

PROCEDURE FOR CONSIDERATION OF WAIVERS FROM THE BASIC EDUCATION ACT REQUIREMENTS

BACKGROUND

In July, the State Board of Education (SBE) began reviewing its procedures for schools and districts to request waivers from the requirements of the Basic Education Act (RCW 28A.305.140). The SBE Waivers Committee has drafted a list of discussion topics and a timeline of work for consideration.

SBE's rule (WAC 180-18-050) and guidelines outline the procedures to obtain a waiver. They require schools and districts to submit a resolution, an application, and supporting documentation at least thirty days prior to a Board Meeting. SBE reviews all applications and supporting documentation to insure the accuracy of the information. In the event of deficiencies in the application, districts have the opportunity to make corrections and seek approval at a later meeting. The rules and guidelines are clear and concise about the elements of the application but they do not provide guidance for the use of waivers or details about measures that are used to assess applications.

POLICY CONSIDERATION

Staff recommends that SBE continue to refine its procedures and guidelines according to the recommendations of the 180-Day Waiver Committee by:

1. Further clarifying the purpose and use of waivers.
 - Establish a set of Board-approved best practice models for the use of waivers.
 - Consider constructing a rubric for assessing waivers.
2. Strengthening the alignment of waiver requests with the school improvement plan (SIP) and the priorities of SBE.
 - Periodically update the guidelines to reflect the work of SBE. As a note: in October staff will present research concerning SIPs to the SPA Work Group.
3. Requiring districts to provide preliminary and final reports at the end of each year.
 - Create a report template or form.
 - Post the reports on the SBE Web site.
4. Revisiting the recommendation of an Accountability Loop:
 - Consider repositioning the waiver process into the up-and-coming accountability system.
 - Districts identified to be in need of assistance could request waivers to address areas of deficiency.
 - Districts showing increased achievement could request waivers to further develop successful strategies.

Proposed timeline for revision of procedures and associated rules:

Item	Date
Staff presents School Improvement Plan research to the System Performance Accountability Work Group	October 13, 2009
Waiver Committee works on drafting new procedures	Fall 2009
Waiver Committee presents status of work to Board	November 2009 Meeting
Waiver Committee presents draft revised procedures to Board	January 2010 Meeting
Stakeholder input. Draft procedures posted on the Web site and shared with stakeholders: <ul style="list-style-type: none">• School districts with current waivers.• Members of past 180-Day Waiver Advisory Committee.• Other agency and legislative staff.	January – February 2010
Board considers adopting revised procedures. Board will hold a hearing if proposed procedures require a rule change.	March 2010 Regular Board Meeting

EXPECTED ACTION

Guidance to the Waivers Committee on timeline and focus of work.