

STATE BOARD OF EDUCATION

HEARING TYPE: X ACTION

DATE: MAY 11, 2007

SUBJECT: **180-DAY WAIVER COMMITTEE RECOMMENDATIONS**

SERVICE UNIT: State Board of Education
Edie Harding, Executive Director

PRESENTERS: Jack Schuster, State Board of Education Member
Dr. James Koval, Superintendent, North Thurston Public Schools

RECOMMENDATION:

The 180-day Waiver Committee recommends that the State Board of Education approve modifications to the current waiver request process as defined in WAC 180-18-050 and WAC 180-18-060. The modifications consist of the following:

1. Requests must be in the form of a resolution approved and signed by the local board of directors. This is currently the requirement and the Committee agreed to keep this requirement.
2. A request shall include the following:
 - The purpose and goals of the waiver and how the district and/or schools will collect evidence that the goals were attained;
 - How the waiver directly supports the district and/or school improvement plans and enhances the effective educational program(s);
 - Evidence of how administrators, teachers, parents, students, and the community were involved in the development of and their support for the waiver request;
 - Whether waiver days will result in school calendars with fewer half days.
3. A renewal request shall also include the following information:
 - How the previous waiver was used;
 - Whether the purpose and goals for the previous waiver were met;
 - Evidence of on-going communication with parents and the community regarding waiver day activities.
4. Presentations to the Board. To increase accountability, each year at least five (5) districts will be selected to do a presentation to the Board on why they needed a waiver, how they used the waiver, and the outcomes as a result of having a waiver. In the application process districts will be informed that they may be selected to do a presentation; it is the Committee's belief that this possibility will increase a district's reflection on its need for and use of a waiver.

In addition, the Committee recommends that the Board return to granting requests for up to three (3) school years as allowed in WAC 180-18-030.

BACKGROUND:

The State Board of Education pursuant to RCW 28A.305.140 may grant waivers from the basic education act provisions of RCW 28A.150.200 through 28A.150.220 necessary to implement successfully their local plan designed to enhance the educational program for all their students. The State Board of Education has been granting such waivers since the 1996–97 school year. In 2006 the newly reconstituted State Board of Education created a committee of several Board members and educator groups to review the 180-day waiver process and bring recommendations back regarding such waivers and the waiver request process. Board members expressed concerns about several issues lacking in the current process: 1) clear criteria for approval; 2) tie in to school or district planning process; and 3) feedback accountability loop on the use of the waivers.

During its review, the Committee members received feedback from the field that a waiver from the 180-day calendar, in particular, was a beneficial tool available to districts and schools in providing adequate time for staff to work collaboratively on school restructuring and reform efforts. The Committee also acknowledged that waiver requests must have the approval of local board of directors in a public meeting providing some assurance that such requests are based on improving the educational experience of students and increasing student learning.

After three meetings and numerous email exchanges, the Committee arrived at its recommendations to the Board of keeping the waiver option available but to reinforce the purpose of waivers as tools for supporting continuous district and school improvement efforts and to increase accountability by incorporating a more rigorous feedback loop. The Committee also agreed that an electronic submission would facilitate the process and, hopefully, would reduce the work for Board staff. Guidelines for requests and an application form will be available on the State Board of Education Web site.

The Board's approval of the recommendations will require rule changes. It is our intent to simplify the language in the WACs and use the guidelines and application form to specify the details needed (which can be modified without a rule revision) for an acceptable request.

Included under this Tab is a draft of the guidelines and application form that districts and schools will be required to submit when requesting a waiver. Districts and schools will be asked to submit the request on-line; however, if that is not possible, they will be allowed to submit on a CD. The Web site will also have an example of a resolution requesting a waiver from the 180-day requirement.

Draft Waiver Request Guidelines

The State Board of Education respects the value of teacher and student contact time. Waivers are exceptions from basic education program requirements in that they provide “exceptional opportunities” for districts and schools to be innovative in enhancing the educational program for students while meeting the challenges of their school calendars.

RCWs and WACs: The State Board of Education’s (SBE) authority to grant waivers from the basic education program requirement is RCW 28A.305.140 and RCW 28A.655.180(1). The basic education requirements are in RCW 28A.150.200 through 28A.150.220 and in WAC 180-16-200 through WAC 180-16-220. The rules that govern requests for waivers are in WAC 180-18.

Directions for Requesting Waivers:

1. Districts must use the Waiver Request Form and must submit it electronically to the SBE at least thirty (30) days prior to the SBE meeting where consideration of the waiver will occur. Districts or schools are responsible for finding out when the SBE meetings are held. The Board’s meeting schedule is on the Web site—<http://www.sbe.wa.gov>—or may be obtained by contacting the Board at 360-725-6025 or emailing sbe@k12.wa.us.
2. The waiver request shall be in the form of a resolution adopted and signed by the district board of directors and shall include the following information:
 - a. The clear identification of the purpose and goals of the waiver and how the district will collect evidence showing the goals were attained.
 - b. How the waiver directly supports the school and/or district improvement plans and enhances effective educational program(s).
 - c. Evidence of how teachers, administrators, parents, students, and the community were involved in the development of and are supportive of the request for the waiver.
 - d. Whether the resulting school calendars will include fewer early-release or late-start days because of the waiver days.
 - e. For 180-day waiver requests, assurance that the district will meet the required district annual instructional hour offerings (RCW 28A.150.220 and WAC 180-16-215).
3. A renewal request shall also include the following information:
 - a. Whether the district or schools used the waiver as planned and reported in the prior request and, if not, an explanation of why and how they were used instead.
 - b. The extent to which the district and/or school met the purpose and goals of the prior waiver.
 - c. Evidence of how parents and the community were kept informed on an on-going basis about the uses and impacts of the waiver.
4. During the school year, a randomly selected number of districts/schools will be asked to present their work based on their waiver request at a State Board of Education meeting. The presentation will include at least the following information:
 - a. A description of the activities implemented because of the waiver, including the purposes and goals of these activities.
 - b. An explanation of how the waiver activities directly supported effective educational programs in the district and/or school improvement plans.
 - c. Provide evidence on how waiver-day activities had an impact on the district or school improvement plans. Were the plans reviewed and revised because a result of the waiver time? Did waiver-day activities enable the district to establish new strategic and building action plans for making changes which will significantly increase student learning?
 - d. Provide evidence of any positive impact on teaching quality and student learning.

Draft Waiver Request Form

District or School Requesting the Waiver: _____

Name of District/School Contact: _____

Email of District/School Contact: _____

Telephone Number: _____

Please check the Requirement to be waived:

180-Day 1,000 Instructional Hours Student : Teacher Ratio

For 180-Day Waivers:

Number of Requested Waiver Days per Year: _____

School Years for which Waiver Requested: _____

Please check the appropriate waiver request:

New Request Renewal Request

Please attach your Resolution requesting a waiver and all documentation as needed to support your request.

Draft EXAMPLE of a RESOLUTION to Request a 180-Day Waiver

RESOLUTION NO. ####

A resolution of the Board of Directors requesting that the Washington State Board of Education grant a waiver from the minimum 180-day school year for grades K–12 (WAC 180-18-040).

Whereas, the Washington State Board of Education has recognized the importance of and has established waivers for restructuring purposes (WAC 180-18-040-060); and

Whereas, the XYZ School District has developed district and school improvement plans for significantly increasing student learning; and

Whereas, to achieve the goals of the district and school improvement plans, staff need additional non-student time for collaborative activities for the purpose of aligning curriculum across grade levels and buildings and for training in classroom-based diagnostic assessments with the goals of increasing the use of effective classroom-based assessments and increasing student achievement in language arts, mathematics, and science; and

Whereas, the District's In-service Advisory Committee; School Improvement Planning teams; and representatives from district and building staff, parents, and the community were involved in determining that full-day waiver days would be more effective for staff development and training than half-day releases; and

Whereas, staff and parents recommend reducing the number of student days while still meeting the district annual average instructional hour requirements as prescribed in RCW 28A.150.220;

NOW, THEREFORE, BE IT RESOLVED that the XYZ School District Board of Directors requests a two (2)-day waiver from the minimum 180-day school year requirement under RCW 28A.150.220 for each school year 2008–09 and 2009–10 resulting in a 178-day school year for students in grades kindergarten through twelve.

ADOPTED at a regular open public meeting of the Board of Directors of the XYZ School District held on November 1, 2007.

Attest:

President, Board of Directors

Director

Director

Director

Director

Director

Dissented:

Director

Director