

SENATE BILL REPORT

SHB 2381

As Reported by Senate Committee On:
Early Learning & K-12 Education, February 21, 2024

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: House Committee on Education (originally sponsored by Representatives McEntire, Shavers and Chapman; by request of Superintendent of Public Instruction).

Brief History: Passed House: 2/8/24, 97-0.

Committee Activity: Early Learning & K-12 Education: 2/15/24, 2/21/24 [DPA, w/oRec].

Brief Summary of Amended Bill

- Expands eligibility for economy and efficiency waivers to the 180-day school year requirement to school districts with 1000 or fewer students, rather than 500 or fewer students, and increases the cap on the total number of districts that may seek such a waiver from 10 to 30.
- Requires school districts to include the following additional information in the waiver application when explaining the impact on employees in education support positions: expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Majority Report: Do pass as amended.

Signed by Senators Wellman, Chair; Nobles, Vice Chair; Wilson, C., Vice Chair; Hawkins, Ranking Member; Dozier, McCune, Mullet and Pedersen.

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.

Minority Report: That it be referred without recommendation.

Signed by Senator Hunt.

Staff: Alex Fairfortune (786-7416)

Background: The Legislature establishes the minimum instructional program of basic education that must be offered by school districts, which includes the requirement that the basic education program be accessible to all students who are at least five years of age and less than 21 years of age for a minimum of 180 days per school year.

The Office of the Superintendent of Public Instruction (OSPI), 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. OSPI is limited to issuing these economy and efficiency waivers to ten 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.

A school district seeking a waiver from the 180-day school year requirement for purposes of economy and efficiency must submit an application to OSPI that meets certain content requirements, including:

- 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 how monetary savings from the proposal will be redirected to support student learning;
- an explanation of the impact on students who rely upon free and reduced-price nutrition services and students whose parents work during the missed school day;
- 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.

Summary of Amended Bill: OSPI may issue economy and efficiency waivers to 30 or fewer school districts. School districts with fewer than 1000 students are eligible for such waivers, rather than school districts with fewer than 500 students. The limitation that two economy and efficiency waivers be reserved for districts with student populations of less than 150 students is eliminated.

School districts must include the following additional information in the waiver application when explaining the impact on employees in education support positions: expected position and work hour reductions, reductions in force, and the loss of work benefits or eligibility for work benefits.

EFFECT OF EARLY LEARNING & K-12 EDUCATION COMMITTEE AMENDMENT(S):

- Provides that the Superintendent of Public Instruction may grant economy and efficiency waivers to 30 or fewer qualifying school districts.

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 Substitute House Bill: *The committee recommended a different version of the bill than what was heard.* PRO: This is an expansion of a program that has shown success. There are a certain number of classroom hours, so it doesn't matter how many days it takes to achieve those hours. For example, during hunting season some students don't attend class. It would be beneficial to allow flexibility so they can make up the hours elsewhere. The ten slots currently allowed have already been filled and all districts have had success. This is a strong teacher recruitment incentive and allows more time for professional development.

OTHER: Making more districts eligible for a 4-day work week would put staff at risk of layoffs and ineligibility for health insurance, usually those staff in nutrition services and bus drivers. Not all districts are negatively impacted, but some are. An amendment to limit the waivers would be supported.

Persons Testifying: PRO: Representative Joel McEntire, Prime Sponsor; Jim Kowalkowski, Rural Education Center; Mikhail Cherniske, Office of Superintendent of Public Instruction.

OTHER: Rick Chisa, Public School Employees of WA/SEIU 1948.

Persons Signed In To Testify But Not Testifying: No one.