

# SENATE BILL REPORT

## SHB 1292

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As Reported by Senate Committee On:  
Early Learning & K-12 Education, March 27, 2009

**Title:** An act relating to waivers from the one hundred eighty-day school year.

**Brief Description:** Authorizing waivers from the one hundred eighty-day school year requirement in order to allow four-day school weeks.

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

**Brief History:** Passed House: 3/05/09, 87-10.

**Committee Activity:** Early Learning & K-12 Education: 3/18/09, 3/27/09 [DPA, DNP, w/oRec].

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

**Majority Report:** Do pass as amended.

Signed by Senators McAuliffe, Chair; Oemig, Vice Chair, K-12; King, Ranking Minority Member; Hobbs, Jarrett and McDermott.

**Minority Report:** Do not pass.

Signed by Senator Tom.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Kauffman, Vice Chair, Early Learning; Brandland and Roach.

**Staff:** Brandon Roché (786-7405)

**Background:** A school district's basic educational program must consist of a minimum of 180 school days per school year in such grades from one through 12 as are offered by the district. For kindergarten, a district must offer 180 half-days or its equivalent of instruction. In addition to the number of days per school year, hourly instructional requirements are also set in law. School districts must provide at least 450 hours for kindergarten and a district-wide annual average of 1,000 hours for grades one through 12.

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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.*

The State Board of Education (SBE) may grant a school district a waiver to the minimum day and hour requirements if the waiver is necessary to implement a plan designed to enhance the educational program for all students in the district.

**Summary of Bill (Recommended Amendments):** The SBE may grant waivers from the requirement for a 180 day school year to school districts with under 500 students that propose to operate one or more schools on a four day school week for purposes of economy and efficiency. In applying for the waiver, school districts must submit:

- a proposed calendar that demonstrates how the instructional hour requirement will be maintained;
- an explanation and estimate of the economies and efficiencies to be gained;
- an explanation for how the monetary savings will be redirected to support student learning;
- a summary of comments from public hearings on the proposal; and
- any other information that the SBE requests to assure that the the plan will not adversely affect student learning.

No more than five districts may be granted waivers. Waivers may be granted for up to three years. All waivers expire August 31, 2015, by which time the SBE must have submitted a report to the Legislature making a recommendation as to whether or not to continue the program.

**EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (Recommended Amendments):** The program is to allow for a flexible calendar school year rather than a four-day school week. Of the five waivers granted, two must be to school districts with under 150 students and three are to be granted to school districts with a student population between 151 and 500 students.

All waivers expire August 31, 2014, by which time the SBE must have submitted a report to the Legislature making a recommendation as to whether or not to continue the program. The report must be based on empirical evidence including Washington Assessment of Student Learning scores and student grades and attendance, among other factors.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony on Substitute House Bill:** PRO: What this bill does is provide some of the small districts the flexibility to have a schedule that fits with the community. We keep requiring schools to be better, faster, and cheaper, and this is an opportunity to give them a means to do this. Eliminating this requirement would give us some local control over the calendar. This has generated some excitement in the community. The process of building this calendar has given our community the opportunity to work together. The calendar we've developed is very flexible.

The only thing I can tell you is that in my district this bill will probably save classified staff jobs. We run a bare bones budget as is. There's nothing I can cut back on and the only way to do that currently would be to cut back on personnel or programs. We feel that this bill would allow us to save some dollars and thus keep those staff on the payroll. There are some safeguards in place and we should at least try this. The schools who are considering this have gone through a very thorough process to get to this point and the pilot project should be able to help us see how this could be successful.

CON: We oppose the bill because this is a bigger issue than the few school districts who have pushed this. We're trying to develop information on how this would affect student learning. As it relates to the classified employees, it's hard to determine where the savings are if everyone is kept on a full payroll. We believe that the ultimate outcome is going to be cutting employee wages and benefits. In regards to the cost saving intent of this legislation, the only way they do this is if they completely shut down for the fifth day. There will be some state funds that we will lose in this process. We have to be very careful to look at the statewide impacts. Some students do not do well with an extended day. If students are absent, they miss 25 percent of the time in a four-day week. Adequate child care for the children on off days is also a concern. We are extremely sympathetic to the funding problems in the small school districts. Our concern is the loss of instruction time. If you decide that this has to be done, we need the ombudsman to help schools connect with parents. It's a matter of building relationships.

**Persons Testifying:** PRO: Representative Chandler, sponsor; Martin Huffman, Lyle School District; Ric Palmer, Bickleton School District; Barbara Mertens, Washington Association of School Administrators; Dan Steele, Washington State School Directors Association.

CON: Christie Perkins, Washington State Special Education Coalition; Doug Nelson, Public School Employees of Washington PSE/SEIU 1948; Lucinda Young, Washington Education Association.