

# FINAL BILL REPORT

## EHB 1131

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Synopsis as Enacted

**Brief Description:** Concerning the emergency waiver of instructional hours and days at private schools.

**Sponsors:** Representatives Rude and Callan; by request of State Board of Education.

**House Committee on Education**

**Senate Committee on Early Learning & K-12 Education**

#### **Background:**

##### State Board of Education.

With origins predating statehood, the 16-member State Board of Education (SBE) is comprised of five members elected by school board directors, one member elected by private school directors, seven members appointed by the Governor, the Superintendent of Public Instruction, and two non-voting student members.

The SBE has various duties and powers, including:

- providing advocacy and strategic oversight of public education;
- establishing high school graduation requirements or equivalencies; and
- approving and accrediting private schools.

##### Private Schools.

State law specifies that private schools should be subject only to those minimum state controls necessary to insure the health and safety of all the students and to insure a sufficient basic education to meet usual graduation requirements.

The administrative or executive authority of each private school or private school district must annually file with the SBE a statement certifying that the minimum statutory requirements governing private schools are being met, noting any deviations. After reviewing the statement, the SBE must notify the applicable school or district of any concerns, deficiencies, and deviations that must be corrected.

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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 part of the legislation nor does it constitute a statement of legislative intent.*

Requirements for private schools specify that the school year for instructional purposes must be no less than 180 school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of 1,000 hours for students enrolled in grades 1 through 12, and at least 450 hours for students enrolled in kindergarten.

**Summary:**

The SBE may adopt rules establishing the terms and conditions for allowing private schools to maintain their approval status when they are unable to fulfill the 180-day school year requirement or the annual instructional hour offering requirement due to a significant disruption resulting from an emergency.

For purposes of the rulemaking authority, "emergency" is defined to mean an event or set of circumstances that: demands immediate action to preserve public health, protect life, protect public property, or to provide relief to any stricken community overtaken by such occurrences; or reaches such a dimension or degree of destructiveness as to warrant the Governor proclaiming a state of emergency. "Emergency" may also include a national declaration of emergency by an authorized federal official.

**Votes on Final Passage:**

House	96	0
Senate	47	0

**Effective:** March 2, 2021