

FINAL BILL REPORT

SHB 1292

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Synopsis as Enacted

Brief Description: Authorizing waivers from the one hundred eighty-day school year requirement in order to operate under a flexible calendar.

Sponsors: House Committee on Education (originally sponsored by Representatives Newhouse, Chandler and Simpson).

House Committee on Education
House Committee on Education Appropriations
Senate Committee on Early Learning & K-12 Education

Background:

School Day and Hour Requirements.

A school district's basic educational program must consist of a minimum of 180 school days per school year in such grades from 1 through 12 as are offered by the district. For kindergarten, a district must offer 180 half-days or its equivalent of instruction. Hourly instructional requirements include, at least 450 hours for kindergarten and a district-wide annual average of 1,000 hours for grades 1 through 12.

The State Board of Education (SBE) has authority to grant waivers from these requirements but its authority is limited and does not include the power to grant waivers for purposes of economy and efficiency. Waivers may be granted to implement a plan for restructuring the educational program to improve student achievement or to implement a local plan to provide for an effective education system for all students, including alternative ways to provide effective educational programs for students who experience difficulty with the regular education program. With respect to waivers from the 180-day requirement, the district must assure that it will continue to meet the annual average 1,000 hours of instructional time.

The Four-Day School Week.

The vast majority of the nation's schools operate on a five-day school week. It is estimated, however, that about 100 school districts in 17 states have implemented a four-day school week. Most of these are small school districts in rural, sparsely populated areas in which the students face long commutes. In the 1970s during the energy crisis, New Mexico became the first state to allow a four-day school week. Today, there are four-day school weeks in at least some schools in Arizona, Colorado, Kansas, New Mexico, Michigan, Oregon, South Dakota,

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Wisconsin, Wyoming, Louisiana, Arkansas, California, Kentucky, Idaho, Minnesota, Nebraska, and Utah.

The decision to go to a four-day school week has generally been predicated on grounds of efficiency and economy. It has been estimated that if school buildings are actually closed on the fifth day, savings of up to 20 percent can be realized with respect to expenses such as fuel, food, utilities, and perhaps wages of hourly workers. If the buildings remain open, however, the savings are less.

Summary:

The SBE is granted authority to waive the 180-day requirement for districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency. Only five school districts are eligible for these waivers, two of which have student populations under 150 and three of which have student populations between 150 and 500. The requirement of an annual average of at least 1,000 instructional hours may not be waived.

School districts seeking such a waiver must submit:

- a proposed calendar showing how the instructional hour requirement will be met;
- an explanation and estimate of the economies and efficiencies to be gained;
- an explanation of how the monetary savings will be redirected to support student learning;
- a summary of public comments received at public hearing on the proposal together with an explanation of how the concerns will be addressed;
- an explanation of the impact upon students who rely on free and reduced lunch and the impact on the ability of the child nutrition program to operate an economically independent program;
- an explanation of impact upon employee recruitment;
- an explanation of the impact on students whose parents work during the missed school day; and
- other information as requested by the SBE to assure that the proposal will not adversely affect student learning.

The SBE must adopt criteria to evaluate these waiver requests. A waiver may be granted for up to three years with an opportunity to reapply for an extension. All such waivers expire August 31, 2014.

By December 15, 2013, the SBE must examine these waivers and recommend to the education committees of the Legislature whether this program should be continued, modified, or allowed to terminate. This recommendation should focus on whether the waiver program resulted in improved student learning as demonstrated by empirical evidence.

In addition, a reference to a previously repealed statute and a subsection which is no longer operative are removed and a statute is repealed, the only purpose of which was to provide for an application process for waivers under a previously repealed statute.

Votes on Final Passage:

House	87	10	
Senate	34	13	(Senate amended)
House			(House refuses to concur)
Senate	32	13	(Senate amended)
House	85	9	(House concurred)

Effective: July 26, 2009