

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill No: HB 442

49th Legislature, 1st Session, 2009

Short Title: Increase Instructional School Year

Sponsor(s): Representatives Al Park, Joseph Cervantes and Others

Analyst: James Ball

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Bill Summary:

HB 442 amends the *Public School Code* to:

- increase the total number of full instructional days beginning in school year 2009-2010 for all grades in public schools to 210 for a regular school year calendar and to 186 for a variable school year calendar, exclusive of any release time for in-service training;
- require that days or parts of days that are lost to weather, in-service training, or other events that are not school-directed programs shall be made up so that students are given a full instructional school year;
- allow the Secretary of Public Education to waive the minimum length of school days in districts where the minimums would create hardships as defined by the Public Education Department (PED) as long as the school year is adjusted to ensure that students in those school districts receive the same total minimum instructional time as other students in the state;
- remove the definition of a variable school year as consisting of a minimum number of instructional hours established by the state; and
- require that school budgets conform to the definitions of a school year and school day.

Fiscal Impact:

HB 442 carries no appropriation.

According to the Department of Finance and Administration, the fiscal implications of extending the school year by 30 instructional days would have a substantial financial impact. The proposed expansion of the school year represents a 16.7 percent increase in the number of instructional days, resulting in an approximate cost increase of \$425 million annually, calculated at \$14 million per school day using the FY 09 program cost, plus transportation.

Issues:

The PED analysis identifies a number of issues with HB 442:

- data would need to be collected on the potential impact of 30 extra days of instruction on recruitment and retention of teachers and administrators; t
- teaching an additional month and a half would allow little time for teachers, administrators, and staff to address issues of physical and emotional stress accumulated during an extended school year;

- reducing by half the amount of time teachers have out of school could increase the likelihood of teacher burnout;
- this bill would possibly compound issues of hiring and retention since the bill does not address non-instructional days for professional development; and
- the relationship between additional instructional days and professional development plans would need to be considered.

The PED analysis also notes that, extending the school year by 30 instructional days, or roughly one and a half months, will place financial burdens not only on the state budget, but also on the economy of families, communities, businesses, and state revenues. Many students rely on summer employment to supplement family incomes or to prepare themselves for rising college tuitions. Rural communities still rely on the labor of youth, who are out of school for the summer, to aid in agricultural activities of many sorts.

PED concludes that research has shown that simply increasing instructional time does not improve student achievement. Improving the quality of the instructional time, improved time-on-task, and increased student participation are shown to be more beneficial.

Background:

The PED analysis of HB 442 notes that efforts to implement a longer school year are generally based on the assumption that student achievement and standardized test scores will improve. However, this assumption is not necessarily supported by research. The PED analysis quotes a *West Ed* report, “Improving Student Achievement by Extending School”:

Research studies show no consistent relationship between the amount of time allocated for instruction and the amount of time students spend engaged in learning activities. In other words, the length of a particular school day or year says nothing about how much time is devoted to learning activities. This means that increasing the amount of allocated time would not produce a predictable increase in students' engaged time. In fact, increasing the length of the school day or year might not lead to any increase at all in the amount of time students are engaged in learning. Therefore, policies aimed at increasing the length of the school year could potentially have little impact on student learning.

Pointing to the small achievement gains that could be expected from adding even substantial amounts of time to the school calendar, many researchers have concluded that the cost could not be justified, and that other education reforms would likely provide more impact.

At the same time, the PED analysis notes that other research seems to suggest that lengthening the school year is an approach that has shown positive results in student achievement in some places. A three-year, \$8.0 million study conducted in the Fairfax County area of Virginia yielded substantial increases for student scores in math, science, English, and history. The program extended teacher contracts for up to 24 days into the summer. This extension allowed time for team-building, developing technological skills, studying student data, identifying “best practices,” and creating a culture of professional learning. Increasing teachers’ knowledge base, improving teacher leadership, and creating advanced states of teacher cooperation can provide better quality time with students in the classroom so that time is more efficiently utilized and student performance can improve.

Positive results have also come from a program supported by the Legislative Education Study Committee (LESC): Kindergarten Plus.

- Enacted in 2003 and expanded in 2006, Kindergarten Plus extends the kindergarten year by up to 40 instructional days.
- Evaluations of the program not only have found overall positive results in the assessment data, but also have found that, in every school, more Kindergarten Plus students reached benchmarks than their counterparts who did not participate in Kindergarten Plus and that teachers and administrators continue to view the program as an effective way to ensure that students are prepared for kindergarten and first grade.
- Building on the success of this program, the 2007 Legislature passed legislation creating K-3 Plus, a six-year pilot project patterned after Kindergarten Plus that extends the school year in kindergarten through third grade by at least 25 instructional days. This program is being evaluated during school year 2008-2009, with results to be reported to the LESC during the 2009 interim.
- Both of these programs have been supported by legislative appropriations; and, in each case, the criteria for eligibility, curriculum, and evaluation are prescribed by law.

Related Bills:

None as of 2-16-2009.