the following may not be waived:

- compliance with health, safety, parents' rights, civil rights, and nondiscrimination;
- programs of basic education;
- employment of certificated instructional staff;
- compliance with employee record check requirements;
- adherence to accounting principles and financial examinations and audits;
- compliance with the annual performance report, open public meetings, and public records; and
- compliance with state constitutional provisions.

School districts are authorized to use any savings that result from not having to implement a waived law or rule. A portion of the savings must be provided to the first school to request the waiver, as well as to the first teacher who developed the idea. No award may be granted in excess of \$10,000 or ten percent of the savings, whichever is less.

**Appropriation:** None.

**Fiscal Note:** Available. New fiscal note requested on January 23, 2019.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

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