



THE WASHINGTON STATE BOARD OF EDUCATION

A high-quality education system that prepares all students for college, career, and life.

INTERPRETIVE STATEMENT DISTRICT-WIDE ANNUAL AVERAGE INSTRUCTIONAL HOURS

The state has made a series of changes to minimum instructional hours for basic education:

- ESHB 2261 (2009 Legislative Session) increased instructional hour requirements from a district-wide annual average 1,000 instructional hours in grades 1-12 to 1,080 instructional hours in each of grades 7-12 and 1,000 instructional hours in grades 1-6, on an implementation schedule adopted by the Legislature.
- The 2013-15 operating budget act (2013 Legislative Session) implemented the instructional hour requirements of ESHB 2261, effective with the 2014-15 school year.
- E2SSB 6552 (2014 Legislative Session) revised the instructional hour requirements of ESHB 2261, as implemented in 2013, to a district-wide annual average 1,080 hours in grades 9-12 and a district-wide annual average 1,000 hours in grades 1-8, while providing that the whole may be calculated as a district-wide average over grades 1-12, effective with the 2015-16 school year.

Incorporating the change made by the 2014 legislation, RCW 28A.150.220 (Basic education – Minimum instructional requirements) now provides, in relevant part:

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased beginning in the 2015-16 school year to at least one thousand eighty instructional hours for students enrolled in grades nine through twelve and at least one thousand instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through twelve;

The State Board of Education (SBE) implemented this provision as WAC 189-16-200, filed September 2014:

Total instructional hour requirement.

(1) Kindergarten total instructional hour requirement - Four hundred fifty hours annual minimum, increased to an annual minimum one thousand instructional hours according to an implementation schedule under RCW [28A.150.315](#).

(2) Grades 1-12 total instructional hour requirement - District-wide annual average of one thousand hours, increased beginning in the 2015-16 school year to:

(a) At least a district-wide average of one thousand eighty instructional hours for students enrolled in grades nine through twelve and a district-wide annual average of one thousand instructional hours in grades one through eight; or

(b) A district-wide annual average of one thousand twenty-seven instructional hours in grades one through twelve . . .

(3) For nonhigh school districts, a district-wide annual average of one thousand instructional hours in such grades as are offered by the district.

The change made by E2SSB 6552 in 2014 is significant not only for changing the number of instructional hours required by grade span, but for returning to a district-wide annual average in place of minimum required offerings in *each grade*.

This change, as made in the new law, has given rise to questions to the SBE from district personnel as to how to make the calculation of district-wide annual average instructional hours. Specifically, what does “district-wide annual average” mean in the context of an individual district?

“District-wide annual average” is not defined in current statute or rule. Nor was it defined in prior law. So the problem is not a new one; it has just gained more interest as the state has changed instructional hour requirements for basic education.

The SBE recognizes that there is more than one method for calculating a district-wide annual average of instructional hours offered by a district in any school year, and that different calculations, starting from the same data, may produce different results. For example, a district that operates one or more small alternative schools offering relatively fewer instructional hours may be unable to achieve a district-wide average of 1,027 hours in grades 1-12 in a straight calculation of average hours in the district by school. But that same district may be well able to show compliance if the calculation is made as the average of all the instructional hours offered by the district without regard to the schools that students attend.

To illustrate the variability of results by method of calculation, we offer the following example. Schools and enrollments are those of an actual Washington district. The instructional hours shown were chosen for illustrative purposes, but are well within the plausible.

Average by School		
	Student Count	Inst. Hours
School		
Alternative school	22	910
Jr.-Sr. High School	258	1,070
Elementary School	319	1,000
Total	599	2,980
District-Wide Annual Average		993

Weighted Average by Student Across Schools			
School	Student Count	Inst. Hours	Total Inst. Hrs.
Alternative school	22	910	20,020
Jr.-Sr. High School	258	1,070	276,060
Elementary School	319	1,000	319,000
Total	599	2,980	615,080
District-Wide Annual Average			1,027

In the first calculation the district falls short of meeting instructional hour requirements as established in RCW 28A.150.220 (2) and implemented by WAC 180-16-200. In the second, however, it achieves compliance.

The Board also recognizes that districts may differ in school organization and the choices they make in delivery of basic education services, based on local needs, circumstances, and educational philosophy, and that the choices they make should not be driven by a prescribed method of calculating instructional hours for basic education compliance, unless such method can be shown to reflect a specific legislative intent. The Board does not find in RCW 28A.150.200 a legislative intent prescribing or favoring a specific method of calculating district-wide annual instructional hours.

Given the many inquiries the Board has had on this subject, and the lack of a clear basis for rule adoption on it, the Board proposes issuing an interpretive statement under RCW 34.05.230 (Interpretive and policy statements) to offer guidance to districts in addressing this question.

An “interpretive statement” is a written expression of the opinion of an agency as to the meaning of a statute or other provision of law, of a court decision, or of an agency order. (RCW 28A.34.010 (8)) An interpretive statement is advisory only.

The Board advises that the following calculations of annual district-wide average are consistent with the intent of RCW 28A.150.220 and valid for assuring basic education program compliance under RCW 28A.150.250:

- A. **Average of schools.** Average of annual instructional hours offered by each school operated by the school district.
- B. **Weighted average by student across schools.** Average of all annual instructional hours offered to all students enrolled in the district, regardless of school attended.

The Board recognizes that there may be nuances to each of these methods, and that there may be other, mathematically valid methods consistent with the intent of basic education law. A school district may present other methods of calculating district-wide average instructional hours to the SBE before the beginning of the school year for its consideration in assuring basic education program compliance under RCW 28A.150.250.

Comments on this proposed interpretive statement may be addressed to:

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