

FISCAL NOTE

June 20, 2019

Bill No:	SB 440	Printer's No:	1029	Sponsor:	Phillips-Hill (R)
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COST / (SAVINGS)

Fund (s)	2018-19	2019-20
	First Full Year	
General Fund	\$142,000	\$142,000

SUMMARY: This bill would provide for flexible instruction days for public and nonpublic schools.

ANALYSIS: SB 440 allows public and nonpublic schools to establish a flexible instruction day program. Previously, the Department of Education (PDE) operated a three-year flexible instruction day pilot program which has since expired. The pilot program approved 12 school districts for participation.

A flexible instruction day shall be a day that provides instruction to students and fulfills one of the minimum required days of instruction under any of the following circumstances in which the school building was prevented from opening:

- A disease epidemic.
- A hazardous weather condition.
- A law enforcement emergency.
- The inoperability of school buses or other equipment necessary to the school's operation.
- Damage to a school building.
- Another temporary circumstance rendering any portion of a school building unfit or unsafe for use.

PDE shall issue guidance and establish a standard application form for a public school seeking to establish or renew a flexible instruction day program. This form shall include procedures for notification of students, parents and employees that a flexible instruction day is instituted; procedure for instituting a flexible instructional day and accommodating the use of technology; responsibilities of employees and students during the day; procedures for identifying student participation; exemplary instruction in applicable subjects; compliance with the Individuals with Disabilities Education Act; and any additional information deemed necessary by the department.

Applications shall be submitted to the department on or before September 1 and the department shall notify the public school if its application is accepted or denied by November 1 for the first two years of application. For each year thereafter, applications shall be submitted to the department on or before June 1 and the department shall notify the public school if its application or renewal is accepted or denied by August 1. Accepted applications shall remain valid for three years.

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Nonpublic schools may use flexible instruction days when a school building is prevented from opening if the school ensures the enforcement of student attendance and fulfills the minimum hours of instruction per year.

PDE shall also conduct an annual survey on or before April 30 of each year outlining the efficacy of the program.

This bill is effective in 60 days.

FISCAL IMPACT: PDE estimates the need to hire a Basic Education Associate 2 in the School Services Office to assist with the administration of the flexible instruction day program, including carrying out the application process, reviewing applications, and conducting an annual survey. The annual cost for this position is \$142,000 including benefits and operating costs.