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HOUSE BILL 1292

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State of Washington                      61st Legislature                      2009 Regular Session

By Representatives Newhouse, Chandler, and Simpson

Read first time 01/16/09. Referred to Committee on Education.

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

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

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

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

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

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

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

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

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

28 (3) The state board of education shall adopt criteria to evaluate  
29 waiver requests. Waivers may be granted for up to three years, and  
30 districts may reapply to extend the waiver for an additional period.  
31 However, all waivers expire August 31, 2015.

32 (4) The state board shall examine the waivers granted under this  
33 section and make a recommendation to the education committees of the  
34 legislature by December 15, 2014, regarding whether the waiver program  
35 should be continued, modified, or allowed to terminate.

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

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

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

12       (2) School districts may use the application process in RCW  
13 28A.305.140 (~~(or 28A.300.138)~~) to apply for the waivers under  
14 (~~(subsection (1) of)~~) this section.

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

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

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