



THE WASHINGTON STATE BOARD OF EDUCATION

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Title: Executive Director Update	
As related to:	<input type="checkbox"/> Goal One: Develop and support policies to close the achievement and opportunity gaps. <input type="checkbox"/> Goal Two: Develop comprehensive accountability, recognition, and supports for students, schools, and districts. <input type="checkbox"/> Goal Three: Ensure that every student has the opportunity to meet career and college ready standards. <input checked="" type="checkbox"/> Goal Four: Provide effective oversight of the K-12 system. <input type="checkbox"/> Other
Relevant to Board roles:	<input type="checkbox"/> Policy leadership <input checked="" type="checkbox"/> System oversight <input checked="" type="checkbox"/> Advocacy <input type="checkbox"/> Communication <input type="checkbox"/> Convening and facilitating
Policy considerations / Key questions:	This section contains information on multiple business items. The supporting materials address key questions that you may have regarding the business items.
Relevant to business item:	This section is relevant to the following business items: 1. Adoption of 2017 School District Basic Education Compliance Report 2. Approval of Option One BEA Waiver Request from Lopez Island School District 4. Approval of Filing the CR-102 for WAC 180-105 (School Improvement Goals) 5. Adoption of SBE Travel Policy 6. Adoption of SBE Light Refreshments Policy
Materials included in packet:	This section includes: <ul style="list-style-type: none">• Memo on Amendments to WAC 180-105-020 and 060 and draft of CR-102• Briefing on the Annual Charter School Report• Professional Development Memo• SBE Travel Policy• SBE Light Refreshments Policy• Basic Education Compliance Report• Waiver Memo for Option One Request from Lopez Island School District (Resolution, Application, and Calendar are Online Only)
Synopsis:	This section includes information that supports your decision-making on five business items. This section also includes an update on the annual charter school report that is not related to a business item at this board meeting.



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PERFORMANCE IMPROVEMENT GOALS – UPDATED RULES

Policy Considerations

[RCW 28A.305.130\(4\)\(a\)](#) authorizes the State Board of Education (SBE) to adopt and revise performance improvement goals in reading and writing (ELA), science, and mathematics, by subject and grade level; academic and technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the Board deems appropriate to improve student learning. The Board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve.

The goals shall not conflict with requirements contained in Title I of the federal Elementary and Secondary Education Act (ESEA) of 1965 as amended by the Every Student Succeeds Act (ESSA). The Board shall adopt the goals by rule ([WAC 180-105-020](#) and [WAC 180-105-060](#)). However, before each goal is implemented, the Board shall present the goal to the education committees of the legislature for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature.

On September 18, Superintendent Reykdal submitted the Washington ESSA Consolidated Plan to the U.S. Department of Education (USED) for approval. The ESSA Plan included descriptions of the long-term goals for English language arts, mathematics, and high school graduation. The USED has 120 days from the time of the plan submission to approve Washington's ESSA State Plan.

Background

Section 1111(c)(4)(A) of the ESSA requires the state to establish long-term goals for academic achievement (ELA and math proficiency), high school graduation, and English Learner progress. The proposed long-term goals can be found on pages 21-24 (academic achievement), 26-27 (high school graduation), and 28-29 (English Learner progress) of the [Washington ESSA Consolidated Plan](#).

In September 2016, a CR-101 was filed with the Office of the Code Reviser for WAC 180-105 (Performance Improvement Goals) to signal the agency's interest in updating or engaging in rulemaking. The Code Reviser's office confirmed that CR-101's do not expire.

At the November 2017 meeting members are presented with draft amendments to WAC 180-105-020 and WAC 180-105-060) for consideration of the filing of the rule with a CR-102, Notice of Proposed Rule, for publication in the State Register and scheduling of a public hearing. The filing of a CR-102 does not require the agency to adopt a proposed rule.

The anticipated work plan for this task is summarized as follows.

- November 9, 2017: The Board reviews draft language for the updated rules and approves the filing of the CR-102.
- January 10, 2018: The Board conducts a public hearing on the proposed rulemaking.
- January 11, 2018: The Board votes to adopt the proposed rules and the filing of the CR-103.
- January 15, 2018: Present the goals to the education committees of the legislature for the committees' review and comment.

Summary of Changes

- References to the “Washington assessment of student learning” are deleted in favor of “current statewide assessments.”
- References to “reading” are broadened to include the English language arts.
- References to “grades four, seven, and ten” are more broadly described to include “grades three through eight and ten.”
- Districts are directed to adopt improvement goals as established in the ESSA rather than the ESEA No Child Left Behind (NCLB) Act.
- Strikes the ability of a district and schools to meet improvement goals through the NCLB Safe Harbor alternative analysis, as this is not included in the ESSA plan.

Action

The Board will consider approval of the filing of a CR-102, Notice of Proposed Rule-Making, and publication of the proposed rules, with a fiscal impact statement from OSPI, for public hearing in January.

Please contact Andrew Parr at andrew.parr@k12.wa.us if you have questions regarding this memo.

PROPOSED RULE MAKING



CR-102 (October 2017) (Implements RCW 34.05.320)

Do **NOT** use for expedited rule making

Agency: State Board of Education

Original Notice

Supplemental Notice to WSR _____

Continuance of WSR _____

Preproposal Statement of Inquiry was filed as WSR September 26, 2016 ; or

Expedited Rule Making--Proposed notice was filed as WSR _____; or

Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1); or

Proposal is exempt under RCW _____.

Title of rule and other identifying information: (describe subject) The following sections of Chapter 180-105 (Performance Improvement Goals): 180-105-020 (Reading and mathematics) and 180-105-060 (High school graduation).

Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
January 10, 2018	11:45 A.M.	6500 Tye Drive SW, Tumwater, WA 98501	

Date of intended adoption: January 11, 2018 (Note: This is **NOT** the **effective** date)

Submit written comments to:

Name: Andrew J. Parr

Address: 600 Washington Street SE, Olympia, WA 98504

Email: andrew.parr@k12.wa.us

Fax: 360-586-2357

Other:

By (date) January 5, 2018

Assistance for persons with disabilities:

Contact Tami Jensen

Phone: 360-725-4475

Fax: 360-586-2357

TTY:

Email: tami.jensen@k12.wa.us

Other:

By (date) January 3, 2018

Purpose of the proposal and its anticipated effects, including any changes in existing rules: The purpose of the proposal is to make various amendments to two sections of Chapter 180-105 WAC (Performance Improvement Goals) to align district and improvement goals to long-term goals described in the Washington Every Student Succeeds Act (ESSA) State Accountability Plan. The proposed amendments also make certain technical corrections to this chapter.

Reasons supporting proposal: The need to ensure that Chapter 180-105 WAC (Performance Improvement Goals) is consistent in language and provisions with Chapter 28A.305 RCW.

Statutory authority for adoption: Chapter 28A.305 RCW.

Statute being implemented: Chapter 28A.305 RCW

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters: None.

Name of proponent: (person or organization) State Board of Education Private
 Public
 Governmental

Name of agency personnel responsible for:

	Name	Office Location	Phone
Drafting:	Andrew J. Parr	600 Washington Street SE, Olympia, WA 98504	360-725-6063
Implementation:	Executive Director - TBD	600 Washington Street SE, Olympia, WA 98504	360-725-6024
Enforcement:	Executive Director - TBD	600 Washington Street SE, Olympia, WA 98504	360-725-6024

Is a school district fiscal impact statement required under RCW 28A.305.135? Yes No

If yes, insert statement here:

The public may obtain a copy of the school district fiscal impact statement by contacting:
Name: Thomas J. Kelly
Address: Rm. 433, 600 Washington Street SE, Olympia, WA 98504.
Phone: 360-725-6301
Fax:
TTY:
Email:
Other:

Is a cost-benefit analysis required under RCW 34.05.328?

Yes: A preliminary cost-benefit analysis may be obtained by contacting:
Name:
Address:
Phone:
Fax:
TTY:
Email:
Other:

No: Please explain:

Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

- RCW 34.05.310 (4)(b) (Internal government operations)
- RCW 34.05.310 (4)(c) (Incorporation by reference)
- RCW 34.05.310 (4)(d) (Correct or clarify language)
- RCW 34.05.310 (4)(e) (Dictated by statute)
- RCW 34.05.310 (4)(f) (Set or adjust fees)
- RCW 34.05.310 (4)(g) ((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

This rule proposal, or portions of the proposal, is exempt under RCW _____.

Explanation of exemptions, if necessary:

COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

No Briefly summarize the agency's analysis showing how costs were calculated. _____

Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

- Name:
- Address:
- Phone:
- Fax:
- TTY:
- Email:
- Other:

Date:	Signature: Place signature here
Name: Deb Merle	
Title: Interim Executive Director	

WAC 180-105-020 Reading and mathematics. (1) Each school district board of directors shall by December 15, 201803:

(a) Adopt district-wide performance improvement goals using the federal requirements to determine the increase in the percentage of students who meet or exceed the standard on the ~~Washington assessment of student learning~~ current statewide assessment for reading or English language arts and mathematics in grades ~~four, seven, three through eight~~ and ten; and

(b) Direct each school in the district that administers the current statewide assessment~~Washington assessment of student learning~~ for grades three through eight~~four, seven,~~ or ten to adopt performance improvement goals using the federal requirements to determine the increase in the percentage of students meeting the standard for its ~~fourth, seventh, third through eighth~~ or tenth grade students in reading or English language arts and mathematics.

(2) School districts and schools shall establish separate district-wide and school reading or English language arts and mathematics improvement goals using the federal requirements to determine the increase in requirements under subsection (1) of this section for each of the following groups of students:

- (a) All students;
- (b) Students of each major racial and ethnic group;
- (c) Economically disadvantaged students;
- (d) Students with disabilities; and
- (e) Students with limited English proficiency.

(3) School districts and schools are not required to publish numerical improvement goals in a grade level for reading or English language arts and mathematics for 2018~~04~~ or in any year thereafter for any student group identified in subsection (2) of this section in which there were fewer than ten students eligible to be assessed on the current statewide assessment ~~Washington assessment of student learning~~ in the prior year. However, this subsection shall not be construed to affect WAC 180-16-220 (2) (b) or any other requirements for school and school district improvement plans.

(4) Annual performance improvement goals for both school districts and schools shall be determined:

(a) By using the starting point and annual goals established using the federal requirements for determining starting points in the ~~2003~~ Washington State ~~No Child Left Behind (NCLB)~~ Every Student Succeeds Act (ESSA) -Accountability Plan approved by the U.S. Department of Education.

~~_(b) If the performance improvement goals established by using the federal requirements to determine the increase for assessments administered in the spring of 2003 and each year thereafter through and including assessments administered in the spring of 2013 are not met, but the other indicator is met [the other indicator for high schools is the graduation goal (WAC 180-105-040(4)) and the other indicator for elementary and middle schools is the unexcused absences goal (Washington State Accountability System under NCLB 2001)] then a substitute calculation may be made. That substitute calculation representing satisfactory progress shall not be less than the sum of:~~

~~(i) The percentage of students meeting standard on the assessments administered in the spring of the preceding year for the relevant student group, grade level and subject; and~~

~~(ii) The percentage of students who did not meet standard on the assessments administered in the spring of the preceding year for the relevant student group, grade level and subject, multiplied by ten percent.~~

(eb) The performance improvement goals for assessments administered in the spring of 2014-2027 shall be that ninety percent of all students eligible to be assessed meet standard on the current statewide assessment~~Washington assessment of student learning~~.

(5) School districts and schools shall be deemed to have met the performance improvement goals established pursuant to this chapter if the school district or school achieves the ~~minimum~~ improvement goal required under subsection (4) of this section, ~~even if the school district or school does not achieve the performance improvement goals established by using the federal requirements to determine the increase.~~

(6) No performance improvement goal for a group in a subject and grade established pursuant to this section shall be used for state or federal accountability purposes if fewer than ~~thirty~~ twenty students in the group for a subject and grade are eligible to be assessed on the current statewide assessment ~~Washington assessment of student learning.~~

[Statutory Authority: RCW 28A.305.130. WSR 07-07-052, § 180-105-020, filed 3/14/07, effective 4/14/07. WSR 05-15-036, ~~recodified as § 180-105-020~~, filed 7/11/05, effective 7/11/05. Statutory Authority: RCW 28A.655.030 (1)(a). WSR 03-09-144, § 3-20-200, filed 4/23/03, effective 5/24/03.]

Reviser's note: The brackets and enclosed material in the text of the above section occurred in the copy filed by the agency.

WAC 180-105-060 High school graduation. (1) Each school district board of directors shall by December 15, ~~2005~~2018, revise district-wide graduation rate goals for ~~2006-2018~~ and each year thereafter and shall direct each high school in the district to revise graduation rate goals for ~~2006-2018~~ and each year thereafter, subject to approval by the board.

(2) Annual performance improvement goals for both school districts and schools shall be determined for each of the groups of students listed in WAC 180-105-040(4), by using the starting point and annual goals for the four-year graduation rate established using the federal requirements for determining starting points in the Washington State Every Student Succeeds Act (ESSA) Accountability Plan approved by the U.S. Department of Education.

~~The minimum graduation rate goals through 2013 shall be as follows for each of the nine groups of students listed in WAC 180-105-040(4):~~

~~(a) Sixty-six percent in 2005, one percentage point above the previous year's goal from 2006 through 2009, and three percentage points above the previous year's goal in 2010 through 2013; or~~

~~(b) For any student group whose graduation rate falls below sixty-six percent in 2005, the minimum goal for 2005 is two percentage~~

~~points above that group's graduation rate in 2004, an additional two percentage points per year above the previous year's goal in 2006 through 2009, and an additional four percentage points per year above the previous year's goal in 2010 through 2013, until the rate for that group meets or exceeds the goal described in (a) of this subsection.~~

(3) Graduation rate goals in ~~2014~~2027 and each year thereafter for each group of students listed in WAC 180-105-040(4) shall be not less than ~~eighty-five~~ninety percent.

(4) School district boards of directors are authorized to adopt district-wide graduation rate goals and to approve high school graduation rate goals that exceed the minimum level required under this section. However, district-wide and high school graduation rate goals that exceed the minimum level required under this section shall not be used for federal or state accountability purposes.

[Statutory Authority: RCW 28A.305.130. WSR 07-07-052, § 180-105-060, filed 3/14/07, effective 4/14/07. WSR 05-15-036, ~~recodified as § 180-105-060, filed 7/11/05, effective 7/11/05.~~ Statutory Authority: RCW 28A.655.030 (1)(a). WSR 05-11-046, § 3-20-400, filed 5/12/05, effective 6/13/05.]



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Briefing on 2017 Annual Charter Schools Report

Annual Reports from Authorizers to the State Board of Education (November 1st) RCW 28A.710.100

(4) Each authorizer must submit an annual report to the state board of education, according to a timeline, content, and format specified by the board that includes:

- (a) The authorizer's strategic vision for chartering and progress toward achieving that vision;
- (b) The academic and financial performance of all operating charter schools under its jurisdiction, including the progress of the charter schools based on the authorizer's performance framework;
- (c) The status of the authorizer's charter school portfolio, identifying all charter schools in each of the following categories: (i) Approved but not yet open; (ii) operating; (iii) renewed; (iv) transferred; (v) revoked; (vi) not renewed; (vii) voluntarily closed; or (viii) never opened;
- (d) The authorizer's operating costs and expenses detailed in annual audited financial statements that conform with generally accepted accounting principles; and
- (e) The services purchased from the authorizer by the charter schools under its jurisdiction under RCW [28A.710.110](#), including an itemized accounting of the actual costs of these services.

Status: The two authorizers in the state, the Charter Schools Commission and Spokane Public Schools, have submitted annual reports to SBE that include all data currently available related to the above five elements.

Annual Report from the State Board of Education (December 1st) RCW 28A.710.250

- (1) By December 1st of each year beginning in the first year after there have been charter schools operating for a full school year, the state board of education, in collaboration with the commission, must issue a report on the performance of the state's charter schools during the preceding school year to the governor, the legislature, and the public at large.
- (2) The annual report must be based on the reports submitted by each authorizer as well as any additional relevant data compiled by the state board of education. The report must include a comparison of the performance of charter school students with the performance of academically, ethnically, and economically comparable groups of students in other public schools. In addition, the annual report must include the state board of education's assessment of the successes, challenges, and areas for improvement in meeting the purposes of this chapter, including the board's assessment of the sufficiency of funding for charter schools, the efficacy of the formula for authorizer funding, and any suggested changes in state law or policy necessary to strengthen the state's charter schools.

Regarding the gray-highlighted language above:

Since 2016-17 was the first full school year charter schools operated, only baseline assessment data are available for students in charter schools. SBE is utilizing 2016-17 Washington Report Card data and conducting analysis to compare this data with achievement data of comparable groups of students in other public schools during the same year. Consequently, performance

data will show proficiency only. Starting next year when there is more than one data point, both proficiency and growth results based on Achievement Index data can and will be reported.

Regarding the yellow-highlighted language above:

Each charter public school is required by law to obtain an annual independent financial audit. The audits for 2016-17 are not yet complete; projected completion date is February 2018. The State Auditor's Office is also conducting an accountability audit and a performance audit of the charter public schools, and neither is yet complete; projected completion dates for these reports is February and April 2018, respectively.

The absence of academic performance growth data and financial information from the audits makes it impossible to fairly assess the successes, challenges, and areas for improvement in meeting the purposes of the State's Charter School Act.

Regarding the blue-highlighted language above:

The validity of the Charter Schools Act, including the manner of funding charter schools, is under review by the Washington State Supreme Court. The adequacy of K-12 funding is also under review by the Washington Supreme Court in a separate case. Decisions in both cases are expected before the end of the 2017-18 school year. The SBE believes that any assessment of funding for charter schools or charter authorizers is premature until the Court has issued decisions in these significant cases.

Regarding the pink-highlighted language above:

The paucity of data and information along with both current pertinent lawsuits obviate the SBE making any significant recommendations to state law or policy.

Synopsis: The 2017 annual charter schools report will contain: 2016-17 baseline demographic and assessment data for charter schools, compared with other public schools that same year; analyses of data and information in the annual charter authorizers' reports submitted to SBE on November 1st; and a few minor recommended changes to state law.* Dr. Andrew Parr and Kaaren Heikes are conducting the analyses and preparing SBE's annual report to submit to the Legislature, the Governor, and the public at large by December 1st.

*Potential recommended changes to state law:

1. 28A.710.050(3): Change approval (of an admission policy) "by the commission" to "by the authorizer."
2. 28A.710.100(4)(b): In "The academic and financial performance of all operating charter schools," insert "organizational," which will better align this statute to the "board performance and stewardship" in 28A.710.170(2)(h) and create consistency with NACSA's Principles & Standards (required in this section) and with current practice.
3. 28A.710.250(1): Change annual report dates – from November 1st (authorizers reports to SBE) and December 1st (SBE report to Legislature and Governor) – to a later date that allows authorizers and the SBE to access and utilize financial and academic performance data.

If you have questions regarding this information, please contact Kaaren Heikes at Kaaren.heikes@k12.wa.us.



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SBE Travel Policy

The State Board of Education (SBE) will comply with policies enumerated in the State Administrative & Accounting Manual (SAAM). The policies below are meant to further guide the SBE members and its staff in decisions in regards to travel, lodging, and subsistence. The policies below do not supersede, amend, or in any way alter those policies enumerated SAAM; SAAM Chapter 10 and other applicable chapters will take precedence if a question of authority should arise.

In addition to SAAM, SBE will follow the OSPI Travel Policy adopted on May 1, 2016, except for the exceptions listed below and explained in detail in this document and a separate Coffee and Light Refreshments Policy.

1. Reimbursement of Lodging Expenses
2. Reimbursement For Mileage
3. Capital Area Parking and other Parking Expenses
4. Staff Retreats
5. Coffee and Light Refreshments –SBE’s Coffee and Light Refreshments policy is contained in a separate policy document

1. Reimbursement of Lodging Expenses

Lodging reimbursement policies, including the 50-mile and 150% rules, are clearly delineated in [SAAM 10.30](#).

Reimbursement for lodging expenses incurred at a facility or temporary duty work site located within 50 miles (most direct road miles) of the closer of either the traveler’s official residence or official station is prohibited except under one of the following three conditions:

1. An overnight stay in a commercial lodging facility to avoid having a traveler drive back and forth for back-to-back late night/early morning [official state business](#).
2. When the health and safety of the traveler is of concern.
3. When SBE can demonstrate that staying overnight is more economical to the state.

Written Executive Director approval for the first and third conditions and cost analysis documentation for the third condition is to be attached to the traveler’s Travel Expense Voucher. Exceptions 1 and 3 are only applicable when the traveler has no control over the agenda of a meeting or conference or when the traveler must arrive at the airport for an early morning flight. This written documentation must be attached to the traveler’s Travel Expense Voucher.

2. Reimbursement for Mileage

When possible, the SBE will utilize state Motor Pool Vehicles (MPV). Travelers are encouraged to use Motor Pool Vehicles (MPV), and cannot be required to use their Personally Owned Vehicles (POV) even when they are most economical. When more than one SBE staff are required to travel to a destination, SBE staff must carpool; exception may be made when:

- a) A member of the SBE staff has official state business that prevents them from participating in the carpool; and/or
- b) A member of the SBE staff has a medical or familial appointment that prevents them from participating in the carpool; and/or
- c) The passenger count and supplies required exceed the capacity of the vehicle.

Travelers using POVs will only be reimbursed for miles driven on state business. Mileage for personal business should not be included in the reimbursement request.

The SBE will reimburse authorized travel expenses in accordance with the Per Diem and Mileage allowances outlined in SAAM [10.90](#).

3. Capital Area Parking and other Parking Expenses

The SBE will reimburse authorized travel expenses in accordance with the Per Diem and Mileage allowances outlined in [SAAM 10.90.10](#).

The SBE will reimburse the following types of travel expenses incurred on official state business: parking fees, and ferry and bridge tolls. Tolls associated with the use of high occupancy toll (HOT) lanes are considered a personal expense and not reimbursable. Charges for checked baggage, if any, excluding overweight charges, for up to the first two bags on domestic flights.

Original receipts for lodging and miscellaneous travel expenses. Original receipts are required for eligible out-of-pocket transportation expenses such as for parking, bridge tolls, airline baggage fees, taxi fares, ferry fares, train fares, bus fares, shuttles, and gas. Receipts are not needed for per diem meals. Per diem meals are paid to the traveler via submission of the travel expense voucher. The SBE prefers not to do travel advances.

4. Staff Retreats

All day SBE staff meetings, conferences, and trainings of SBE staff that benefit the state may have meals paid for in accordance with [RCW 43.03.050\(3\)](#) and [SAAM chapter 70.15](#).

Meals may be provided (subject to funding source restrictions) to elective and appointive officials and state employees regardless of travel status where **all** of the following criteria are met and in limited situations:

- The purpose of the meeting is to conduct official state business or to provide training to state employees or state officials; **and**
- The meals are an integral part of the event; **and**
- The event takes place away from the employee's or official's regular workplace; **and**
- Approval is obtained in advance of the event; **and**
- The agency obtains a receipt for the actual cost of the meals with meetings.

Off-site meetings of staff for activities such as retreats or team-building exercises should have no fiscal impact to SBE. For example, SBE will not pay for facility rental or meals for these types of events. Exceptions to this policy may be approved by the Executive Director.



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SBE Light Refreshment Policy

All legally authorized boards and commissions may provide coffee and/or light refreshments at their official public meetings, including executive sessions, in accordance with SAAM 70.10.20.c. The SBE will comply with SMM policy Chapter 70.10 Coffee and Light Refreshments. The Board will make every effort to reduce costs by purchasing its own snacks and beverages from grocery stores unless the Board is meeting in a facility that prohibits all outside food and beverages. There will not be a dollar cap on light refreshments.

As stated in 70.10.10, "An agency may not provide coffee and light refreshments at meetings and formal training sessions unless the agency has formally adopted written internal policies and procedures that **describe the approval process for these items.**"

SBE Approval Criteria:

In accordance with RCW 43.03.050(4) and SAAM 70.10.20a, the SBE, with approval of the Executive Director or their designee, may serve coffee and/or light refreshments at a meeting where:

- The purpose of the meeting is to conduct state business or to provide formal training that benefits the state; and
- The coffee or light refreshment is an integral part of the meeting or training session; and
- The agency obtains a receipt for the actual costs of the coffee and/or light refreshments.

Coffee and light refreshments may be served to elective or appointive officials or state employees regardless of travel status where:

- The meeting or training session takes place away from the employee's or official's regular workplace; and
- The agency person responsible for the meeting receives agency approval for the serving of coffee and/or light refreshments prior to the event.

SBE Approval Process:

The SBE staff member responsible for obtaining the light refreshments will prepare and submit a written request for approval by the Executive Director. The SBE must document the request and approval for expenditures for coffee and/or light refreshments. The SBE may use a Travel Authorization (form A40-A) or agency equivalent form, an Invoice Voucher (form A19-1A), or a formally written agency memorandum for this purpose. The documentation should provide support for the authorization, including:

- The names of the state organizations or persons attending the meeting (including conferences, conventions, and formal training sessions), and
- The purpose of the meeting or expenditure.

The documented request and approval and any receipts for the actual costs of the coffee and/or light refreshments will be retained by the SBE.



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2017-2018 MINIMUM BASIC EDUCATION REQUIREMENTS COMPLIANCE

RCW 28A.150.220 (Basic Education – Minimum instructional requirements – Program accessibility) requires the SBE to adopt rules to implement and ensure compliance with the program requirements imposed by this section and related laws on basic education allocations.

RCW 28A.150.250 directs that if a school district's basic education program fails to meet the basic education requirements enumerated in these sections of law, the SBE shall require the Superintendent of Public Instruction to withhold state funds in whole or in part for the basic education allocation until program compliance is assured.

The SBE carries out this duty through required, annual reporting by school districts on compliance with the minimum basic education requirements set in law. These include:

1. Kindergarten minimum 180-day school year.
2. Kindergarten total instructional hour offering.
3. Grades 1-12 minimum 180-day school year.
4. Grades 1-12 total instructional hour offering.
5. State high school graduation minimum requirements.

Compliance reporting on page one also includes a question on whether the district has received a waiver of the minimum 180-day school year and which method of calculating instructional hours was used by the district (i.e. 1000 hours in grades 1-8 and 1080 in grades 9-12 or 1027 hours as a district-wide average).

District graduation requirements are reported on page two of the compliance report so that SBE may respond accurately to questions about district requirements from other school districts, the Legislature, and the Office of Superintendent of Public Instruction (OSPI). These questions also allow staff to collect data on Career Technical Education course equivalencies and other credit and non-credit district graduation requirements. The other credit and non-credit district graduation requirements include the High School and Beyond Plan, culminating project, computers and digital technology, community service, and personal finance.

On August 7, 2017 the SBE launched the basic education compliance reports in the OSPI iGrants system. On August 7, 2017 the SBE notified all districts that they must complete and submit the online report by September 15, 2017. After the deadline, periodic reminders were sent to districts that had not yet submitted compliance reports.

All 295 districts have submitted basic education compliance reports. Staff have processed only 292 districts and the Board is recommended to approve of these districts at the November 2017 board meeting. Lopez Island has submitted an Option One waiver request for the 2017-2018 and 2018-19 school year. Staff are awaiting approval or denial of the waiver request to process Lopez Island's basic education compliance report. The Board's approval of Lopez's basic education compliance report will be recommended for consideration at the January 2018 SBE meeting. Board staff have remaining questions for Darrington and Eastmont School Districts about their compliance with graduation requirements and will follow up with them before the January 2018 SBE meeting.

STATE BOARD OF EDUCATION

2017-2018 — Minimum Basic Education Requirement Compliance

Page One

Please Check One		
In Compliance	NOT in Compliance	
<input type="radio"/>	<input type="radio"/>	Kindergarten Minimum 180-Day School Year (RCW 28A.150.220 RCW 28A.150.203) RCW 28A.150.315 Implementation of all-day kindergarten programs must be achieved in the 2017-18 school year. All-day programs must consist of no fewer than 180 days.
<input type="radio"/>	<input type="radio"/>	Kindergarten Total Instructional Hour Offering (RCW 28A.150.220 RCW 28A.150.205 RCW 28A.150.315) Implementation of all-day kindergarten programs must be achieved in the 2017-18 school year. All-day programs must consist of no fewer than 180 days, comprising no fewer than 1,000 hours of instruction.
<input type="radio"/>	<input type="radio"/>	Grades 1-12 Minimum 180-Day School Year (RCW 28A.150.220 RCW 28A.150.203) The school year is accessible to all legally eligible students and consists of at least 180 school days for students in grades 1-12, inclusive of any 180-day waivers granted by the State Board of Education.
<input type="radio"/>	<input type="radio"/>	Grades 1-12 Total Instructional Hour Offering (RCW 28A.150.220(2) RCW 28A.150.205 WAC 180-16-200) The district makes available: a. A district-wide average of at least 1,000 instructional hours in grades 1-8 and a district-wide average of at least 1,080 instructional hours in grades 9-12, or b. A district-wide average of 1,027 hours in grades 1-12

K-12 Districts Only
State High School Graduation Minimum Requirements
([RCW 28A.230.090](#) [WAC 180-51-067](#))

<input type="radio"/>	<input type="radio"/>	All subject areas are aligned with the state's high school learning standards and essential academic learning requirements, and at a minimum meet grades 9-10 grade level expectations. District high schools meet or exceed all state minimum graduation requirements.
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If your district is NOT in compliance with any of these requirements, please explain why.

Has your district been granted a waiver of the minimum 180-day school year requirement by the State Board of Education for the 2017-18 school year? Yes No

NOTE: A district that has been granted a waiver of the minimum 180-day school year requirement is in compliance with [RCW 28A.150.220](#).

Which method of calculating instructional hours is your district using to demonstrate compliance with the minimum offering of instructional hours required by [RCW 28A.150.220\(2\)](#)?

District-wide annual average of 1,000 instructional hours in grades 1-8 and 1,080 instructional hours in grades 9-12 **or** District-wide average 1,027 instructional hours in grades 1-12

CERTIFICATION OF COMPLIANCE

The following persons named below certify that the information stated herein is true and correct and that _____ **School District** meets the basic education program requirements contained in [RCW 28A.150.220](#) and the minimum high school graduation requirements set forth in [WAC 180-51-067](#) for students entering the ninth grade on or after July 1, 2012. The undersigned further acknowledge that a copy of this document has been provided to the district's Board of Directors and that the district has maintained records in its possession supporting this certification for auditing purposes.

District Superintendent	Date (MM/DD/YY)
Board President or Chair	Date (MM/DD/YY)

Page 2 - District Graduation Credit Requirements

Districts are also asked to provide the following information about district requirements for high school graduation. Minimum state graduation requirements can be found [here](#).

K-12 Districts Only	
Indicate your district's graduation requirements in the table below.	
S U B J E C T	District Graduation Credit Requirements for Class of 2018
English	
Math	
Social Studies	
Science How many are laboratory science credits?	
Arts	
Occupational Education/CTE	
Health and Fitness	
World Languages	
Electives	
Other District Requirement for Credit (select all that apply): <input type="checkbox"/> High School and Beyond Plan <input type="checkbox"/> Culminating Project <input type="checkbox"/> Community Service <input type="checkbox"/> Computers and Digital Technology <input type="checkbox"/> Personal Finance <input type="checkbox"/> Other (specify): <input type="text"/>	
TOTAL	0.0
What non-credit district graduation requirements do you have? (Select all that apply.) <input type="checkbox"/> High School and Beyond Plan <input type="checkbox"/> Culminating Project <input type="checkbox"/> Community Service <input type="checkbox"/> Computers and Digital Technology <input type="checkbox"/> Personal Finance <input type="checkbox"/> Other (specify): <input type="text"/>	
Does your district award competency-based credit? <input type="text" value="Select"/> <input type="button" value="v"/> If yes, in what subjects?	
Graduation requirements effective with the Class of 2019 can be found here .	

If you have questions regarding this memo, please contact Parker Teed at parker.teed@k12.wa.us.



THE WASHINGTON STATE BOARD OF EDUCATION

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REQUEST FOR WAIVER OF MINIMUM REQUIREMENTS OF THE PROGRAM OF BASIC EDUCATION

Policy Considerations

Should the Option One request presented for a waiver of the minimum 180-day school year requirement be approved, based upon the criteria for evaluation in WAC 180-18-040? Are there deficiencies in the application that may warrant resubmittal of the application, with corrections, for consideration by the Board at a subsequent meeting per WAC 180-18-050?

Summary

Please see the following table that organizes critical information that a requestor must provide in order to complete their waiver request and be considered by the Board for approval.

District	Number of Waiver Days Requested	Number of Years Requested	Purpose of Waiver	Student Instructional Days	Additional Work Days Without Students	New or Renewal	Were the required documents submitted and complete?
Lopez Island	4	2	Professional Development	176	0	Renewal	Yes
<p>What are the goals of this waiver?</p> <p>The district measures its progress towards goals of the waiver through the Smarter Balanced assessment, attendance, suspension rates, and local assessments including the STAR assessment. The district seeks to implement a technology levy, compassionate school training, and teacher professional development.</p>							
<p>If a renewal, what progress on original goals has been made?</p> <p>District is so small that state assessment data are suppressed at most grade levels due to privacy rules. However, the district states that it interprets the progress on its metrics as having met its goals and that it wishes to expand on those goals.</p>							



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Background: Option One Waiver

The SBE uses the term “Option One” waiver to distinguish the regular 180-day waiver available to school districts under RCW 28A.305.140 from the “Option Two” waiver available to a limited number of districts for purposes of economy and efficiency under RCW 28A.305.141. RCW 28A.305.140 authorizes the Board to grant waivers from the minimum 180-day school year requirement of RCW 28A.150.220(5) “on the basis that such waivers are necessary to implement a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student.”

WAC 180-18-040 implements this statute. It provides that “A district desiring to improve student achievement for all students in the district or for individual schools in the district may apply to the state board of education for a waiver from the provisions of the minimum one hundred eighty-day school year requirement . . . while offering the equivalent in annual minimum instructional hours . . . in such grades as are conducted by the school district.” The Board may grant a request for up to three school years. There is no limit on the number of days that may be requested. Rules adopted in 2012 as WAC 180-18-040(2) and (3) establish criteria for evaluating the need for a new waiver and renewal of an existing one.

WAC 180-18-050 sets procedures to be followed to request a waiver. A district must provide, in addition to the waiver application, an adopted resolution by its school board requesting the waiver, a proposed school calendar for each year to which the waiver would apply, and information about the collective bargaining agreement with the local education association.

Summary of Current Option One Request

Lopez Island, a small district of about 243 students on an archipelago in Northwestern Washington, requests a renewal of its waiver of four days for the 2017-18 and 2018-19 school years. The district states that it will meet and exceed minimum instructional hours, continue to have six half-days in its calendar, and will have zero additional teacher work days without students.

The purpose of the waiver is professional development, compassionate school training, and implementation of a technology levy. The district builds on its previous waiver by noting that it will also focus on the implementation of the district’s first technology levy in a decade. The district elaborates on how it will implement the technology levy and improve the technology literacy of its staff through the use of a technology coach. The district plans to focus on technology in elementary in 2017-18 and then in secondary during the 2018-19 school year.

The district measures its progress towards goals of the waiver through the Smarter Balanced Assessments, attendance, suspension rates, and local assessments including the STAR assessment. In response to renewal questions, the district states that it interprets the progress on its metrics as having met its goals and that it wishes to expand on those goals. The district describes its participation of the

community in the development of the waiver. Lopez Island notes that information on the waiver is sent out to the community through a newsletter. The waiver was developed through the leadership staff and representatives of the educational staff. Other community groups were consulted in the development of the waiver and the technology committee provided feedback. The district states that it will build on its previous waiver by focusing on the implementation of the technology levy.

The district submitted all of the required documents. The district states that it attempted to submit its waiver materials to Jack Archer in July and that it is submitting a 2017-18 school year request at the November 2017 state board of education meeting for that reason.

Action

The Board will consider whether to approve the request for an Option One waiver presented in the application by Lopez Island School District and summarized in this memorandum.

If you have questions regarding this memo, please contact Parker Teed at parker.teed@k12.wa.us

The waiver resolution, application, and proposed calendar are posted online at www.sbe.wa.gov/materials.php