
HOUSE BILL 2487

State of Washington 59th Legislature 2006 Regular Session

By Representatives Hunter, Jarrett, Talcott, P. Sullivan, Tom and Roberts

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1 AN ACT Relating to waivers authorized by the state board of
2 education regarding length of the school year; amending RCW 28A.305.140
3 and 28A.655.180; and repealing RCW 28A.305.145.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended to
6 read as follows:

7 (1) Except as provided in subsection (2) of this section, the state
8 board of education may grant waivers to school districts from the
9 provisions of RCW 28A.150.200 through 28A.150.220 on the basis that
10 such waiver or waivers are necessary to implement successfully a local
11 plan to provide for all students in the district an effective education
12 system that is designed to enhance the educational program for each
13 student. The local plan may include alternative ways to provide
14 effective educational programs for students who experience difficulty
15 with the regular education program.

16 (2) The state board of education shall not grant waivers from the
17 provisions of RCW 28A.150.220(3) requiring one hundred eighty school
18 days per school year. Waivers of RCW 28A.150.220(3) granted before the
19 effective date of this section expire at the end of the 2005-06 school

1 year unless such expiration constitutes an abrogation of a collective
2 bargaining agreement or contract within the school district, in which
3 case the waiver may continue until the expiration date previously
4 approved by the state board.

5 (3) The state board shall adopt criteria to evaluate the need for
6 the waiver or waivers.

7 **Sec. 2.** RCW 28A.655.180 and 1995 c 208 s 1 are each amended to
8 read as follows:

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

18 (2) School districts may use the application process in RCW
19 28A.305.140 (~~(or—28A.300.138)~~) to apply for the waivers under
20 (~~(subsection (1) of)~~) this section.

21 (~~((3) The joint select committee on education restructuring shall~~
22 ~~study which waivers of state laws or rules are necessary for school~~
23 ~~districts to implement education restructuring. The committee shall~~
24 ~~study whether the waivers are used to implement specific essential~~
25 ~~academic learning requirements and student learning goals. The~~
26 ~~committee shall study the availability of waivers under the schools for~~
27 ~~the twenty first century program created by chapter 525, Laws of 1987,~~
28 ~~and the use of those waivers by schools participating in that program.~~
29 ~~The committee shall also study the use of waivers authorized under RCW~~
30 ~~28A.305.140. The committee shall report its findings to the~~
31 ~~legislature by December 1, 1997.)~~)

32 NEW SECTION. **Sec. 3.** RCW 28A.305.145 (Application process for
33 waivers under RCW 28A.305.140) and 1993 c 336 s 302 are each repealed.

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