
SUBSTITUTE HOUSE BILL 1292

State of Washington

61st Legislature

2009 Regular Session

By House Education (originally sponsored by Representatives Newhouse, Chandler, and Simpson)

READ FIRST TIME 02/20/09.

1 AN ACT Relating to waivers from the one hundred eighty-day school
2 year; amending RCW 28A.655.180; adding a new section to chapter 28A.305
3 RCW; creating a new section; repealing RCW 28A.305.145; and providing
4 an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that school districts
7 are seeking innovations to reduce operating costs and preserve limited
8 resources for the primary purpose of student learning. Efficiencies in
9 transportation, heat, lights, maintenance, and food expenses are
10 possible from operating for four rather than five days per week, but
11 current law poses a barrier to this innovation by requiring a set
12 number of instructional days in each school year. Current waiver
13 processes do not allow consideration of economies and efficiencies as
14 a justification for a waiver. School districts in several western
15 states have operated on a four-day school week and report increased
16 efficiencies, family support, reduced absenteeism, and no negative
17 impact on student learning. Small rural school districts in particular
18 could benefit due to their high per-pupil costs for transportation and
19 utilities. Therefore, the legislature intends to permit school

1 districts with under five hundred students to seek waivers from the
2 school year requirement in order to operate on a four-day school week,
3 provided that adequate safeguards are put in place to prevent any
4 negative impact on student learning.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.305
6 RCW to read as follows:

7 (1) In addition to waivers authorized under RCW 28A.305.140 and
8 28A.655.180, the state board of education may grant waivers from the
9 requirement for a one hundred eighty-day school year under RCW
10 28A.150.220 and 28A.150.250 to school districts with under five hundred
11 students that propose to operate one or more schools on a four-day
12 school week for purposes of economy and efficiency as provided in this
13 section. The requirement under RCW 28A.150.220 that school districts
14 offer an annual average instructional hour offering of at least one
15 thousand hours shall not be waived.

16 (2) A school district seeking a waiver under this section must
17 submit an application that includes:

18 (a) A proposed calendar for the school day and school year that
19 demonstrates how the instructional hour requirement will be maintained;

20 (b) An explanation and estimate of the economies and efficiencies
21 to be gained from compressing the instructional hours into fewer than
22 one hundred eighty days;

23 (c) An explanation of how monetary savings from the proposal will
24 be redirected to support student learning;

25 (d) A summary of comments received at one or more public hearings
26 on the proposal and how concerns will be addressed;

27 (e) Other information that the state board of education may request
28 to assure that the proposed four-day school week will not adversely
29 affect student learning.

30 (3) The state board of education shall adopt criteria to evaluate
31 waiver requests. No more than five districts may be granted waivers.
32 Waivers may be granted for up to three years, and districts may reapply
33 to extend the waiver for an additional period. However, all waivers
34 expire August 31, 2015.

35 (4) The state board shall examine the waivers granted under this
36 section and make a recommendation to the education committees of the

1 legislature by December 15, 2014, regarding whether the waiver program
2 should be continued, modified, or allowed to terminate.

3 (5) This section expires August 31, 2015.

4 **Sec. 3.** RCW 28A.655.180 and 1995 c 208 s 1 are each amended to
5 read as follows:

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

15 (2) School districts may use the application process in RCW
16 28A.305.140 (~~(or 28A.300.138)~~) to apply for the waivers under
17 (~~(subsection (1) of)~~) this section.

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

29 NEW SECTION. **Sec. 4.** RCW 28A.305.145 (Application process for
30 waivers under RCW 28A.305.140) and 1993 c 336 s 302 are each repealed.

--- END ---