

SENATE BILL REPORT

EHB 1131

As Passed Senate, February 16, 2021

Title: An act relating to the emergency waiver of instructional hours and days at private schools.

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 History: Passed House: 1/27/21, 96-0.

Committee Activity: Early Learning & K-12 Education: 2/05/21, 2/08/21 [DP].

Floor Activity: Passed Senate: 2/16/21, 47-0.

Brief Summary of Bill

- Grants the State Board of Education the authority to establish terms and conditions for allowing private schools to maintain approval status when unable to fulfill certain requirements due to an emergency.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass.

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hawkins, Ranking Member; Dozier, Hunt, McCune, Mullet and Pedersen.

Staff: Benjamin Omdal (786-7442)

Background: State Board of Education. 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.

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

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;
- identifying scores students must meet to achieve standard on statewide assessments; and
- approving and accrediting private schools according to requirements established by the SBE.

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

Minimum requirements that private schools must follow include, among others, a school year of at least 180 days or the equivalent in annual minimum instructional hour offerings with a school-wide annual average of 1000 instructional hours for grades 1 through 12, and 450 hours for students enrolled in kindergarten.

The administrative or executive authority of private schools must annually file a statement with the SBE certifying compliance with these requirements, noting any deviations. After review of the statement, the SBE must notify schools or school districts of any concerns, deficiencies, and deviations which must be corrected.

Summary of Bill: The SBE may adopt rules and regulations that establish the terms and conditions for allowing private schools to maintain their approval status when private schools are unable to fulfill the requirements of a full 180-day school year or the annual average total instructional hours due to a significant disruption resulting from an emergency.

"Emergency" is defined as an event or set of circumstances that demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences; or reaches such a dimension or degree of destructiveness to warrant the Governor proclaiming a state of emergency.

Appropriation: None.

Fiscal Note: Available.

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

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

Staff Summary of Public Testimony: PRO: This bill provides private schools similar

flexibility as public schools. Temporary authority was granted last year but has since expired. Private schools do not expect to need flexibility but want to make sure that they have the flexibility if need be.

Persons Testifying: PRO: Representative Skyler Rude, Prime Sponsor; Randy Spaulding, State Board of Education.

Persons Signed In To Testify But Not Testifying: No one.