

# HOUSE BILL REPORT

## HB 2381

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**As Reported by House Committee On:**  
Education

**Title:** An act relating to increasing eligibility for economy and efficiency flexible school calendar waivers.

**Brief Description:** Increasing eligibility for economy and efficiency flexible school calendar waivers.

**Sponsors:** Representatives McEntire, Shavers and Chapman; by request of Superintendent of Public Instruction.

**Brief History:**

**Committee Activity:**

Education: 1/22/24, 1/30/24 [DPS].

**Brief Summary of Substitute Bill**

- Authorizes the Superintendent of Public Instruction to grant waivers to reduce the minimum number of school days required in a school year to school districts with fewer than 1,000 students.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Santos, Chair; Shavers, Vice Chair; Rude, Ranking Minority Member; McEntire, Assistant Ranking Minority Member; Bergquist, Couture, Eslick, Harris, McClintock, Nance, Ortiz-Self, Pollet, Steele, Stonier and Timmons.

**Staff:** Ethan Moreno (786-7386).

**Background:**

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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.*

The Legislature establishes the minimum instructional program of basic education that must be offered by school districts. Among other requirements, the state's program of basic education obligates school districts to:

- provide instruction to students in accordance with the state learning standards, the grade-level learning standards developed by the Office of the Superintendent of Public Instruction; and
- have their educational program accessible to all students who are at least 5 years of age and less than 21 years of age for a minimum of 180 days per school year.

School districts must also provide a specified minimum number of instructional hours per year, which are defined as those hours during which students are provided the opportunity to engage in educational activity planned by, and under the direction of, school district staff.

School districts may seek waivers for certain education laws and rules under prescribed circumstances. For example, the Superintendent of Public Instruction (SPI), in accordance with criteria established by the State Board of Education, may grant three-year renewable waivers from the 180-day school year requirement to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency.

A school district seeking a waiver from the 180-day school year requirement must submit an application to the SPI that meets certain content requirements, including having:

- a proposed calendar for the school day and school year that demonstrates how instructional hour requirements will be maintained;
- an explanation and estimate of the economies and efficiencies to be gained from compressing the instructional hours into fewer than 180 days;
- an explanation of the impact on employees in education support positions and the ability to recruit and retain employees in education support positions; and
- a summary of comments received at one or more public hearings on the proposal and how concerns will be addressed.

The SPI is limited to issuing the 180-day school year waivers to 10 school districts, and eligible districts must have fewer than 500 students. Of the waivers that may be issued, two must be reserved for school districts with fewer than 150 students.

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### **Summary of Substitute Bill:**

The Superintendent of Public Instruction is authorized to issue waivers reducing the minimum number of school days required in a school year to school districts with fewer than 1,000 students.

The waiver applications, among other requirements, must include an examination of the impact on employees in education support positions, including expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work

benefits.

**Substitute Bill Compared to Original Bill:**

The substitute bill requires the waiver application for reducing the number of school days in a year to include an examination of the impact on employees in education support positions, including expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits.

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**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) Current law allows for the waivers to be issued to 10 school districts. This bill expands the flexibility to other school districts for the purpose of benefiting their circumstances.

The 10 waiver slots allowed under current law have been filled and one request was denied because the slots were filled. The decision to apply for a waiver and reduce the number of days in a school year is a big one and is made at the local level. Criteria are in statute to govern the waivers, and the school districts that apply are generally small and remote.

This bill has accountability measures: school districts must work with the community. This bill will increase flexibility for schools.

(Opposed) None.

**Persons Testifying:** Representative Joel McEntire, prime sponsor; Jenny Plaja, Office of the Superintendent of Public Instruction; and Jim Kowalkowski, Rural Education Center.

**Persons Signed In To Testify But Not Testifying:** None.