
Education Committee

HB 1131

Brief Description: Concerning the emergency waiver of instructional hours and days at private schools.

Sponsors: Representatives Rude and Callan; by request of State Board of Education.

Brief Summary of Bill

- Authorizes the State Board of Education to adopt rules establishing the terms and conditions for allowing private schools to maintain their approval status when they are unable to meet minimum school days or instructional hours requirements due to a significant disruption resulting from an emergency.

Hearing Date: 1/15/21

Staff: Ethan Moreno (786-7386).

Background:

State Board of Education.

With origins predating statehood, the 16-member State Board of Education (SBE) is comprised of five members elected by geographic regions by school board directors, one member elected by private school directors, seven members appointed by the Governor, the Superintendent of Public Instruction, and two non-voting student members.

The SBE has various duties and powers prescribed in statute, including:

- providing advocacy and strategic oversight of public education;
- establishing high school graduation requirements or equivalencies; and
- approving and accrediting private schools according to requirements established by the

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SBE.

Private Schools.

State law specifies that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students and to insure a sufficient basic education to meet usual graduation requirements.

In accordance with the SBE's authority to approve private schools for operation, the administrative or executive authority of private schools or private school districts must annually file with the SBE a statement certifying that the minimum statutory requirements governing private schools are being met, noting any deviations. After review of the statement, the SBE must notify schools or school districts of any concerns, deficiencies, and deviations that must be corrected.

Among other obligations, the minimum requirements for private schools specify that the school year for instructional purposes must be no less than 180 school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of 1,000 hours for students enrolled in grades one through 12, and at least 450 hours for students enrolled in kindergarten.

Summary of Bill:

The SBE may adopt rules establishing the terms and conditions for allowing private schools to maintain their approval status when private schools are unable to fulfill the requirement of a full school year of 180 days or the annual average total instructional hour offering required by law due to a significant disruption resulting from an emergency.

For purposes of the rulemaking authority, "emergency" is defined as a natural event, mechanical failure, or an action or inaction by one or more persons, including negligence and threats, that: is beyond the control of both a private school and its employees; and has the direct or indirect effect of rendering one or more school facilities unsafe, unhealthy, inaccessible, or inoperable.

The term "emergency" does not include any labor or personnel dispute between the administrative or executive authority of a private school and any employee of the private school.

Appropriation: None.

Fiscal Note: Requested on January 13, 2021.

Effective Date: The bill contains an emergency clause and takes effect immediately.