



Washington Office of Superintendent of  
**PUBLIC INSTRUCTION**

REPORT TO THE LEGISLATURE

# School Waiver Applications for the 2018-19 School Year

2020

**Authorizing Legislation:** [RCW 28A.300.760](#)

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# **EXECUTIVE SUMMARY**

In 2018, Substitute House Bill 2824 shifted responsibility of certain school waiver applications from the State Board of Education (SBE) to the Office of Superintendent of Public Instruction (OSPI).

Consistent with this authority, OSPI is required to report annually to SBE and the House and Senate Education Committees regarding waiver applications received for the prior school year under RCWs 28A.150.222, 28A.150.290, 28A.230.015, and 28A.300.750.

As part of the basic education requirements in Washington state, each school district must make a minimum of 180 school days available to students each school year. OSPI may grant certain waivers from this basic education program requirement to a school district in order for the district to implement a local plan to provide all students an effective education system designed to enhance the educational program for each student (RCW 28A.300.750). Waiver examples include parent-teacher conference days, professional development days, student transition day, and alternative calendars for specific schools.

Waivers may also be granted from the requirement for a 180-day school year to a limited number of districts meeting certain enrollment criteria that propose to operate schools on a flexible calendar for purposes of economy and efficiency (RCW 28A.150.222).

School districts can also apply for waivers from the 180-school day requirement due to unforeseen natural events, mechanical failures, and/or actions or inactions by one or more persons, including negligence and threats (RCW 28A.150.290).

# **INTRODUCTION**

Waivers may be granted to school districts for:

- Parent-teacher conference days.
- Implementing a local plan to provide for all students an effective education system designed to improve student achievement by enhancing the educational program for all students in the district or for individual schools in the district.
- A limited number of districts meeting certain enrollment criteria that propose to operate schools on a flexible calendar for purposes of economy and efficiency.
- Unforeseen conditions or actions ("emergency waivers").
- The ability to waive access to career and technical courses from the course content provisions of RCW 28A.230.010(2)

## **2018–19 School Year**

During the 2018–19 school year, OSPI was authorized under state law to process emergency waiver applications submitted by school districts experiencing unforeseen conditions or actions.

### **School District Applications**

A total of 152 emergency waiver applications were submitted to OSPI due to unforeseen circumstances or actions. The following is a breakdown of applications received:

- 141 school districts experienced unforeseen and heavy snowfall, making travel to and from school hazardous;
- Five school districts lost power due to severe weather conditions, creating cold and unsafe conditions in the school;
- Two school districts experienced both heavy snowfall and a loss of power, making travel hazardous and creating unsafe conditions in the school;
- One school district experienced both flooded roads and a loss of power, making travel hazardous and creating unsafe conditions in the school;
- One school district experienced a fire after school had been dismissed, creating unsafe and inoperable conditions in the school;
- One district had no water due to a line break in the main water supply, creating unsafe conditions at the school; and
- One district closed for one day after receiving a credible threat of violence prior to the start of school, rendering the school unsafe.

## *Criteria for Meeting Waiver Approval*

OSPI approved all 152 emergency waiver applications received for the 2018–19 school year. No applications were denied.

The school districts that were approved due to unforeseen snow fall or icy conditions, which made travel to and from school hazardous, fell within the winter storm State of Emergency issued by Governor Inslee.

All remaining emergency waiver applications met the criteria due to unforeseen natural events (fire, flood, and windstorm), and an unforeseen action (threat of violence), and an unforeseen mechanical failure (water supply break). These conditions rendered the schools unsafe and/or inoperable.

**Table 1: School District Applications**

<b>Reason for Waiver</b>	<b>Number of District Applications Received</b>	<b>Total Number of Days Waived</b>
Snow – Unsafe Travel	141	338
Loss of Power	5	6
Snow & Loss of Power	2	6
Flood & Loss of Power	1	2
Fire	1	3
Water Supply Break	1	1
Threat of Violence	1	1

**Source:** School Apportionment and Financial Resources, February 3, 2020.

## **CONCLUSION & NEXT STEPS**

During the current 2019–20 school year, OSPI has continued to receive and process applications for emergency waivers. In addition, OSPI is now authorized to process school district waiver applications for parent-teacher conferences days, local plans to enhance educational programs, flexible calendars for purposes of economy and efficiency, and exempting CTE courses from course content requirements. [Online applications for several of these waivers](#) are posted on OSPI's web site.

Following the end of the current school year, OSPI will report information regarding all waiver applications submitted to OSPI for the 2019–20 school year.

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