
Education Committee

HB 1607

Brief Description: Providing a limited exemption from school day and hour requirements in order to mitigate state funding reductions.

Sponsors: Representatives Rolfes, Hope, Reykdal, Haigh, Seaquist, Probst, Appleton and Santos.

Brief Summary of Bill

- Authorizes the Superintendent of Public Instruction to provide an exemption from mandatory school day and hour requirements during the 2010-11 school year in the event there are unforeseen, retroactive mid-school year reductions in state funding for school districts.

Hearing Date: 2/8/11

Staff: Cece Clynch (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 one 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 1,000 hours for grades one through 12.

The Superintendent of Public Instruction (Superintendent) has authority to make rules and regulations establishing the terms and conditions for allowing school districts to receive state basic education moneys when districts are unable to fulfill the day or hour requirements due to unforeseen natural events such as floods or earthquakes or unforeseen mechanical failures.

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) has authority to grant waivers from day and hour requirements but its authority is also limited. 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.

In 2009 the SBE was granted additional 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. All such waivers expire August 31, 2014 and, 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.

Summary of Bill:

The Legislature explicitly recognizes that mid-year, unforeseen, retroactive reductions in state funding create hardship for school districts. It is further recognized that restructuring the school day or year can create savings for districts that may help mitigate the financial impacts, including savings in utilities, transportation, and certain personnel costs. For this reason, the Legislature intends to temporarily broaden the authority of the Superintendent to provide districts increased flexibility to manage within existing resources while still offering quality educational programs.

In the event there are unforeseen, retroactive, mid-school year reductions in state funding to school districts for the 2010-11 school year, the Superintendent may provide an exemption from the day and hour requirements. The Superintendent may do so without first adopting rules. In addition, the Superintendent is specifically authorized to provide an exemption for up to three school days, or the hourly equivalent.

Districts must apply for such an exemption, and must include a supporting resolution from the school district board of directors. In reviewing exemption requests, the Superintendent must consider a district's fund balance and its administrative capacity to accommodate the proposed schedule or calendar changes while preserving educational program quality.

This authority and exemption process expires September 1, 2011.

Appropriation: None.

Fiscal Note: Requested on 1/31/11.

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