

HOUSE BILL REPORT

HB 2476

As Passed Legislature

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: Representatives Johnson, Santos, Magendanz, Chandler, S. Hunt, DeBolt, Blake, McCabe, Reykdal, Tharinger, Dent, Hawkins, Rossetti, Muri, Haler and Hargrove.

Brief History:

Committee Activity:

Education: 1/25/16, 1/28/16 [DP].

Floor Activity:

Passed House: 2/17/16, 98-0.

Passed Senate: 3/1/16, 47-0.

Passed Legislature.

Brief Summary of Bill

- Authorizes the State Board of Education (SBE) to continue granting waivers to school districts from the 180-day minimum school year requirement by eliminating an August 31, 2017 expiration of its authority to issue waivers.
- Deletes a provision specifying that all waivers to the 180-day minimum school year requirement granted to school districts by the SBE expire on August 31, 2017.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass. Signed by 19 members: Representatives Santos, Chair; Ortiz-Self, Vice Chair; Magendanz, Ranking Minority Member; Muri, Assistant Ranking Minority Member; Stambaugh, Assistant Ranking Minority Member; Bergquist, Caldier, Griffey, Hargrove, Hayes, S. Hunt, Kilduff, Klippert, Kuderer, McCaslin, Orwall, Pollet, Rossetti and Springer.

Staff: Ethan Moreno (786-7386).

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.

Background:

The State Board of Education (SBE), the 16-member board charged with providing advocacy and strategic oversight of public education, has limited authority to grant waivers from a statutory requirement specifying that each school year must consist of no less than 180 days. Waivers from the 180-day requirement granted by the SBE must be for purposes of school district economy and efficiency, and may not reduce the minimum student instructional hours required by law.

A school district seeking a waiver to the 180-day school year requirement must satisfy numerous application criteria, including providing:

- an explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than 180 days;
- an explanation of how monetary savings from the proposal will be redirected to support student learning;
- an explanation of the impact on employees in education support positions and the ability to recruit and retain employees in education support positions; and
- other information that the SBE may request to assure that the proposed flexible calendar will not adversely affect student learning.

In accordance with evaluation criteria adopted by the SBE, the SBE may grant waivers to five or fewer districts, and the maximum term of the waiver may not exceed three years. Of the five waivers that may be granted, two must be granted to school districts with student populations of fewer than 150 students, and three must be granted to school districts with student populations of between 151 and 500 students.

After each school year, the SBE must analyze empirical evidence to determine whether the reduction is affecting student learning. If the SBE determines that student learning is adversely affected by the issuance of a waiver, the school district must discontinue the flexible calendar as soon as possible but no later than the beginning of the next school year following the determination.

The authority of the SBE to issue waivers to school districts from the 180-day requirement expires on August 31, 2017, and all waivers issued by the SBE expire on August 31, 2017.

Summary of Bill:

The authority of the SBE to grant waivers to school districts from the 180-day minimum school year requirement is preserved without expiration. A provision specifying that all 180-day school year waivers granted to school districts by the SBE will expire on August 31, 2017, is deleted. Non-substantive technical changes to the underlying statute are made.

Appropriation: None.

Fiscal Note: Not requested.

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

Staff Summary of Public Testimony:

(In support) About two years ago Representative Santos requested to see small, remote school districts and how their problems differ from those of larger districts. In 2009 small, remote school districts approached the Legislature about obtaining flexibility for their school year calendars. Because these districts are so geographically large, there are hardships associated with traveling for school activities, including sporting events. These small districts proposed, and in 2009 Representative Newhouse sponsored, a bill to allow the SBE to grant waivers to the 180-day school year requirement. As part of this proposal, the districts planned to increase Monday through Thursday schedules by one hour, and to use Fridays for school activities.

In 2007 Bickelton schools began corresponding with SBE about the waiver issue. Bickelton is a 500 square mile district, with just under 100 students. The district is in a high-elevation area that is affected by winter weather, and the nearest gas station is 25 miles away. The challenge for the district is to keep a quality education program going with the resources that it has. The waiver law has saved the district \$40,000 in transportation costs, plus costs for fuel and heating. The district satisfies the minimum hour requirements and has flexibility with Fridays, days that can be used for professional development. The waiver has been good for the district, as student absenteeism is down, and it has worked well for students and teachers.

(Opposed) None.

(Other) Before the waiver law was amended in 2014, the SBE was required to make a recommendation about the waiver program to the Legislature. The accompanying study was to examine empirical evidence regarding improved student learning, and to recommend whether the waiver program should be continued, modified, or discontinued. In its 2013 report, the SBE discussed limitations associated with the report and found no discernable improvement on student achievement. The SBE also examined the financial impacts to districts and had analytical difficulties determining district savings. The SBE recommended that the waivers be allowed to continue for an interim period and indicated that the associated data was inconclusive.

Persons Testifying: (In support) Representative Johnson, prime sponsor; and Ric Palmer, Bickleton Schools.

(Other) Jack Archer, State Board of Education.

Persons Signed In To Testify But Not Testifying: None.