

HOUSE BILL REPORT

2SSB 5265

As Reported by House Committee On:

Education
Appropriations

Title: An act relating to the creation of a bridge year pilot program.

Brief Description: Creating a bridge year pilot program.

Sponsors: Senate Committee on Ways & Means (originally sponsored by Senators Hunt, Das, Nguyen, Wellman and Wilson, C.).

Brief History:

Committee Activity:

Education: 3/19/21, 3/26/21 [DPA];

Appropriations: 3/31/21, 4/1/21 [DPA(APP w/o ED)].

**Brief Summary of Second Substitute Bill
(As Amended By Committee)**

- Establishes a temporary bridge year program (program) to provide an opportunity for students in the graduating classes of 2021 and 2022 to complete up to one additional school year to pursue academic and experiential opportunities that were diminished or eliminated as a result of the COVID-19 pandemic.
- Directs the State Board of Education (SBE) to administer the program and establishes associated rulemaking and reporting duties for the SBE.
- Makes students participating in the program eligible for dual credit programs and extracurricular activities.

HOUSE COMMITTEE ON EDUCATION

Majority Report: Do pass as amended. Signed by 9 members: Representatives Santos,

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.

Chair; Dolan, Vice Chair; Ybarra, Ranking Minority Member; Berg, Bergquist, Callan, McEntire, Ortiz-Self and Stonier.

Minority Report: Do not pass. Signed by 2 members: Representatives Walsh, Assistant Ranking Minority Member; McCaslin.

Minority Report: Without recommendation. Signed by 2 members: Representatives Rude and Steele.

Staff: Ethan Moreno (786-7386).

Background:

Graduation Requirements—Overview.

To qualify for graduation from a public high school in Washington, general education students must satisfy course and credit requirements established by the State Board of Education (SBE), meet any locally established requirements, complete a high school and beyond plan, and meet the requirements of at least one graduation pathway option.

Credits Required for Graduation.

Beginning with the graduating class of 2019, students must complete 24 credits in specified subject areas as determined by the SBE. Graduating students in the class of 2021 and subsequent classes must earn 17 core academic credits, four elective credits, and three locally-determined personalized pathway credits.

COVID-19—Emergency Waivers.

Legislation adopted in 2020 in response to the COVID-19 pandemic directed the SBE to establish and administer a new and temporary waiver program for public and private schools impacted by the pandemic. Engrossed House Bill 2965 (enacted as chapter 7, Laws of 2020), authorized school districts, charter schools, and tribal compact schools to apply to the SBE for a waiver of high school graduation requirements or equivalencies for students in the graduating class of 2020 or earlier who were unable to meet the statewide minimum credit and subject area graduation requirements due to school closures related to COVID-19.

The legislation also authorized the SBE to waive provisions relating to the number of instructional hours, the number of school days, credit-based graduation requirements, and other provisions for the 2019-20 school year for private schools that closed due to COVID-19.

The emergency waiver authority of the SBE established in 2020 has expired, but legislation adopted in 2021, Engrossed House Bill 1121 (EHB 1121), authorizes the SBE to permit public and private schools to grant individual student emergency waivers from certain graduation requirements because of a significant disruption resulting from a local, state, or national emergency.

Dual Credit Programs.

College in the High School (CHS) programs provide college level courses in high schools or high school environments to qualified students who are in or are eligible for enrollment in grades 10, 11, and 12. The CHS programs may include both academic and career and technical education courses, and students who participate in a CHS program are able to earn both high school and postsecondary credit, with a maximum limit of 10 postsecondary credits, by completing postsecondary level courses with a passing grade.

The Office of the Superintendent of Public Instruction (OSPI) adopts rules for the administration of CHS programs that are jointly developed by the OSPI, the State Board for Community and Technical Colleges (SBCTC), the Washington Student Achievement Council (WSAC), and the public baccalaureate institutions.

The Running Start Program (Running Start) allows students in grades 11 and 12 to enroll in college courses at community colleges and other participating institutions of higher education, and to simultaneously earn both high school and college credit. Students choosing to participate in Running Start are responsible for applying for admission to the institution of higher education. Students in Running Start do not pay for tuition, but do pay for educational materials, course fees, and transportation costs.

Maximum enrollment terms for Running Start students are provided in statute. A student who enrolls in an institution of higher education in grade 11 may not enroll in Running Start courses for high school credit and postsecondary credit for more than the equivalent of the coursework for two academic years. For students in grade 12, the equivalent coursework limit is one academic year.

The OSPI, the SBCTC, and the WSAC are jointly responsible for developing and adopting rules governing Running Start.

Interscholastic Athletic and Extracurricular Activities.

Each school district board of directors has statutory authority to control, supervise, and regulate the conduct of interscholastic athletic and extracurricular activities for students of the district. Each school board also has the authority to delegate its control, supervision, and regulation to the Washington Interscholastic Activities Association (WIAA) or any other voluntary nonprofit entity.

The WIAA is a nonprofit organization and rule-making body that was formed in 1905 to create equitable playing conditions between high school sports teams in Washington. The WIAA consists of nearly 800 high schools and middle/junior high schools, both public and private, that have volunteered to abide by its policies.

Summary of Amended Bill:

Bridge Year Program.

Establishment and Purpose. The bridge year program (program) is established to provide an opportunity for students in the graduating classes of 2021 and 2022 to complete up to one additional school year to pursue academic and experiential opportunities that were identified in their high school and beyond plans (HSBPs) but diminished or eliminated as a result of the COVID-19 pandemic. The program, which expires July 31, 2023, is to be administered by the SBE, and the SBE is directed to adopt rules to implement the program.

The objective of a bridge year is for qualifying students, with the support of the applicable high school, to remedy or otherwise address:

- learning loss, including learning loss that may be attributable to fewer opportunities for in-person instruction during the 2020-21 school year, learning loss evidenced by academic performances that were inconsistent with previous efforts of the student, and the loss of opportunity to learn in the manner traditionally accessed by the student;
- unmet graduation requirements, including opportunities for meeting graduation requirements that were not available during the 2020-21 school year;
- fewer opportunities to access and earn 24 credits;
- fewer opportunities to access courses traditionally offered to students, including career and technical education courses and dual credit courses;
- fewer or significantly modified opportunities for mastering academic skills, including diminished opportunities for accessing: applied learning experiences and learning experiences traditionally associated with the synchronous efforts of other students, such as music and drama, and services provided to students in accordance with individualized education programs; and
- fewer or significantly modified opportunities for social-emotional learning, and extracurricular and cocurricular activities.

Each public school and school district that applied to the SBE for authorization to grant individual student emergency waivers under EHB 1121, legislation adopted in 2021, must offer the bridge year program to requesting students in the graduating classes of 2021 and 2022. Private schools may participate in the applicable provisions of the program, as determined by rule of the SBE.

Program Liaisons and High School and Beyond Plan Addendums. Each public high school participating in the program must designate a school staff member as a program liaison to assist students and families with the implementation of the program. Schools and school districts are not obligated to hire an individual to serve as a bridge year liaison.

Program liaisons must provide individual student advising to help students determine whether the program is appropriate for their needs and, if so, assist each student in developing an addendum to their HSBP. The addendum must define the academic goals and objectives to be achieved during the student's bridge year. The addendum also must detail activities and strategies for accomplishing the goals and objectives, including

counseling, academic support, coursework, and extracurricular and cocurricular activities.

Student Eligibility. Students, with the written permission of their parent or guardian, may participate in the program for up to one academic year. Student participation in the program is voluntary and may not be mandated by a school or school district. In addition to other requirements established in provisions governing the program and by the SBE, participating students must either:

- have met all applicable graduation requirements without having received an emergency waiver authorized by EHB 1121 and elect to defer graduation for one year as required by the program; or
- have not met all applicable graduation requirements and not be in receipt or pursuit of an emergency waiver authorized by EHB 1121.

Eligibility provisions for students who have not met all applicable graduation requirements further specify that these students must:

- have had their ability to complete one or more graduation requirements impeded by the COVID-19 pandemic;
- have been reasonably expected to graduate in the academic year prior to their participation in the program; and
- provide the applicable school with a written proposal that aligns with their HSBP and demonstrates a reasonable and achievable plan for meeting defined learning goals and objectives by the conclusion of their bridge year.

Students who are eligible to participate in the program must be 19 years of age or younger and, with limited exceptions, may not turn 20 during their bridge year.

Graduation Provisions for Program Students. Students participating in the program who elect to defer graduation for one year for participation in the program may participate in graduation ceremonies with the graduating class of 2021 or 2022, as applicable, but the high school may not issue diplomas to those students until the conclusion of the bridge year or upon a student's withdrawal from the program. For purposes of calculating the four-year graduation rates, students who have met all graduation requirements have graduated with their initial graduation cohort.

Record and Transcript Requirements. Each high school participating in the program must maintain records as necessary and as required by rule of the SBE to demonstrate compliance with program requirements.

Additionally, participating schools and districts must expunge any "D" or "F" grades, or their equivalent, from a participating student's transcript if the student completes the course with a higher grade during their bridge year.

Dual Credit Programs.

Students that participate in the program are eligible to enroll in CHS courses at their high

school and Running Start courses at participating institutions of higher education. Running Start equivalent coursework limits established for students in grades 11 and 12 do not apply to students participating in the program.

Interscholastic Athletic and Extracurricular Activities.

A student who pursues a bridge year may participate in activities sanctioned by the WIAA and extracurricular activities at the student's host high school, a defined term. A student participating in a sport or extracurricular activity during the student's bridge year must pay applicable student fees and be subject to the high school's student code of conduct, athletic code of conduct, and any other applicable codes, rules, or policies required for student participation in the activities.

A student who withdraws from the program or meets the goals and objectives of the HSBP addendum before completing the academic year is, upon withdrawal or completion of the goals and objectives, ineligible to participate in interschool athletic activities and other interschool extracurricular activities of an athletic, cultural, social, or recreational nature that are available to students in the program.

The WIAA is directed to make all qualifying students who are also participating in the program aware of eligibility appeal processes related to season limitations. Except for this directive, the governance or eligibility rules established by a local, state, or national organization with bona fide authority over a particular extracurricular activity remain unchanged.

Liability Insurance.

Notwithstanding the provisions of any law, rule, or regulation to the contrary, an insurer doing business in the state and issuing liability insurance policies to school districts must provide coverage for students pursuing a bridge year and participating in sport or extracurricular activities as part of a school or school district's liability insurance policy.

Funding.

School districts, charter schools, and state-tribal education compact schools participating in the program are eligible for funds distributed under provisions governing basic education funding, funds provided for charter schools, and funds provided for state-tribal education compact schools, as applicable.

For purposes of funding allocations and student enrollment, students participating in the program who enroll in Running Start courses count as Running Start students for time spent in Running Start courses.

Report of Findings and Recommendations.

The SBE must report its finding and recommendations regarding the program to the Governor, the Superintendent of Public Instruction, and the education committees of the Legislature by February 1, 2023. The report must include:

- the number of students, schools, and school districts that participated in the program, by school year;
- reasons identified by students for participating in the program, by school year;
- the number and percentage of students who completed the requirements of the program, by school year;
- the average number of high school and postsecondary credits earned by students participating in the program, by school year;
- the number and percentage of students who did not complete the requirements of the program and the reasons identified by students for not doing so, by school year; and
- any other information deemed relevant by the SBE.

The OSPI must collect the data necessary for the report and provide the data to the SBE by December 31, 2022.

Amended Bill Compared to Second Substitute Bill:

The amended bill makes numerous changes to the bridge year program established in the second substitute bill, including:

- making students who have not met graduation requirements eligible to participate in the program;
- transferring administration of the program and associated rulemaking authority from the OSPI to the SBE;
- requiring the development of a HSBP plan addendum for each student participating in the program, and prescribing related duties for program liaisons;
- requiring each public school and school district that applied to the SBE for authorization to grant individual student emergency waivers under EHB 1121 to offer the program to requesting students of the applicable public school or school district in the graduating classes of 2021 and 2022;
- removing mandatory course, grade point average, and individual learning plan requirements for participating students;
- specifying that, for funding purposes, students in the program who enroll in Running Start courses count as Running Start students only for time spent in Running Start courses;
- establishing reporting requirements for the SBE and associated data collection requirements for the OSPI;
- adding intent language; and
- removing references to "pilot."

Appropriation: None.

Fiscal Note: Available.

Effective Date of Amended Bill: The bill contains an emergency clause and takes effect

immediately.

Staff Summary of Public Testimony:

(In support) The bill is based on similar legislation that New Jersey passed in May of last year. The bill will help students to have a more meaningful experience in their last year of high school. School activities have not occurred during the pandemic, and students have not had a regular high school senior year. The bill gives flexibility to school districts. The WIAA has been consulted on programs addressed in the legislation and the WIAA has indicated that they will have a broad waiver program. This bill gives students the opportunity to pursue an additional year of high school. Perhaps the bill should be amended to align with a special education bridge year.

The concept of supporting students in their academic and social-emotional learning is critical, especially in the next two years. Limiting the program to graduates is confusing, but the program could work well as an alternative to graduation waivers that would give students academic opportunities and extracurricular incentives. The provisions of the bill need to work for all graduation pathways, not just those pursuing a general postsecondary education. The bill extends the definition of basic education for students and it has been difficult to calculate the bill's fiscal impacts. Adoption of the program might soften the stigma associated with extending seniors' terms and meeting their needs.

Some students have an interest in redoing their senior year because they missed so many of the normal senior year activities. This bill will allow students to redo their senior year, develop additional maturity before graduating, participate in missed activities, and position themselves for success after high school.

(Opposed) None.

Persons Testifying: Senator Hunt, prime sponsor; Ralph Ashmore; and Katherine Mahoney, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by 30 members: Representatives Ormsby, Chair; Bergquist, Vice Chair; Gregerson, Vice Chair; Macri, Vice Chair; Chambers, Assistant Ranking Minority Member; Corry, Assistant Ranking Minority Member; MacEwen, Assistant Ranking Minority Member; Boehnke, Caldier, Chandler, Chopp, Cody, Dolan, Dye, Fitzgibbon, Frame, Hansen, Harris, Jacobsen, Johnson, J., Lekanoff, Pollet, Rude, Ryu, Senn, Springer, Steele, Stonier, Sullivan and Tharinger.

Minority Report: Without recommendation. Signed by 3 members: Representatives Stokesbary, Ranking Minority Member; Hoff and Schmick.

Staff: James Mackison (786-7104).

Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:

The Appropriations Committee recommended the following changes:

- Students receiving emergency waivers under EHB 1121 are eligible to participate in the bridge year program, rather than only being eligible to receive either a waiver or a bridge year.
- Mandatory age requirements for participating students are removed.
- Student eligibility provisions for interscholastic and extracurricular activities were modified by specifying that students who participate in the program shall be, for purposes of eligibility for activities sanctioned by the WIAA and extracurricular activities, considered in their fourth year of eligibility after entering the ninth grade.
- Schools and school districts participating in the program are required to expunge marks or grades from a participating student's transcript if the student completes the course with a higher mark or grade during their bridge year, instead of only expunging for "D" or "F" grades or equivalents.

Appropriation: None.

Fiscal Note: Available. New fiscal note requested on March 30, 2021.

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

Staff Summary of Public Testimony:

(In support) The Superintendent of Public Instruction is interested in ways to accelerate learning recovery from the pandemic, particularly for older students close to graduation that have experienced roadblocks. Extra time can benefit students in meeting graduation requirements and postsecondary goals. Making the program an alternative to emergency waivers that remove graduation pathways was an improvement. The bill allows students to work toward multiple pathways, not just four-year college. The program extends basic education entitlements to otherwise ineligible students. Students can already attend more than four years if they need to meet graduation requirements, which makes the fiscal impact of the bill difficult to estimate. There are some concerns about workload impacts for counselors associated with the liaison role and High School and Beyond plan updates.

(Opposed) None.

Persons Testifying: Katherine Mahoney, Office of the Superintendent of Public Instruction.

Persons Signed In To Testify But Not Testifying: None.