
Education Committee

HB 1292

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

Sponsors: Representatives Newhouse, Chandler and Simpson.

Brief Summary of Bill

- Authorizes the State Board of Education (SBE) to grant waivers from the 180-day school year requirement for purposes of economy and efficiency.
- Sets forth conditions under which 180-day waivers may be granted.
- Deletes references to a previously repealed statute and a section which is no longer operative, and repeals a statute which refers to a previously repealed statutory process.

Hearing Date: 1/27/09

Staff: Cece Clynych (786-7195)

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 are also set in law, at least 450 hours for kindergarten and a district-wide annual average of 1000 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 authority to grant waivers for purposes of

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economy and efficiency. Waivers may be granted to implement a plan for restructuring the educational program to improve student achievement. Current law also permits a waiver 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 1000 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 1970's 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, 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% 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.

An August 2008 Focus article for the Southern Regional Education Board lists the following potential benefits and challenges of a four-day school week:

Potential Benefits	Potential Challenges
<ul style="list-style-type: none"> • Savings on fuel, food, utilities, and the salaries of workers • Longer blocks of time available to complete lessons such as science labs • Use of the unscheduled day for professional development, planning, tutoring, special programs, or to make up lost days due to inclement weather or other disruptions to the regular schedule • District's use of the scheduled day to plan athletic events, limiting disruptions to normal instructional time • Students (particularly in sparsely populated areas) having fewer long commutes • Lower absenteeism of students and teachers 	<ul style="list-style-type: none"> • Collective bargaining • Unpopularity of reduced salaries for cafeteria workers and bus drivers • Child care and supervision of students on the unscheduled day • Length of day for younger students, particularly when long commutes are involved • The extended focus required of students during the longer day • Student safety during winter months when daylight hours are fewer • Twenty percent more instructional time lost when a student or teacher misses a day • Impact on extracurricular activities and their schedules

<ul style="list-style-type: none"> • Fewer substitutes needed because teachers can schedule appointments on unscheduled days • Students generally arriving home at the same time as their parents, diminishing the need for after-school child care and supervision 	<ul style="list-style-type: none"> • Teacher preparation for the change in schedule to assure the maximum use of instructional time • Difficulties with students (especially at-risk and special-needs students) retaining subject matter during the extra day off • The need to run utilities during the unscheduled day to prevent mold due to heat and humidity, thereby offsetting savings • The perception of "giving a day off," although instructional time is the same or greater
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Summary of Bill:

The SBE is granted authority to waive the 180-day requirement for school districts that propose to operate one or more schools on a four-day school week for purposes of economy and efficiency. The requirement of an annual average of at least 1,000 instructional hours shall 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; 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, 2015, as does the section of law creating the waiver authority.

By December 15, 2014, the SBE shall examine these waivers and make a recommendation to the education committees of the Legislature as to whether this program should be continued, modified, or allowed to terminate.

In Section 3, a reference to a previously repealed statute and a subsection which is no longer operative are removed. In Section 4, a statute is repealed, the only purpose of which was to provide for an application process for waivers under a previously repealed statute.

Appropriation: None.

Fiscal Note: Requested on 1/19/2009.

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