
Education Committee

HB 2479

Brief Description: Expanding waivers from the one hundred eighty-day school year requirement.

Sponsors: Representatives Wilcox, Johnson, Haler, Alexander and Anderson.

Brief Summary of Bill

- Increases the number of waivers from the 180-day school year requirement that may be granted for purposes of economy and efficiency, and authorizes school districts with larger populations to receive such waivers.

Hearing Date: 1/26/12

Staff: Cece Clynch (786-7195).

Background:

Minimum Instructional Requirements. A school district's basic educational program must consist of a minimum of 180 school days per school year. Currently, for students enrolled in grades one through twelve, school districts must make available at least a district-wide annual average of 1,000 hours. In the future, this must be increased to at least 1,080 instructional hours for students enrolled in grades seven through 12 and at least 1,000 instructional hours for students in grades one through six, according to an implementation schedule adopted by the Legislature, but not before the 2014-15 school year;

Waivers. The State Board of Education (SBE) is authorized to adopt rules regarding compliance with the program requirements of Basic Education, graduation requirements, accountability, and other specified matters. School districts are currently allowed to seek waivers of certain laws and rules under prescribed circumstances. The SBE may grant waivers of program requirements, including minimum instructional hours, the length of the school year, and student-teacher ratios, if the waivers are necessary to implement "a local plan to provide an effective education system designed to enhance the educational program for each student." The SBE or the Superintendent

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of Public Instruction are also authorized to grant waivers of these same requirements "in order for a district to implement a plan for restructuring its educational program."

In addition, pursuant to authority granted by the Legislature in 2009, the SBE has 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.

Such 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 must focus on whether the waiver program resulted in improved student learning as demonstrated by empirical evidence.

Empirical evidence specifically includes, but is not limited to:

- scores on the Washington Assessment of Student Learning (WASL);
- results of the Dynamic Indicators of Basic Early Literacy Skills (DIBELS);
- student grades; and
- attendance.

Summary of Bill:

The number of waivers that may be granted for purposes of economy and efficiency is increased from five to 25. The additional 20 waivers must be granted to school districts with student populations of between 501 and 2,200 students. These additional new waivers expire August 31, 2019.

The SBE's reporting requirement remains intact. It only applies with respect to the original five smaller districts. As far as empirical evidence that may be included as indicative of student learning, the reference to the WASL is removed and replaced with reference to the statewide student assessment. It is explicitly acknowledged that there are other valid and reliable literary assessments in addition to DIBELS.

The expiration date for waivers granted to any of the original five smaller districts remains set at August 31, 2014.

The expiration date for this section allowing for waivers for purposes of economy and efficiency is extended until August 31, 2019.

Appropriation: None.

Fiscal Note: Available.

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