

SENATE BILL REPORT

SB 5147

As Reported by Senate Committee On:
Early Learning & K-12 Education, January 27, 2021
Ways & Means, February 22, 2021

Title: An act relating to exploring alternative school calendars.

Brief Description: 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, 2/22/21 [DP2S, w/oRec].

Brief Summary of Second Substitute Bill

- Allows districts that provide up to three additional instructional days to receive additional funding to assist in providing those days.
- Directs OSPI to create and administer a grant program to assist school districts in facilitating a week-long program for students to reengage in learning, physical activity, and social interaction prior to the start of the 2021-22 school year.
- Directs OSPI to create and administer a grant program to provide funds for up to five days of additional education opportunities in preparation for the 2021-22 school year.
- Encourages OSPI, in funding the grant programs, to use funding disbursed under the federal 21st Century Community Learning Centers program, to the greatest extent possible.
- Directs OSPI to establish a program to allow up to 20 school districts to provide 180 instructional days over the course of the entire calendar year

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.

with program eligibility based on enrollment and free and reduced-price meals eligibility.

- Requires OSPI to report on various program outcomes.

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.

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)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: That Second Substitute Senate Bill No. 5147 be substituted therefor, and the second substitute bill do pass.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Capital; Robinson, Vice Chair, Operating & Revenue; Wilson, L., Ranking Member; Braun, Carlyle, Conway, Darneille, Dhingra, Gildon, Hasegawa, Hunt, Keiser, Liias, Mullet, Muzzall, Pedersen, Rivers, Van De Wege, Wagoner, Warnick and Wellman.

Minority Report: That it be referred without recommendation.

Signed by Senators Honeyford, Assistant Ranking Member, Capital; Schoesler, Assistant Ranking Member, Capital.

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.

No Child Left Inside. The Washington State Legislature created the No Child Left Inside grant program to provide under-served youth with quality opportunities to experience the natural world. Grants are available for outdoor environmental, ecological, agricultural, or other natural resource-based education and recreation programs serving youth. Funding focuses on serving youth with the greatest needs and helping them improve their overall academic performance, self-esteem, personal responsibility, community involvement, personal health, and understanding of nature.

21st Century Community Learning Centers. This is a federal program, administered by OSPI, that supports the creation of community learning centers that provide academic enrichment opportunities during non-school hours for children, particularly students who attend high-poverty and low-performing schools. Grant awards are up to five years, contingent upon federal funding, and are not less than \$100,000, and not more than \$500,000.

Summary of Bill (Second Substitute): Funding for Additional Instructional Days. Districts that provide additional instructional days may receive additional funding limited to a total of three additional days subject to appropriation.

Summer Reengagement Grant Program. OSPI must create and administer a grant program to assist school districts in facilitating a week-long program in schools for students to reengage in learning, physical activity, and social interaction prior to the start of the 2021-22 school year, subject to appropriation. Participating schools are required to open facilities in at least one school for structured activities, under staff supervision. Grants must be allocated to districts in proportion to student enrollment. OSPI is encouraged to collaborate with the No Child Left Inside program of the Washington State Recreation and Conservation Office.

Additional Educational Opportunities Grant Program. OSPI must create and administer a grant program for the purpose of providing funds for accelerating learning to address learning loss, subject to appropriation. Districts receiving grants are required to provide up to five days of additional education opportunities. Grants are limited to school districts that had 50 percent or more enrollment of students eligible for FRPM in the 2019-20 school year.

21st Century Community Learning Centers. OSPI is encouraged, in funding the Summer Reengagement and Additional Educational Opportunities grant programs, to use funding disbursed under the federal 21st Century Community Learning Centers program, to the greatest extent possible.

Balanced School Calendar Grant 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 20 school districts to participate in each program, of which up to 10 districts may be located west of the crest of the Cascade mountains and up to 10 located east of the crest of the Cascade mountains. Districts selected by OSPI must meet the following criteria:

- up to ten school districts with a maximum district-wide enrollment of 2000 students in the 2019-20 school year;
- up to seven school districts with a minimum district-wide enrollment of 2001 students and a maximum district-wide enrollment of 6000 students in the 2019-20 school year;
- up to three school districts with a minimum district-wide enrollment of 6001 students and a maximum district-wide enrollment of 10,000 students in the 2019-20 school year.
- enrollment of 35 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 0.025.

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 WAYS & MEANS COMMITTEE (Second Substitute):

- Changes the title.
- States that districts that provide up to three additional instructional days may receive additional funding to assist in providing these days.
- Directs OSPI to create and administer a grant program to assist school districts in facilitating a week-long program for students to reengage in learning, physical activity, and social interaction prior to the start of the 2021-22 school year.
- Directs OSPI to create and administer a grant program for the purpose of providing funds for up to five days of additional education opportunities in preparation for the 2021-22 school year.
- Encourages OSPI, in funding these grant programs, to use funding disbursed under the federal 21st Century Community Learning Centers program, to the greatest extent possible.
- Limits participation in the balanced school calendar grant program to 20 school districts, with additional limitations based on enrollment and free and reduced-price meals eligibility.
- Reduces the funding multiplier for the balanced school calendar grant program to 0.025.

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.

Staff Summary of Public Testimony on First Substitute (Ways & Means): *The committee recommended a different version of the bill than what was heard.* PRO: The bill provides an opportunity for concentrated learning. There are short breaks throughout the year for extended learning opportunities for students and professional development opportunities for staff. Kids would still be able to enroll in summer enrichment activities. The year-round calendar would allow for a better use of facilities which are typically vacant during the summer months. This is the right time to examine the school calendar and to

address learning loss and social emotional issues. This bill would help parents with child care and employers maintain a stable workforce. Schools spend weeks getting kids back to learning to learn after long summer breaks. The year-round calendar helps with the continuity of learning and the pilot program creates a framework for other districts to follow. The balanced calendar is a priority for superintendent Chris Reykdal. The four-year period gives districts enough time to adjust and learn. The additional funding provided creates an incentive for eligible school districts to participate in the program.

Persons Testifying (Ways & Means): PRO: Gene Sharratt; Tom Venable, Superintendent of the Methow Valley School District; Patrick Vincent; Michelle Price, North Central ESD; Katherine Mahoney, Office of the Superintendent of Public Instruction; Preston Dwoskin.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.