

**LEGISLATIVE EDUCATION STUDY COMMITTEE
BILL ANALYSIS**

Bill Number: HB 555a

50th Legislature, 1st Session, 2011

Tracking Number: .185391.1

Short Title: Delay School Day & Year Length Changes

Sponsor(s): Representative Rhonda S. King

Analyst: Peter B. van Moorsel

Date: March 8, 2011

AS AMENDED

The House Education Committee amendment makes a technical correction to require that the results of the study be reported no later than December 15, 2011, rather than 2010 (see “Original Technical Issues,” below).

Original Bill Summary:

HB 555 proposes to delay to school year 2012-2013 and subsequent school years the provisions in current law that require a school year to consist of 180 full instructional days for a regular school year calendar and 150 full instructional days for districts on an approved variable school calendar, exclusive of release time for teacher in-service training.

The bill also contains a temporary provision to require the Public Education Department (PED), the Legislative Education Study Committee (LESC), the Legislative Finance Committee (LFC), and other interested stakeholders to:

- continue to study issues related to school calendars and the length of the school day;
- focus on the effect of scheduling practices on learning time and achievement of students; and
- report findings and recommendations to the Legislature and the Governor no later than December 15, 2010 (see “Technical Issues,” below).

Fiscal Impact:

HB 555 does not contain an appropriation.

For FY 12, the *General Appropriation Act of 2011*, includes a reduction of approximately \$12.2 million – an amount equal to the cost of one non-instructional day.

As of March 4, 2011, a PED bill analysis and a Fiscal Impact Report from the LFC were not available.

Fiscal Issues:

During the 2010 interim, a work group formed to study current law governing school calendars (see “Background,” below) reported that, based on PED calendar data, school districts and

charter schools operating on 5-day and 4-day week offered an average of 176 and 149 instructional days, respectively, and therefore would not comply with the delayed statutory provisions requiring the respective 180 and 150 instructional days.

However, the work group also found that, on average, all districts and charter schools exceed the current requirement of 1,080 hours of instruction for secondary schools, and 990 instructional hours for elementary schools.

Considering that districts already offer more than the minimum required number of instructional hours, delaying the provisions may allow school districts to avoid the cost of adding additional instructional days, while still providing the required instructional time.

The LESC staff estimate that the cost to add one additional instructional day in FY 12 statewide is approximately \$12.9 million (based on FY 11 budgeted operational and pupil transportation expenditures).

Original Technical Issues:

On page 2, line 7, the temporary provision requires that PED report the findings of its study to the Legislature and the Governor no later than December 15, 2010.

This date appears to be in error, and the sponsor may wish to amend the legislation to require a report no later than December 15, 2011.

Substantive Issues:

Based on the recommendations of a 2010 interim work group (see “Background,” below), LESC-endorsed legislation (SB 145a, *Clarify School Year & Day Length*) has been introduced in the 2011 legislative session to repeal (rather than delay) the provisions in current law that require a school year to consist of 180 full instructional days for a regular school calendar or 150 days for a variable school calendar.

Background:

In 2009, legislation was enacted to require, effective school year 2010-2011, that school calendars consist of 180 full instructional days for a regular school year calendar and 150 full instructional days for a variable school year, excluding release time for in-service training.

During the 2010 LESC interim, committee staff testimony:

- explained that issues raised during discussions about the implementation of this legislation led to the passage of legislation in 2010 that delayed the implementation of the 2009 legislation until school year 2011-2012; and
- further reported that, to study the effect of the delayed school calendar legislation, the 2010 Legislature also passed SJM 12, *Study School Calendars*, which requested the study of current practices and issues related to school calendars and the length of a school day.

Also in the 2010 interim, testimony from the Office of Education Accountability (OEA) described the creation of a work group comprising 31 representatives of public school districts, charter schools, the business community, public education professional organizations, and PED, as well as the Legislature and legislative agencies, including the LESC. OEA testimony noted

that the work group met four times during the 2010 interim, both in person and via teleconference, and communicated via email in between meetings to complete its work.

According to OEA testimony, the work group focused on the impact of the 2009 school calendar legislation whose effective date was delayed. The work group gathered information regarding public school calendars by:

- reviewing school calendar data submitted to PED by school districts and charter schools;
- conducting a survey of school district superintendents and charter school administrators; and
- soliciting position statements from public education professional organizations.

OEA testimony concluded by reporting that, based on the calendar data, the survey, and the responses from the educational professional associations, the work group recommends that the 2009 amendments to the *Public School Code* requiring a minimum number of instructional days be either repealed or indefinitely delayed until further study of both the costs to districts and charter schools and the impact on student and teacher performance has been completed and the results presented to the Legislature for further consideration.

Related Bills:

HB 407 *Increase Number of School Days*

SB 145a *Clarify School Year & Day Length*