

STATE BOARD OF EDUCATION

HEARING TYPE: X ACTION

DATE: March 13, 2007

SUBJECT: **180-Day Waiver Work Group Recommendations**

SERVICE UNIT: State Board of Education
 Edie Harding, Executive Director

PRESENTERS: Jack Schuster, State Board of Education Member
 Jim Koval, Superintendent of North Thurston Public Schools

BACKGROUND:

The State Board of Education commissioned representatives from educator groups to review the 180-day waiver practice and to bring recommendations about the 180-day waiver options currently available to districts. After two meetings and considerable discussions—through the meetings and e-mails—the Work Group has arrived at two recommendations. These recommendations are detailed in the Work Group’s memo to the Board. They are:

1. To keep the 180-day waiver option with adjustments and refinements. The refinements will provide more clarity and heightened accountability for district use of the waiver. If the Board accepts this recommendation, the Work Group will continue to work together to finalize the adjustments and refinements.
2. To include a work session at the May 2007 Board meeting in which practitioners will provide detailed information about the 180-day waiver, how it has been used in the past, and stories from educators of small, medium, and large districts. This will be an opportunity for Board members to ask practitioners questions of interest and concern.

Included also under this Tab is a letter from Jack Schuster, Chair of the 180-Day Waiver Work Group, and Kris Mayer, Chair of the System Performance/Accountability Committee, acknowledging the direct relationship between the work of the two groups. They also ask for consideration to focus the 180-day waivers on the school improvement process.

Also, included is information on the current status of districts with 180-day waivers and background on 180-day waivers, including the relevant RCWs and WACs.



WASHINGTON STATE BOARD OF EDUCATION

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TO: State Board Of Education Members

FROM: Jack Schuster, Chair of 180-Day Waiver Committee
Kris Mayer, Chair of System Performance/Accountability Committee

DATE: February 26, 2007

RE: Recommendations for 180-Day Waiver Committee

Jack Schuster brought the 180-Day Waiver Committee's recommendations to the Executive Committee on February 23, 2007, for a preliminary discussion. The discussion resulted in a number of issues that we would like the Board to consider in light of the Committee's recommendations.

We strongly encourage the Board to consider its role in advocating that ample time be funded by the state for districts and schools to advance school improvement and the performance of all students. We also encourage and support accountability measures for this investment.

The work of the 180-Day Waiver and the System Performance/Accountability Committees are closely related and the recommendations of the 180-Day Waiver Committee should be reviewed with that systemic relationship in mind. The System Performance/Accountability Committee is considering ways to effectively utilize the process of school improvement – the planning, implementation and monitoring as a way to increase the scale of improvement across the state.

According to WAC 180-180-040, districts may apply for a waiver from the 180-day requirement to implement a local restructuring plan to provide an effective educational system. In addition, in 2004 the SBE required that each school in a district have a school improvement plan that is data driven, promotes a positive impact on student learning, and includes a continuous improvement process. The school improvement plan shall address, but not be limited to, characteristics of successful schools, safe and supportive learning environments, equity factors, technology, and parent and family involvement (WAC 180-16-220(2)).

Therefore, with the 180-Day Waiver Committee's recommendation to maintain the waivers with modifications, including an increase in accountability, we suggest that the Board discuss the possibility of requiring applicants to clearly delineate how the use of their waiver days relates to their continuous school improvement planning process and increased student achievement. Furthermore, we concur with the Committee that an increase in accountability is important, and, therefore, a feedback loop is essential. This feedback loop should provide evidence of the direct impact of waiver day activities on their school improvement planning process, the implementation of strategies in their school improvement plans, and/or student achievement outcomes

MEMORANDUM

DATE: February 26, 2007
To: State Board of Education Members
From: 180-Day Waiver Work Group
RE: 180-Day Waiver Work Group Recommendations

The State Board of Education (SBE) commissioned representatives from educator groups to explore the 180-day waiver practice currently allowed in Washington schools.

RCW 28A.305.140 Waiver from provisions of RCW 28A.150.20 through 28A.150.220 authorized.

The SBE may grant waivers to school districts from the provisions of RCW 28A.150.220 through 28A.150.220 on the basis that such waiver or waivers are necessary to implement successfully 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. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program. The SBE shall adopt criteria to evaluate the need for the waiver or waivers.

WAC 180-18-040 Waivers from minimum one hundred eighty-day requirement

A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program 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 180-day school year pursuant to RCW 28A.150.220(5) and WAC 180-16-215 by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The SBE may grant said initial waiver requests for up to three school years.

The charge to the committee was to bring recommendations to the State Board of Education about the 180-day waiver options currently available to districts. This memo presents the recommendations and background information.

Recommendations

The committee discussed three pathways for a possible recommendation to the State Board of Education.

1. Keep the 180-day waiver provision as it currently exists in statute and practice
2. Remove the 180-day waiver option for districts
3. Keep the 180-day waiver option with adjustments and refinements.

Committee members unanimously recommend that the State Board of Education keep the 180-day waiver option with refinements to provide more clarity and heightened accountability for district use. Adjustments and refinements include:

1. The State Board of Education defines clear purpose for granting a 180-day waiver to districts
2. Communicate effectively and clearly to districts the purpose of the 180-day waiver
3. Create an application form for districts that speaks to the WAC requirements and the State Board of Education expectations
4. Embed within the application form is an accountability feedback loop to which districts must comply at the end of their first waiver and before any other 180-day waivers are granted

In addition to the recommendations outlined above, the committee unanimously recommends that a work session be conducted with the State Board of Education in May to provide detailed information from practitioners about the 180-day waiver, how it has been used in the past, and stories from educators of small, medium, and large districts.

Background

Since 1993 Washington State has embarked on a standards-based education reform effort designed to change how we measure success in public schools. There have been many previous attempts at educational reform but the difference this time is that it is being implemented in every school and that schools are being held accountable for success by the State Board of Education and the Office of Superintendent of Public Instruction. With the new Elementary and Secondary Education Act (ESEA), known as “No Child Left Behind,” (NCLB) federal accountability is layered on top of the state requirements to make this educational improvement effort unparalleled in public education.

One of the most difficult issues that school systems wrestle with related to improvement is how to provide time for teachers and schools to plan for and to implement change effectively. Teachers need time to organize instruction, implement formative learning processes, and utilize data around the elements inherent in system improvement and improved student learning. One answer is the 180-day waiver option currently available to districts.

Districts also grapple with ways to provide quality professional development to staff. The days of “sit and get” professional development are over. Research is emerging which points to job-embedded, collaborative professional development approaches to authentically improve student learning. Districts now “cannibalize” established programs to support professional development among staff. Stress on district systems to address these needs is pushing districts to a breaking point. Taking away the 180-day waiver option would add additional “stressors” on district attempts to provide quality professional development for staff.

State Board staff and committee members have been fielding calls from educators across the state—every contact being in support of the 180-day waiver option. In fact, superintendents across the state are calculating possible negative impacts to their districts measured in budget increases, decreasing programs, decreasing professional development, and ultimately the impact on instructional practice and student learning.

After talking with some educators across the state about the 180-day waiver options, the committee was able to identify some benefits. Although incomplete, this list does represent the type of activities associated with the 180-day waivers that may be reduced or eliminated with the loss of the 180-day waiver option.

- Educator collaboration for subject specific courses (groups of mathematics teachers at the high school level)
- Educator collaboration for same grade level (fourth grade teachers in an elementary school)
- Educator collaboration for cross grade levels (third grade teachers working with second grade teachers and fourth grade teachers)
- Educator collaboration for cross school transitions (middle school mathematics teachers work with high school mathematics teachers)
- Curricula collaboration for all subject areas, all grade levels, and between transition grades (elementary schools, middle schools, high schools)
- Time for standards, Essential Academic Learning Requirements (EALRs), and Grade Level Expectations (GLE) alignment with curricula
- Time for alignment of classroom-based, formative, and state-level assessments with curricula
- Time to focus on ESEA/NCLB, Adequate Yearly Progress (AYP) cell focus areas
- Time for implementing standards-based reporting systems and standards-based report cards
- Time for implementing authentic electronic portfolio systems
- Time for implementing the High School and Beyond Plan
- Time to work on implementing the Culminating Project
- Time to receive training on new adoptions of materials
- Time to review and act on data that is connected to the School Improvement Planning Processes and implementation
- Time for mentoring, instructional coaching, cognitive coaching, and teacher induction programs
- Time for training programs related to the new professional certification requirements
- Time to research and implement effective instructional strategies
- Time to develop accommodations for students on both ends of the academic spectrum
- Time for general professional development for teachers, para-professionals, food service employees, custodians, transportation employees, and administrators
- Implementation of new programs
- The effective use of technology and instructional integration

- Developing and effectively implementing professional learning communities
- Consistent and formative approach to professional development and instructional planning time

Committee members expressed concern for how the state does/does not provide districts options for these activities with or without 180-day waiver.

A Revised Application Process: Feedback Loop

In order to evaluate a program's success, it is necessary to have districts describe in detail the goal of the waiver request, how the district will improve over time and how that will be measured. All districts have different needs, different support mechanisms, different funding priorities, different community needs, etc. With a revised application process, the districts themselves will identify the data points that will be used to measure success. The district will be expected to collect baseline data and compare and analyze with similar data points over time to demonstrate systematic improvement. This feedback loop should be designed to measure how effective the waiver days have been on addressing the needs of improving schools and the district.

At the end of the first full year of implementation of the waiver days, the district will gather information about the impact of the implementation and submit a preliminary feedback report to the State Board of Education. At the end of the waiver day implementation (2 or 3 years) and before additional waiver days are granted, the district shall submit its final report to the State Board of Education. The State Board of Education may ask that a representative of the district be present at the Board's scheduled meetings to describe the level of success resulting from the granted waiver days. The final reports shall be made public on the districts' Web sites to provide additional information to each district's community.

**State Board of Education
Briefing Paper
Waivers from the 180-Day School Year**

Purpose of Study/Background:

Members of the newly reconstituted State Board of Education made the decision to grant districts requesting waivers one year waivers for the 2006-07 school year. Board staff will work with an advisory group to determine the effectiveness of the current waiver process. The committee will look at criteria used to review waiver requests, and make recommendations to the Board in May 2007 on changes needed to the process.

Issue and Definition:

The overwhelming message from schools is that they need time to align and implement curriculum to meet the Essential Academic Learning Requirements (EALRs). Quality planning time for administrators and teachers is an essential element of the restructuring/reform process.

The State Board of Education is authorized to *“grant waivers from the provisions of RCW 28A.150.200 through RCW 28A.150.220 on the basis that such waiver or waivers are necessary to implement successfully 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.”*

RCW/WAC Cites:

RCWs 28A.150.220(3), 28A.305.140, and 28A.655.180
WACs 180-18-040, 180-18-050, 180-18-060

State Board Role:

SBE staff review all applications to assess compliance with statutory and regulatory application requirements. Only those waiver requests meeting the application requirements are brought forward to the Board for approval consideration. Waivers may be granted up to three school years.

OSPI Role: None

Effect on School Districts: Time to plan, consult, support, and collaborate has been a vital element in the use of the waivers from the 180-day school year. Building, district-wide, and regional training provides teachers strategies to help students achieve standards that will ensure success, not only on state-level assessments, but lifelong.

Attached is a list of indicators of successes and benefits that school districts have reported while utilizing waivers from the 180-day school year. All of these indicators point toward improving student learning. Many school superintendents, local school board members, administrators, and teachers have indicated that the waiver from the 180-day calendar has been one of the most beneficial tools they have received from the State.

Since 1995, individual schools, as well as entire school districts, have utilized the use of waivers from the 180-day school year requirement to assist in providing time for staff to collaboratively consult and plan with colleagues for professional improvement contributing to improved student learning. The State Board of Education has recommended that school districts thoughtfully consider how a waiver of the 180-day requirement will contribute to student achievement.

All school districts receiving waivers must continue to meet or exceed the minimum number of instructional hours (1000 – grades 1-12) required for compliance with the Basic Education Act under RCW 28A.150.220. In law, the 180-day waiver cannot be granted if the 1,000 hour requirement is not maintained.

From November 1995 to March 2006, 109 school districts (37% of all 296 districts) have applied and received waivers. The average number of days on a waiver is 5.5 days. The average number of years a district has been on a waiver is 2.6 years.

Currently, 25 percent of the school districts in Washington operate on a waiver from the 180-day school year.

Attachments

Recommendation from Staff:

SBE staff recommends the SBE continue to process requests for waiver from the 180-day school year requirement.

Pat Eirish

April 2006

180-Day Waiver Benefits**Reported by School Districts**

- Time to work on school improvement plans
- Time to do research and analyze test data and best practices that will improve student success
- Time as a whole staff to reflect on what's working well and what needs more focus
- Increased enthusiasm for change – demonstrated through staff discussion
- Time for staff training on assessment strategies for Reading, Writing, and Math
- Uninterrupted blocks of time for staff to focus on academics
- Time to implement identified goals and to align curriculum with EALRS
- Time to focus on assessment strategies
- Time to develop curriculum, learn new or revised instructional strategies, and create, administer, and analyze assessment data that guides decision making to improve student learning
- Collaborative work on curriculum has increased scores
- A better prepared staff positively impacts student achievement
- Allowed teachers time to do the essential things to improve learning
- Staff value these days and consider them crucial to goals of providing a quality educational environment for ALL students
- Quality time spent in staff development is superior to half-day late-arrival/early dismissal model previously used
- Staff development activities have provided quality time for teachers and classified staff to follow through on district goals
- District unable to provide professional training unless a block of time is available Staff development is crucial
- A united focus
- Conference opportunities enhance the parent-teacher partnership, which has a direct impact on student performance, motivation, and achievement
- Visioning and accreditation teams were brought together that included members of community, parents, business leaders, and staff members
- Gains in both WASL and ITBS assessments
- Non-student days have allowed time for staff development for curriculum alignment and teaming, training on instructional assessment strategies, and conducting research and analysis of test data and best instructional practices
- Collegial teaming and collaboration activities have prepared staff for better instructional

delivery

Waiver time has benefited the district as we implement and attend to the No Child Left Behind requirements

Waiver time has enabled district to establish new strategic and building action plans for

making changes that will significantly increase student learning and individual achievement

Rural area and bus transportation is lengthy and time consuming for many.

A full day out of school rather than half days is a cost savings to a district as well

Education association fully supports waiver and believes time devoted is of inestimable

benefit to students now and lifelong

Less disruption for parents

Improved student attendance

Allowed continuity for students

Less fragmented learning

Significant decline in discipline areas of fighting, disrespect, and reduced suspensions

Improved positive attitudes

Schools on 180-Day Waivers During the 2005-06 School Year

School Dist. School or Dist. Days Length of Granted Expiration New/
Name Waived Waiver Date Renewal

Adna District 4 3 Years 3/16/05 2007-08 SY R

Anacortes District 3 3 Years 5/11/05 2007-08 SY R

Arlington District 2 3 Years 5/11/05 2007-08 SY R

Bethel District 2 3 Years 8/24/05 2007-08 SY N

Blaine District 3 3 Years 3/16/05 2007-08 SY R

Boistfort District 2 3 Years 12/12/05 2008-09 SY R

Bremerton District 5 3 Years 8/24/05 2007-08 SY N

Burlington/ K-8 2 3 Years 1/14/05 2007-08 SY

Edison 9-12 3 3 Years 1/14/05 2007-08 SY R

Chewelah District 3 3 Years 3/20/03 2005/06 SY N

Cle-Elum/

Roslyn District 3 3 Years 3/16/05 2007-08 SY R

College Place District 3 3 Years 5/11/05 2007-08 SY R

Colville District 5 3 Years 1/14/05 2007-08 SY R

Columbia

(Burbank) District 3 3 Years 5/11/05 2007-08 SY R

School Dist. School or Dist. Days Length of Granted Expiration New/
Name Waived Waiver Date Renewal

Darrington District 4 3 Years 10/26/05 2008-09 SY N

Dieringer District 2 3 Years 5/11/05 2007-08 SY N

Easton District 4 3 Years 6/1/04 2006-07 SY R

Edmonds District 5 3 Years 5/21/03 2005-06 SY N

Elma District 3 3 Years 12/12/05 2008-09 SY N

Everett District 3 3 Years 5/11/05 2007-08 SY R

Federal Way District 2 3 Years 5/11/05 2007-08 SY R

Franklin Pierce District 4 3 Years 8/24/05 2007-08 SY N
 Garfield/Palouse Districts 3 3 Years 5/11/05 2007-08 SY R
 Highline Chinook Middle Sch 3 3 Years 6/20/03 2005-06 SY N
 Cascade Middle Sch 3 1 Year 6/1/04 2006-07 SY N
 Aviation HS 12 3 Years 1/14/05 2007-08 SY N
 Evergreen HS 9 3 Years 5/11/05 2007-08 SY N
 Highline HS 9 3 Years 5/11/05 2007-08 SY N
 Mount Rainier HS 9 3 Years 5/11/05 2007-08 SY N
 Tye HS 9 3 Years 5/11/05 2007-08 SY N
 School Dist. School or Dist. Days Length of Granted Expiration New/
 Name Waived Waiver Date Renewal
 Hood Canal District 5 3 Years 3/16/05 2007-08 SY R
 Inchelium District 3 3 Years 3/16/05 2007-08 SY R
 Lake Stevens District 2 3 Years 1/14/04 2005-06 SY N
 Lopez Island District 4 3 Years 12/12/05 2008-09 SY R
 Lyle District 4 3 Years 3/16/05 2007-08 SY N
 Mt. Baker District 4 3 Years 5/11/05 2007-08 SY R
 Manson District 1 3 Years 6/20/03 2005-06 SY N
 Medical Lk District 2 3 Years 3/16/05 2007-08 SY R
 Mercer Is. District 1 1 Year 10//26/05 2005-06 SY N
 Monroe District 4 3 Years 8/25/04 2006-07 SY N
 Montesano District 3 3 Years 8/25/04 2006-07 SY R
 Mossyrock District 4 3 Years 12/12/05 2008-09 SY R
 Mukilteo District 2 1 Year 5/11/05 2005-06 SY R
 Naches Valley District 2 3 Years 3/16/05 2007-08 SY R
 School Dist. School or Dist. Days Length of Granted Expiration New/
 Name Waived Waiver Date Renewal
 Napavine District 4 3 Years 5/11/05 2007-08 SY N
 Nespelam District 4 3 Years 5/1/04 2006-07 SY R
 Newport District 4 2 Years 3/16/05 2006-07 SY R
 North Kitsap District 5 3 Years 1/14/05 2007-08 SY R
 North Mason District 2 1 Year 3/16/05 2005-06 SY R
 Northport District 5 3 Years 5/21/04 2006-07 SY R
 Northshore District 5 3 Years 3/16/05 2007-08 SY R
 North Thurston District 7 3 Years 5/1/04 2006-07 SY N
 Ocean Beach District 3 3 Years 12/12/05 2008-09 SY R
 Ocosta District 4 3 Years 3/16/05 2007-08 SY R
 Odessa District 5 3 Years 12/12/05 2008-09 SY N
 Onalaska District 2 3 Years 3/16/05 2007-08 SY R
 Onion Creek District 5 3 Years 3/16/05 2007-08 SY R
 Orient District 5 3 Years 3/16/05 2007-08 SY R
 Orting District 8 1 Year 12/12/05 2006-07 SY R
 School Dist. School or Dist. Days Length of Granted Expiration New/
 Name Waived Waiver Date Renewal
 Othello District 6 3 Years 5/11/05 2007-08 SY R
 Port Angeles District 5 3 Years 3/16/05 2007-08 SY R

Raymond District 5 3 Years 6/18/04 2006-07 SY N
 Riverside District 4 3 Years 5/21/03 2005-06 SY R
 Rosalia District 2 3 Years 8/22/03 2005-06 SY R
 Seattle District 3 3 Years 6/20/03 2005-06 SY R
 Selkirk District 3 3 Years 3/16/05 2007-08 SY R
 Shoreline District 5 3 Years 8/25/04 2006-07 SY R
 Snohomish District 3 3 Years 3/17/04 2006-07 SY R
 So. Whidbey District 4 1 Year 12.12.05 2006-07 SY N
 Sultan District 5 3 Years 1/14/04 2005-06 SY R
 Sunnyside District 7 3 Years 3/16/05 2007-08 SY R
 Tacoma TacomaSOTA 18 3 Years 10/21/05 2006-07 SY R
 Tahoma District 3 1 Year 5/11/05 2005-06 SY R
 School Dist. School or Dist. Days Length of Granted Expiration New/
 Name Waived Waiver Date Renewal
 Valley District 4 3 Years 3/16/05 2007-08SY R
 Wahkiakum District 4 3 Years 5/11/05 2007-08 SY R
 Wahluke High School 2 3 Years 10/26/05 2007-08 SY N
 Waitsburg District 2 3 Years 5/11/05 2007-08 SY N
 Wellpinit District 5 3 Years 5/11/05 2007-08 SY N
 West Valley District 3 3 Years 5/11/05 2007-08 SY R
 (Yakima)
 Wishkah Valley District 4 3 Years 8/24/05 2007-08 SY R
 Zillah District 3 3 Years 1/16/05 2007-08 SY R

Total school districts operating with 180-day waivers in the 200506 school year: **74**

(This number includes the following school districts that have also renewed their waivers:

Boistfort, Lopez Island, Monroe, Montesano, Mossyrock, Ocean Beach, and Orting.)

Total school districts with renewed waivers: **52**

Total school districts with new waivers: **22**

Percent of school districts in Washington operating schedules on a 180-day waiver in the 2005-06 school year: **25%**

Pat Eirish, Manager

Research and Assistance Program

State Board of Education

March 2006

School Districts Granted 180-Day Waivers Since November 1995

(Not all are currently operating with a waiver.)

Adna

Anacortes

Arlington

Bethel

Blaine

Boistfort

Bremerton

Burlington-Edison

Central Valley

Chewelah

Cle Elum-Roslyn

**College Place
Columbia #400
Colville
Concrete
Conway
Darrington
Dieringer
Dixie
East Valley (Spokane)
Easton
Edmonds
Elma
Everett
Federal Way
Franklin Pierce
Freeman
Garfield
Grand Coulee
Grandview
Grapeview
Highline
Hood Canal
Hoquiam
Inchelium
Keller
Kettle Falls
LaCrosse
Lake Stevens
Liberty
Loon Lake
Lopez Island
Lyle
Mabton
Mansfield
Manson
Mary Walker
Mead
Medical Lake
Mercer Island
Monroe
Montesano
Mossyrock
Mount Baker
Mukilteo
Naches Valley
Napavine**

Nespelem
Newport
North Kitsap
North Mason
North Thurston
Northport
Northshore
Ocean Beach
Ocosta
Odessa
Onalaska
Onion Creek
Orient
Orting
Othello
Palouse
Port Angeles
Pullman
Raymond
Reardan-Edwall
Riverside
Rosalia
Seattle
Sedro-Woolley
Selkirk
Shoreline
Snohomish
South Whidbey
Sultan
Sunnyside
Tacoma
Tahoma
Thorp
Tukwila
Valley
Vashon Island
Wahkiakum
Wahluke
Waitsburg
Walla Walla
Wellpinit
West Valley (Yakima)
West Valley (Spokane)
Wishkah Valley
Zillah

Total: 102

March 2006

Pat Eirish
Graphic Version

RCW 28A.150.220

Basic Education Act — Program requirements — Program accessibility — Rules.

(1) Satisfaction of the basic education program requirements identified in RCW 28A.150.210 shall be considered to

be implemented by the following program:

(a) Each school district shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours. The program shall include instruction in the essential academic learning requirements under *RCW 28A.630.885 and such other subjects and such activities as the school district shall

determine to be appropriate for the education of the school district's students enrolled in such program;

(b) Each school district shall make available to students enrolled in grades one through twelve, at least a districtwide

annual average total instructional hour offering of one thousand hours. The state board of education may define

alternatives to classroom instructional time for students in grades nine through twelve enrolled in alternative learning

experiences. The state board of education shall establish rules to determine annual average instructional hours for

districts including fewer than twelve grades. The program shall include the essential academic learning requirements

under *RCW 28A.630.885 and such other subjects and such activities as the school district shall determine to be

appropriate for the education of the school district's students enrolled in such group;

(c) If the essential academic learning requirements include a requirement of languages other than English, the

requirement may be met by students receiving instruction in one or more American Indian languages.

(2) Nothing contained in subsection (1) of this section shall be construed to require individual students to attend

school for any particular number of hours per day or to take any particular courses.

(3) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all

students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and

shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a

school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten: PROVIDED, That

effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day

school year for noninstructional purposes in the case of students who are graduating from high school, including, but

not limited to, the observance of graduation and early release from school upon the request of a student, and all such

students may be claimed as a full time equivalent student to the extent they could otherwise have been so claimed for

the purposes of RCW 28A.150.250 and 28A.150.260.

(4) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program

approval requirements as the state board may establish.

[1993 c 371 § 2; (1995 c 77 § 1 and 1993 c 371 § 1 expired September 1, 2000); 1992 c 141 § 503; 1990 c 33 § 105; 1982 c 158 § 1; 1979

ex.s. c 250 § 1; 1977 ex.s. c 359 § 3. Formerly RCW 28A.58.754.]

Notes:

*Reviser's note: RCW 28A.630.885 was recodified as RCW 28A.655.060 pursuant to 1999 c 388 § 607.
RCW

28A.655.060 was subsequently repealed by 2004 c 19 § 206.

Contingent expiration date -- 1995 c 77 § 1: "Section 1 of this act shall expire September 1, 2000.

However,

section 1 of this act shall not expire if, by September 1, 2000, a law is not enacted stating that a school accountability

and academic assessment system is not in place." [1995 c 77 § 32.] That law was not enacted by September 1, 2000.

Contingent effective date -- 1993 c 371 § 2: "Section 2 of this act shall take effect September 1, 2000.

However,

section 2 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability

and academic assessment system is not in place." [1993 c 371 § 5.] That law was not enacted by September 1, 2000.

Contingent effective date -- 1992 c 141 §§ 502-504, 506, and 507: See note following RCW 28A.150.205.

Findings -- Part headings -- Severability -- 1992 c 141: See notes following RCW 28A.410.040.

Severability -- 1982 c 158: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 158 § 8.]

Effective date -- 1979 ex.s. c 250: "This amendatory act is necessary for the immediate preservation of the public

peace, health, and safety, the support of the state government and its existing public institutions, and except as

otherwise provided in subsection (5) of section 1, and section 2 of this amendatory act, shall take effect August 15,

1979." [1979 ex.s. c 250 § 10.]

Severability -- 1979 ex.s. c 250: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 250 § 11.]

Effective date -- Severability -- 1977 ex.s. c 359: See notes following RCW 28A.150.200.

[Graphic Version](#)

RCW 28A.305.140

Waiver from provisions of RCW 28A.150.200 through 28A.150.220 authorized.

The state board of education may grant waivers to school districts from the provisions of RCW 28A.150.200 through 28A.150.220 on the basis that such waiver or waivers are necessary to implement successfully 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. The local plan may include alternative ways to provide effective educational

programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers.

[1990 c 33 § 267; (1992 c 141 § 302 expired September 1, 2000); 1985 c 349 § 6. Formerly RCW 28A.04.127.]

Notes:

Contingent expiration date -- 1992 c 141 § 302: "Section 302, chapter 141, Laws of 1992 shall expire September 1, 2000, unless by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1994 c 245 § 11; 1992 c 141 § 508.] That law was not enacted

by September 1, 2000.

Severability -- 1985 c 349: See note following RCW 28A.150.260.

RCW 28A.655.180

Waivers for educational restructuring programs —

Study by

joint select committee on education restructuring —

Report

to legislature.

(1) The state board of education, where appropriate, or the superintendent of public instruction, where appropriate, may grant waivers to districts from the provisions of statutes or rules relating to: The length of the school year; student-to-teacher ratios; and other administrative rules that in the opinion of the state board of education or the opinion of the superintendent of public instruction may need to be waived in order for a district to implement a plan for restructuring its educational program or the educational program of individual schools within the district.

(2) School districts may use the application process in RCW 28A.305.140 or *28A.300.138 to apply for the waivers under subsection (1) of this section.

(3) The joint select committee on education restructuring shall study which waivers of state laws or rules are necessary for school districts to implement education restructuring. The committee shall study whether the waivers

are used to implement specific essential academic learning requirements and student learning goals. The committee

shall study the availability of waivers under the schools for the twenty-first century program created by chapter 525,

Laws of 1987, and the use of those waivers by schools participating in that program. The committee shall also study

the use of waivers authorized under RCW 28A.305.140. The committee shall report its findings to the legislature by

December 1, 1997.

[1995 c 208 § 1; (1997 c 431 § 23 expired June 30, 1999). Formerly RCW 28A.630.945.]

Notes:

*Reviser's note: RCW 28A.300.138 was repealed by 1999 c 388 § 603.

180-18-030 << 180-18-040 >> 180-18-050

WAC 180-18-040

Waivers from minimum one hundred eighty-day school year

requirement and student-to-teacher ratio requirement.

(1) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program 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 pursuant to RCW 28A.150.220(5) and WAC 180-16-215 by offering the equivalent in annual minimum

program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The state board of education may grant said initial waiver requests for up to three school years.

(2) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program 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 student-to-teacher ratio requirement pursuant to RCW 28A.150.250 and WAC 180-16-210, which requires the ratio of the FTE students to kindergarten through grade

three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in

grades four through twelve. The state board of education may grant said initial waiver requests for up to three

school years.

[Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-040, filed 10/2/95, effective 11/2/95.]

180-18-040 << 180-18-050 >> 180-18-055

WAC 180-18-050

Local restructuring plan requirements to obtain waiver.

(1) State board of education approval of district waiver requests pursuant to WAC 180-18-030 and 180-18-040 shall occur at a state board meeting prior to implementation. A district's waiver application shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more schools which consists of at least the following information:

- (a) Identification of the requirements to be waived;
- (b) Specific standards for increased student learning that the district expects to achieve;
- (c) How the district plans to achieve the higher standards, including timelines for implementation;
- (d) How the district plans to determine if the higher standards are met;
- (e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and
- (f) Evidence that opportunities were provided for families, parents, and citizens to be involved in the development of the plan.

(2) The district plan for restructuring the educational program of one or more schools in the district may consist of the school improvement plans required under WAC 180-16-220, along with the requirements of subsection (1)(a) through (d) of this section.

(3) The application for a waiver and all supporting documentation must be received by the state board of education at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The state board of education shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

[Statutory Authority: RCW 28A.150.220(4), 28A.305.140, and 28A.305.130 (6). 04-04-093, § 180-18-050, filed 2/3/04, effective 3/5/04.

Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-050, filed 10/2/95, effective 11/2/95.]
180-18-055 << 180-18-060 >> 180-18-090

WAC 180-18-060

Waiver renewal procedure.

Waiver requests related to WAC 180-18-040 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 may be renewed up to three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

[Statutory Authority: Chapter 28A.630 RCW. 01-24-092, § 180-18-060, filed 12/4/01, effective 1/4/02. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-060, filed 10/2/95, effective 11/2/95.]

180-Day Waivers

	<u>Days Granted</u>	<u>Expiration Dates</u>		
		<u>2006-07 SY</u>	<u>2007-08 SY</u>	<u>2008-09 SY</u>
Adna	4		X	
Anacortes	3		X	
Auburn	2	X		
Arlington	2		X	
Bethel	2		X	
Blaine	3		X	
Boistfort	2			X
Bremerton	5		X	
Burlington/Edison	K-8:5 days 9-12: 3 days		X	
Cle-Elum/Roslyn	3		X	
College Place	3		X	
Columbia (Burbank)	3		X	
Columbia (Hunters)	3			X
Colville	5		X	
Darrington	4			X
Dieringer	2		X	
Easton	4	X		
Edmonds	5	X		
Elma	3			X
Everett	3		X	
Federal Way	2		X	
Ferndale	2	X		
Franklin Pierce	4		X	
Garfield/Palouse	3		X	
Grandview	4		X	
Granite Falls	3	X		
Grapeview	2	X		
Highline				
Aviation HS	12	X		
Chinook MS	3	X		
Cascade MS	3	X		
Pacific MS	3		X	
Sylvester MS	3		X	
Evergreen HS	9		X	
Highline HS	9		X	
Mt. Rainier HS	9		X	
Tyee HS	9		X	
Hood Canal	5		X	
Inchelium	3		X	
Lake Stevens	1	X		
Lopez Island	4			X
Lyle	4		X	
Mt. Baker	4		X	
Manson	1			X
Marysville	5		X	
Mary Walker	2	X		
Medical Lake	2		X	
Meridian	2			X
Monroe	4	X		
Montesano	3	X		
Mossyrock	4			X
Mukilteo	2	X		
Naches Valley	2		X	
Napavine	4		X	
Nespelem	4	X		

180-Day Waivers

	<u>Days Granted</u>	<u>Expiration Dates</u>		
		<u>2006-07 SY</u>	<u>2007-08 SY</u>	<u>2008-09 SY</u>
Newport	4	X		
North Kitsap	5		X	
North Mason	2	X		
Northport	5	X		
Northshore	5		X	
North Thurston	7	X		
Ocean Beach	3			X
Ocosta	4		X	
Odessa	5			X
Onalaska	2		X	
Onion Creek	5		X	
Orient	5		X	
Orting	8	X		
Othello	6		X	
Port Angeles	5		X	
Raymond	5	X		
Riverside	2	X		
Seattle	3			X
Selkirk	3		X	
Shoreline	5	X		
Snohomish	3	X		
South Bend	3			X
South Whidbey	4	X		
Sultan	5	X		
Sunnyside	7		X	
Tacoma	5		X	
TacomaSOTA	18	X		
Tahoma	3	X		
Valley	4		X	
Wahkiakum	4		X	
Wahluke	2		X	
Waitsburg	2		X	
Wellpinit	5		X	
West Valley (Yakima)	3		X	
Wishkah Valley	4		X	
Zillah	3		X	

**School Districts Granted 180-Day Waivers
November 1995 to December 2006 (37%)**

(Not all are currently operating with a waiver.)

Adna	Kettle Falls	Port Angeles
Anacortes	LaCrosse	Pullman
Arlington	Lake Stevens	Raymond
Auburn	Liberty	Reardan-Edwall
Bethel	Loon Lake	Riverside
Blaine	Lopez Island	Rosalia
Boistfort	Lyle	Seattle
Bremerton	Mabton	Sedro-Woolley
Burlington-Edison	Mansfield	Selkirk
Central Valley	Manson	Shoreline
Chewelah	Marysville	Snohomish
Cle Elum-Roslyn	Mary Walker	South Bend
College Place	Mead	South Whidbey
Columbia #206	Medical Lake	Sultan
Columbia #400	Mercer Island	Sunnyside
Colville	Meridian	Tacoma
Concrete	Monroe	Tahoma
Conway	Montesano	Thorp
Darrington	Mossyrock	Tukwila
Dieringer	Mount Baker	Valley
Dixie	Mukilteo	Vashon Island
East Valley (Spokane)	Naches Valley	Wahkiakum
Easton	Napavine	Wahluke
Edmonds	Nespelem	Waitsburg
Elma	Newport	Walla Walla
Everett	North Kitsap	Wellpinit
Federal Way	North Mason	West Valley (Yakima)
Ferndale	North Thurston	West Valley (Spokane)
Franklin Pierce	Northport	Wishkah Valley
Freeman	Northshore	Zillah
Garfield	Ocean Beach	
Grand Coulee	Ocosta	
Grandview	Odessa	
Grapeview	Onalaska	
Highline	Onion Creek	
Hood Canal	Orient	
Hoquiam	Orting	
Inchelium	Othello	
Keller	Palouse	

Total: 109
November 2006
Pat Eirish

180-Day Waiver Study

State Board of Education
Pat Eirish
Dec. 7, 2006

Schools for the 21st Century

- SB 5479 – May 1987
 - 6-Year Program Authorized to June 1994
 - 33 Projects Selected
- Legislative Components
 - 10 Extra Days
 - Collaborative Planning, Design More Effective Schools
 - Supplemental Resources
 - Average of \$50,000 per year

Schools for the 21st Century

- Legislative Components
 - Waivers Allowed
 - Grant Duration
- The Change Process – Lessons Learned
 - Barriers to Change
 - Lack of Time
 - Resistance to Change
 - Difficulty in Developing Group Consensus

Schools for the 21st Century

- Conclusions
 - Time for staff collaboration is the single most important ingredient for significant school improvement.
 - With proper incentives, locally based shared decision making is the most effective way to both develop and implement positive school change.
 - For shared decision making and the collaborative time to be most productive, they must be clearly focused on the goals of the school, and those goals must also be developed collaboratively.

Schools for the 21st Century

- **Conclusions**
 - The state’s most productive roles in school improvement are in providing appropriate incentives, frameworks, and support for such improvement, rather than in mandating the methods of implementation.
 - School transformation is not a “project” or an episodic series of projects, it is a complex whole.

Learning Improvement Days

- 1999-00 School Year Funding for 3 Learning Improvement Days
- Learning Improvement Days replaced an earlier program called Student Learning Improvement Grants (SLIGs)
 - Additional time and resources for site-based planning activities and staff development.
- 1995-97 –Student Learning Improvement Block Grants
- 2002-03 Learning Improvement Days Reduced to 2 Days

Learning Improvement Days

- **Program Description**
 - Scheduled Work Days that Provide Time for Teachers and Other Certificated Instructional Staff and Administrators to Work Together to Plan and Implement Education Reforms Designed to Increase Student Achievement
 - **Allowable Activities:**
 - Developing and Updating Student Learning Improvement Plans,
 - Implementing Curriculum Materials & Instructional Strategies,
 - Providing Professional Development,
 - Developing and Implementing Assessment Strategies and Training in Assessment Scoring; and
 - Conducting Other Activities Intended to Improve Student Learning for All Students, Including Students with Diverse Needs

Learning Improvement Days

- **Activities**
 - Consistent with district and school plans for improving student learning.
 - District and school plans delineate how LIDs are used to assist students in meeting the EALRs and help the district/school achieve state and local accountability goals.
 - Plans available to the public

Learning Improvement Days

- Rules Adopted by OSPI
 - WAC 392-140-950 through
 - WAC 392-140-967

Rules determine eligibility for state funding and establish guidelines for the use of LIDs

Use of LIDs by SDs underscores the need for staff planning and collaboration beyond the 180-day school year.

Basic Education Compliance

- Annual Basic Education Program Requirement Compliance
- Total Instructional Hour Offerings
 - Grades 1-12 - District-wide annual average of 1,000 hours linked to the EALRs and other district-determined subjects/activities
 - Kindergarten 450 hours
- K-3/4-12 Students to Classroom Teacher Ratio
- District ratio of FTE classroom students to FTE classroom teachers in Grades K-3 is no greater than district ratio of FTE classroom students to FTE classroom teachers in Grades 4 and above.
- Minimum 180-Day School Year
 - No less than 180 days of planned instructional activity
 - Kindergarten no less than 180 half days or the equivalent per school year. (450 hours of instruction)
 - Districts using waivers must still be in compliance with the total instructional hour requirement.
- Signed by School District Superintendent and Board Chair

180-Day Waivers

- Authority: RCW 28A.150.220(3), RCW 28A.305.140, and RCW 28A.655.180
- Chapter 180-18 WAC Restructuring
- November 1995 – 1st 180-day waiver
- Waivers granted up to 3 school years
- No set number of waiver days

180-Day Waivers

- Criteria for Waiver:
 - Identify Requirements – # of Days Requested;
 - Standards for Increased Student Learning Expected;
 - How the District Plans to Achieve Higher Standards;
 - Timelines for Implementation;

180-Day Waivers

- Criteria for Waiver:
 - How Higher Standards to be Determined;
 - Evidence that Local Board, Administrators, Teachers and Classified Staff are Committed to Working Cooperatively on Restructuring Plan
 - Evidence Opportunities Provided for Families, Parents, and Citizens to be Involved in the Development of the Plan

180-Day Waivers

- Criteria for Waiver:
 - Resolution Signed by Local School Board
 - School Districts Must Still be in Compliance with the BEA Instructional Hour Offering Requirement

180-Day Waivers

- Thoughtfully Consider Impact on Student Learning
- TIME FOR:
 - Alignment of Curriculum
 - Collaborative Planning
 - Professional Development
 - Cross Grade Level Planning
 - Building, District and Regional Training
 - Research of Best Practices
 - Involvement with Families and Citizens

180-Day Waivers

- Total Waivers 2006-07 School Year
81 School Districts (25%)
- Total Waivers Since Nov. 1995
109 School Districts (37%)
- Average # of Days on Waiver 5.5
- Average # of Years on Waiver 2.6

Basic Education Act

- **1993 Legislative Findings:**

- “The Legislature finds that student achievement in Washington must be improved to keep pace with societal changes, changes in the workplace, and an increasingly competitive international economy.
- To increase student achievement, the legislature finds that the state of Washington needs to develop a public school system that focuses more on the educational performance of students, that includes high expectations for all students, and that **provides more flexibility for school boards and educators in how instruction is provided.**

Basic Education Act

- **1993 Legislative Findings:**

- **Time and Resources for Educators to Collaboratively Develop and Implement Strategies for Improved Student Learning**

180-Day Waivers

No single strategy (including waivers) has been the silver bullet for education reform.

Multiple Strategies Impact Student Learning

RCW 28A.305.140

Waiver from provisions of RCW 28A.150.200 through 28A.150.220 authorized.

The state board of education may grant waivers to school districts from the provisions of RCW 28A.150.200 through 28A.150.220 on the basis that such waiver or waivers are necessary to implement successfully 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. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

The state board shall adopt criteria to evaluate the need for the waiver or waivers.

[1990 c 33 § 267; (1992 c 141 § 302 expired September 1, 2000); 1985 c 349 § 6. Formerly RCW 28A.04.127.]

Notes:

Contingent expiration date -- 1992 c 141 § 302: "Section 302, chapter 141, Laws of 1992 shall expire September 1, 2000, unless by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1994 c 245 § 11; 1992 c 141 § 508.] That law was not enacted by September 1, 2000.

Severability -- 1985 c 349: See note following RCW 28A.150.260.

RCW 28A.150.220

**Basic Education Act — Program requirements — Program accessibility
— Rules.**

(1) Satisfaction of the basic education program requirements identified in RCW 28A.150.210 shall be considered to be implemented by the following program:

(a) Each school district shall make available to students enrolled in kindergarten at least a total instructional offering of four hundred fifty hours. The program shall include instruction in the essential academic learning requirements under *RCW 28A.630.885 and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such program;

(b) Each school district shall make available to students enrolled in grades one through twelve, at least a district-wide annual average total instructional hour offering of one thousand hours. The state board of education may define alternatives to classroom instructional time for students in grades nine through twelve enrolled in alternative learning experiences. The state board of education shall establish rules to determine annual average instructional hours for districts including fewer than twelve grades. The program shall include the essential academic learning requirements under *RCW 28A.630.885 and such other subjects and such activities as the school district shall determine to be appropriate for the education of the school district's students enrolled in such group;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages.

(2) Nothing contained in subsection (1) of this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(3) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten; PROVIDED, That effective May 1, 1979, a school district may schedule the last five school days of the one hundred and eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student, and all such students may be claimed as a full time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

(4) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW 28A.150.250 and 28A.150.260, and such related supplemental program approval requirements as the state board may establish.

[1993 c 371 § 2; (1995 c 77 § 1 and 1993 c 371 § 1 expired September 1, 2000); 1992 c 141 § 503; 1990 c 33 § 105; 1982 c 158 § 1; 1979 ex.s. c 250 § 1; 1977 ex.s. c 359 § 3. Formerly RCW 28A.58.754.]

Notes:

***Reviser's note:** RCW 28A.630.885 was recodified as RCW 28A.655.060 pursuant to 1999 c 388 § 607. RCW 28A.655.060 was subsequently repealed by 2004 c 19 § 206.

Contingent expiration date -- 1995 c 77 § 1: "Section 1 of this act shall expire September 1, 2000. However, section 1 of this act shall not expire if, by September 1, 2000, a law is not enacted stating that a school accountability and academic assessment system is not in place." [1995 c 77 § 32.] That law was not enacted by September 1, 2000.

Contingent effective date -- 1993 c 371 § 2: "Section 2 of this act shall take effect September 1, 2000. However, section 2 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1993 c 371 § 5.] That law was not enacted by September 1, 2000.

Contingent effective date -- 1992 c 141 §§ 502-504, 506, and 507: See note following RCW 28A.150.205.

Findings -- Part headings -- Severability -- 1992 c 141: See notes following RCW 28A.410.040.

Severability -- 1982 c 158: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 158 § 8.]

Effective date -- 1979 ex.s. c 250: "This amendatory act is necessary for the immediate preservation of the public peace,

health, and safety, the support of the state government and its existing public institutions, and except as otherwise provided in subsection (5) of section 1, and section 2 of this amendatory act, shall take effect August 15, 1979." [1979 ex.s. c 250 § 10.]

Severability -- 1979 ex.s. c 250: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 250 § 11.]

Effective date -- Severability -- 1977 ex.s. c 359: See notes following RCW 28A.150.200.

Chapter 180-18 WAC Waivers for restructuring purposes

Last Update: 11/4/04

WAC Sections

- 180-18-010 Purpose and authority.
- 180-18-030 Waiver from total instructional hour requirements.
- 180-18-040 Waivers from minimum one hundred eighty-day school year requirement and student-to-teacher ratio requirement.
- 180-18-050 Local restructuring plan requirements to obtain waiver.
- 180-18-055 Alternative high school graduation requirements.
- 180-18-060 Waiver renewal procedure.
- 180-18-090 Alternative option to WAC 180-18-055.

DISPOSITIONS OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

- 180-18-020 Purpose. [Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-020, filed 10/2/95, effective 11/2/95.] Repealed by 02-18-056, filed 8/28/02, effective 9/28/02. Statutory Authority: RCW 28A.150.220(4), 28A.305.140, 28A.305.130(6).
- 180-18-080 Alternative waiver application procedure. [Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-080, filed 10/2/95, effective 11/2/95.] Repealed by 01-24-092, filed 12/4/01, effective 1/4/02. Statutory Authority: Chapter 28A.630 RCW.

180-18-010 Purpose and authority.

(1) The purpose of this chapter is to support local educational improvement efforts by establishing policies and procedures by which schools and school districts may request waivers from basic education program approval requirements.

(2) The authority for this chapter is RCW 28A.305.140 and 28A.655.180(1).

[Statutory Authority: RCW 28A.150.220(4), 28A.305.140, 28A.305.130 (6). 02-18-056, § 180-18-010, filed 8/28/02, effective 9/28/02. Statutory Authority: RCW 28A.305.140 and 28A.630.945. 98-05-001, § 180-18-010, filed 2/4/98, effective 3/7/98. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-010, filed 10/2/95, effective 11/2/95.]

180-18-030 Waiver from total instructional hour requirements.

A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program for all students may apply to the state board of education for a waiver from the total instructional hour requirements. The state board of education may grant said waiver requests pursuant to RCW 28A.305.140 and WAC 180-18-050 for up to three school years.

[Statutory Authority: Chapter 28A.630 RCW. 01-24-092, § 180-18-030, filed 12/4/01, effective 1/4/02. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-030, filed 10/2/95, effective 11/2/95.]

180-18-040 Waivers from minimum one hundred eighty-day school year requirement and student-to-teacher ratio requirement.

(1) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program 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 pursuant to RCW 28A.150.220

(5) and WAC 180-16-215 by offering the equivalent in annual minimum program hour offerings as prescribed in RCW 28A.150.220 in such grades as are conducted by such school district. The state board of education may grant said initial waiver requests for up to three school years.

(2) A district desiring to implement a local restructuring plan to provide an effective educational system to enhance the educational program 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 student-to-teacher ratio requirement pursuant to RCW 28A.150.250 and WAC 180-16-210, which requires the ratio of the FTE students to kindergarten through grade three FTE classroom teachers shall not be greater than the ratio of the FTE students to FTE classroom teachers in grades four through twelve. The state board of education may grant said initial waiver requests for up to three school years.

[Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-040, filed 10/2/95, effective 11/2/95.]

180-18-050

Local restructuring plan requirements to obtain waiver.

(1) State board of education approval of district waiver requests pursuant to WAC 180-18-030 and 180-18-040 shall occur at a state board meeting prior to implementation. A district's waiver application shall be in the form of a resolution adopted by the district board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more schools which consists of at least the following information:

- (a) Identification of the requirements to be waived;
- (b) Specific standards for increased student learning that the district expects to achieve;
- (c) How the district plans to achieve the higher standards, including timelines for implementation;
- (d) How the district plans to determine if the higher standards are met;
- (e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan; and
- (f) Evidence that opportunities were provided for families, parents, and citizens to be involved in the development of the plan.

(2) The district plan for restructuring the educational program of one or more schools in the district may consist of the school improvement plans required under WAC 180-16-220, along with the requirements of subsection (1)(a) through (d) of this section.

(3) The application for a waiver and all supporting documentation must be received by the state board of education at least thirty days prior to the state board of education meeting where consideration of the waiver shall occur. The state board of education shall review all applications and supporting documentation to insure the accuracy of the information. In the event that deficiencies are noted in the application or documentation, districts will have the opportunity to make corrections and to seek state board approval at a subsequent meeting.

[Statutory Authority: RCW 28A.150.220(4), 28A.305.140, and 28A.305.130 (6). 04-04-093, § 180-18-050, filed 2/3/04, effective 3/5/04. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-050, filed 10/2/95, effective 11/2/95.]

180-18-055

Alternative high school graduation requirements.

(1) The shift from a time and credit based system of education to a standards and performance based education system will be a multiyear transition. In order to facilitate the transition and encourage local innovation, the state board of education finds that current credit-based graduation requirements may be a limitation upon the ability of high schools and districts to make the transition with the least amount of difficulty. Therefore, the state board will provide districts and high schools the opportunity to create and implement alternative graduation requirements.

(2) A school district, or high school with permission of the district board of directors, or approved private high school, desiring

to implement a local restructuring plan to provide an effective educational system to enhance the educational program for high school students, may apply to the state board of education for a waiver from one or more of the requirements of chapter 180-51 WAC.

(3) The state board of education may grant the waiver for a period up to four school years.

(4) The waiver application shall be in the form of a resolution adopted by the district or private school board of directors which includes a request for the waiver and a plan for restructuring the educational program of one or more high schools which consists of at least the following information:

(a) Identification of the requirements of chapter 180-51 WAC to be waived;

(b) Specific standards for increased student learning that the district or school expects to achieve;

(c) How the district or school plans to achieve the higher standards, including timelines for implementation;

(d) How the district or school plans to determine if the higher standards are met;

(e) Evidence that the board of directors, teachers, administrators, and classified employees are committed to working cooperatively in implementing the plan;

(f) Evidence that students, families, parents, and citizens were involved in developing the plan; and

(g) Identification of the school years subject to the waiver.

(5) The plan for restructuring the educational program of one or more high schools may consist of the school improvement plans required under WAC 180-16-220, along with the requirements of subsection (4)(a) through (d) of this section.

(6) The application also shall include documentation that the school is successful as demonstrated by indicators such as, but not limited to, the following:

(a) The school has clear expectations for student learning;

(b) The graduation rate of the high school for the last three school years;

(c) Any follow-up employment data for the high school's graduate for the last three years;

(d) The college admission rate of the school's graduates the last three school years;

(e) Use of student portfolios to document student learning;

(f) Student scores on the high school Washington assessments of student learning;

(g) The level and types of family and parent involvement at the school;

(h) The school's annual performance report the last three school years; and

(i) The level of student, family, parent, and public satisfaction and confidence in the school as reflected in any survey done by the school the last three school years.

(7) A waiver of WAC 180-51-060 may be granted only if the district or school provides documentation and rationale that any noncredit based graduation requirements that will replace in whole or in part WAC 180-51-060, will support the state's performance-based education system being implemented pursuant to RCW 28A.630.885, and the noncredit based requirements meet the minimum college core admissions standards as accepted by the higher education coordinating board for students planning to attend a baccalaureate institution.

(8) A waiver granted under this section may be renewed upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational requirements that were implemented as a result of the waiver. The request to the state board shall include information regarding the activities and programs implemented as a result of the waiver, whether higher standards for students are being achieved, assurances that students in advanced placement or other postsecondary options programs, such as but not limited to: College in the high school, running start, and tech-prep, shall not be disadvantaged, and a summary of the comments received at the public meeting or meetings.

(9) The state board of education shall notify the state board for community and technical colleges, the higher education coordinating board and the council of presidents of any waiver granted under this section.

(10) Any waiver requested under this section will be granted with the understanding that the state board of education will

affirm that students who graduate under alternative graduation requirements have in fact completed state requirements for high school graduation in a nontraditional program.

(11) Any school or district granted a waiver under this chapter shall report annually to the state board of education, in a form and manner to be determined by the board, on the progress and effects of implementing the waiver.

[Statutory Authority: RCW 28A.150.220 and 28A.305.140. 04-23-006, § 180-18-055, filed 11/4/04, effective 12/5/04. Statutory Authority: RCW 28A.150.220(4), 28A.305.140, and 28A.305.130 (6). 04-04-093, § 180-18-055, filed 2/3/04, effective 3/5/04. Statutory Authority: RCW 28A.230.090, 28A.305.140 and 28A.600.010. 99-10-094, § 180-18-055, filed 5/4/99, effective 6/4/99.]

180-18-060

Waiver renewal procedure.

Waiver requests related to WAC 180-18-040 which are granted by the state board of education pursuant to WAC 180-18-030 and 180-18-050 may be renewed up to three years upon the state board of education receiving a renewal request from the school district board of directors. Before filing the request, the school district shall conduct at least one public meeting to evaluate the educational programs that were implemented as a result of the waivers. The request to the state board of education shall include information regarding the activities and programs implemented as a result of the waivers, whether higher standards for students are being achieved, and a summary of the comments received at the public meeting or meetings.

[Statutory Authority: Chapter 28A.630 RCW. 01-24-092, § 180-18-060; filed 12/4/01, effective 1/4/02. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208. 95-20-054, § 180-18-060, filed 10/2/95, effective 11/2/95.]

180-18-090

Alternative option to WAC 180-18-055.

See WAC 180-51-050 (1)(b) as another option to award high school credit on the basis of competency.

[Statutory Authority: RCW 28A.150.220(4), 28A.305.140, and 28A.305.130 (6). 04-04-093, § 180-18-090, filed 2/3/04, effective 3/5/04.]

180-16-210 << 180-16-215 >> 180-16-220

WAC 180-16-215

Minimum one hundred eighty school day year.

(1)(a) **One hundred eighty school day requirement.** Each school district shall conduct a school year of no less than one hundred eighty school days in such grades as are conducted by the school district, and one hundred eighty half-days of instruction, or the equivalent, in kindergarten. If a school district schedules a kindergarten program other than one hundred eighty half-days, the district shall attach an explanation of its kindergarten schedule when providing compliance documentation to the state board of education staff.

(b) **Waiver option, application and renewal procedures.** See WAC 180-18-050 for waiver process.

(2) **School day defined.** A school day shall mean each day of the school year on which pupils enrolled in the common schools of a school district are engaged in educational activity planned by and under the direction of the school district staff, as directed by the administration, and pursuant to written policy and board of directors of the district.

(3) **Accessibility of program.** Each school district's program shall be accessible to all legally eligible students, including students with disabilities, who are five years of age and under twenty-one years of age who have not completed high school graduation requirements.

(4) **Five-day flexibility - Students graduating from high school.** A school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes in the case of students who are graduating from high school, including, but not limited to, the observance of graduation and early release from school upon the request of a student.

[Statutory Authority: RCW 28A.150.220(4), 02-18-053, § 180-16-215, filed 8/28/02, effective 9/28/02. Statutory Authority: Chapter 28A.630 RCW, 01-24-092, § 180-16-215, filed 12/4/01, effective 1/4/02. Statutory Authority: Chapter 28A.630 RCW and 1995 c 208, 95-20-086, § 180-16-215, filed 10/4/95, effective 11/4/95. Statutory Authority: RCW 28A.01.010, 28A.04.120, 28A.41.130, 28A.41.140, 28A.58.754, 28A.58.758, and 1979 ex.s. c 250, 79-10-033 (Order 10-79), § 180-16-215, filed 9/12/79. Statutory Authority: RCW 28A.41.130 and 28A.58.754, 78-06-097 (Order 3-78), § 180-16-215, filed 6/5/78.]

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School Improvement Assistance (SIA): Adequate Yearly Progress (AYP)
 Map of school districts and stages of AYP status in the 2006-07 school year

Map Key*

- = Out of Improvement Status
- = Year 1
- ◆ = Year 2
- ▲ = Year 3
- ✖ = Closed

*The number inside the symbol indicates the number of schools in that district at that step of SIA.



Washington K-12 School Districts



Map generated 3/14/00
 Bill & Melinda Gates Foundation

School Improvement Assistance (SIA): Adequate Yearly Progress (AYP)

Map of school districts and stages of AYP status. (As of February 2007)

	District	School Improvement Status
1.	Aberdeen	Out (1)
2.	Auburn	Year 2 (1)
3.	Brewster	Out (2)
4.	Bridgeport	Out (1); Year 3 (1)
5.	Burlington-Edison	Year 2 (1)
6.	Cape Flattery	Out (1)
7.	Clover Park	Out (1); Year 2 (1)
8.	College Place	Year 2 (1)
9.	Concrete	Out (1)
10.	Creston	Out (1)
11.	Eastmont	Year 1 (1)
12.	Grandview	Out (1); Year 3 (1); Year 1 (1)
13.	Granger	Out (1); Year 3 (1)
14.	Highline	Out (2); Closed (1); Year 1 (3); Year 2 (1)
15.	Hood Canal	Out (1)
16.	Hoquiam	Year 3 (1)
17.	Inchelium	Out (1)
18.	Kennewick	Year 2 (1)
19.	Longview	Year 3 (1)
20.	Mabton	Out (1); Year 2 (1)
21.	Moses Lake	Year 1 (1)
22.	Mount Adams	Out (1)
23.	Mount Vernon	Year 1 (1)
24.	North Beach	Out (1)
25.	North Franklin	Year 1 (2)
26.	Ocean Beach	Out (1)
27.	Okanogan	Out (1)
28.	Oroville	Out (1)
29.	Othello	Out (3); Year 2 (1)
30.	Pasco	Out (1); Year 1 (2); Year 2 (2); Year 3 (3)
31.	Peninsula	Year 1 (1)
32.	Puyallup	Year 2 (1)
33.	Quillayute Valley	Year 1 (1)
34.	Quinault Lake	Out (1)
35.	Quincy	Out (1)
36.	Raymond	Out (1)
37.	Renton	Year 1 (5); Year 2 (1)
38.	Seattle	Out (4); Year 1 (1); Year 2 (5)
39.	Shelton	Year 1 (1)
40.	Soap Lake	Out (1)
41.	Spokane	Year 1 (1)
42.	Sunnyside	Out (1); Year 1 (1); Year 3 (2)
43.	Tacoma	Out (8); Year 3 (2)
44.	Taholah	Year 2 (2)
45.	Toppenish	Out (4)
46.	Vancouver	Year 1 (1); Year 2 (1); Year 3 (1)
47.	Wahluke	Out (3)
48.	Wapato	Out (2); Year 1 (1); Year 2 (2)
49.	Warden	Out (1); Year 3 (1)
50.	Yakima	Out (9); Year 1 (1); Year 3 (3)