

# SENATE BILL REPORT

## SB 5147

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As of February 22, 2021

**Title:** An act relating to exploring alternative school calendars.

**Brief Description:** Exploring alternative school calendars. [**Revised for 1st Substitute:** Addressing learning loss by exploring alternative school calendars.]

**Sponsors:** Senators Hawkins, Wellman, Billig, Dhingra, Frockt, Hasegawa, Kuderer, Muzzall, Nobles, Rivers, Saldaña and Wilson, C..

**Brief History:**

**Committee Activity:** Early Learning & K-12 Education: 1/18/21, 1/27/21 [DPS-WM, w/oRec].

Ways & Means: 2/09/21.

**Brief Summary of First Substitute Bill**

- Directs OSPI to establish a program to allow up to 30 school districts to provide 180 instructional days over the course of the entire calendar year.
- Establishes that in order to participate in the programs, a school district must have a minimum enrollment of 500 students, a maximum enrollment of 10,000 students, and a majority of students qualify for free and reduced price meals.
- Requires OSPI to distribute funds to participating school districts based on a specific formula, subject to appropriation.
- Requires OSPI to report on various program outcomes.

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**SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION**

**Majority Report:** That Substitute Senate Bill No. 5147 be substituted therefor, and the substitute bill do pass and be referred to Committee on Ways & Means.

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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.*

Signed by Senators Wellman, Chair; Nobles, Vice Chair, K-12; Wilson, C., Vice Chair, Early Learning; Hawkins, Ranking Member; Dozier, Hunt, McCune and Pedersen.

**Minority Report:** That it be referred without recommendation.

Signed by Senator Mullet.

**Staff:** Benjamin Omdal (786-7442)

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## SENATE COMMITTEE ON WAYS & MEANS

**Staff:** Jeffrey Naas (786-7708)

**Background:** COVID-19 Impact on Public Schools. In March 2020, Governor Inslee ordered all public and private K-12 schools in Washington State to close in response to the spread of COVID-19. School districts performed remote learning for the remainder of the 2019-20 school year. According to the Office of the Superintendent of Public Instruction (OSPI), at the beginning of the 2020-21 school year, the majority of school districts in Washington started with some form of remote or distance learning—not in-person. Other districts began the year with a hybrid approach or in-person learning only. Some districts in the state have since altered their instruction modality based on local health conditions.

Instructional Hour and Day Requirements. School districts must meet annual minimum requirements for providing instructional hours and school days. Districts must offer student a district-wide average of at least 1080 hours for students in grades 9 through 12 and a minimum of 1000 instructional hours for students in kindergarten through grade eight. School districts must also offer a minimum of 180 days of instruction each year to students in all grades.

Free and Reduced-Price Meals. Students whose families' income is at or below 130 percent of the federal poverty level qualify for free meals under federal programs. In addition, students whose families have income between 130 percent and 185 percent of the federal poverty level are eligible for reduced price meals. For the period of July 1, 2019, to June 30, 2020, 130 percent of the poverty level is \$34,060 for a family of four; 185 percent is \$48,470.

The Community Eligibility Provision (CEP) of the federal Healthy, Hunger-Free Kids Act provides an alternative to household applications for free or reduced priced meals (FRPM) by allowing schools with high numbers of students whose families have low incomes to serve free meals to all enrolled students.

**Summary of Bill (First Substitute):** Year-Round School Year Pilot Program. OSPI must select school districts to participate in a pilot program for school districts to implement a year-round school calendar. Participating school districts must provide a year-round school year instructional schedule beginning in the 2022-23 school year and through the 2025-26

school year in all schools in their district. Districts in the program must also adopt a school calendar in which breaks in scheduled instructional days are limited to a maximum of four weeks at a time and that offers instructional days in at least 11 months of the year.

OSPI may select up to 30 school districts to participate in each program, of which up to 15 districts may be located west of the crest of the Cascade mountains and up to 15 located east of the crest of the Cascade mountains. Districts selected by OSPI must meet the following criteria:

- a minimum district-wide enrollment of at least 500 students;
- a maximum district-wide enrollment of 10,000 students; and
- enrollment of 50 percent or more students eligible for FRPM or used the CEP in all district schools during the 2019-20 school year.

Subject to the availability of amounts appropriated for this specific purpose, OSPI shall allocate funds to each participating school district in an amount equal to the district's base allocation per full-time equivalent student, multiplied by the school's annual average full-time student enrollment, multiplied by 0.1.

OSPI shall select districts on a first-come, first-served basis based on the application date of eligible districts. By December 31, 2026, OSPI must provide a report to the education committees of the Legislature on:

- participation in the program, including demographic information of the participating school districts;
- outcomes of the program, including student growth and academic performance between districts; and
- recommendations based on the experiences of the school districts, including any relevant policy and fiscal recommendations for the statewide application of a year-round school year.

#### **EFFECT OF CHANGES MADE BY EARLY LEARNING & K-12 EDUCATION COMMITTEE (First Substitute):**

- Modifies the title.
- Eliminates the 210-day school year calendar pilot program.
- Limits program participation to 30 districts, with 15 western Washington and 15 in eastern Washington.
- Changes enrollment requirements to a minimum of 500 students and a maximum of 10,000 students.
- Modifies the limitations on breaks in instructional days for participating districts to no more than four consecutive weeks, with instructional days in at least 11 months.
- Adjusts the funding multiplier from 0.2 to 0.1.

**Appropriation:** None.

**Fiscal Note:** Available.

**Creates Committee/Commission/Task Force that includes Legislative members:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony on Original Bill (Early Learning & K-12 Education):** *The committee recommended a different version of the bill than what was heard.* PRO: The bill is about learning loss, not just as a result of this pandemic, but learning loss that occurs every year across Washington State. Now is a time for legislators to think big and consider transformational changes in the school calendar. A balanced school calendar will better provide emotional and academic supports for students to recover from the pandemic. Students with special needs and IEPs will need additional help to recover from learning loss caused by the pandemic.

CON: Changing the school calendar will hurt summer programs and may prevent kids from crucial summer experiences. Learning loss disproportionately affects disadvantaged students, and can be better addressed through summer programs.

OTHER: Additional flexibility is needed for alternative learning programs, including online programs. A year-round calendar might hurt hourly and part-time workers who rely on supplemental income. The changing of school calendars takes time and requires community input. There may be unintended consequences on child care needs and industries that rely on student labor. The school calendar is just one element of items that should be looked at to improve education.

**Persons Testifying (Early Learning & K-12 Education):** PRO: Senator Brad Hawkins, Prime Sponsor; Katherine Mahoney, Office of The Superintendent of Public Instruction; Preston Dwoskin, citizen.

CON: Paul Sheridan, Four Winds Westward Ho Camp; Tim McElravy, YMCA of Wenatchee.

OTHER: Lucinda Young, Washington Education Association; Carolyn Logue, Stride; David Beard, School's Out Washington; Rick Chisa, Public School Employees of Washington.

**Persons Signed In To Testify But Not Testifying (Early Learning & K-12 Education):**  
No one.