



Washington Office of Superintendent of
PUBLIC INSTRUCTION

REPORT TO THE LEGISLATURE

180-Day Waivers for the 2021–22 School Year

2022

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

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EXECUTIVE SUMMARY

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. In addition, school districts must offer a district-wide average of at least 1,027 instructional hours each school year, as prescribed in Revised Code of Washington (RCW) 28A.150.220.

In 2018, 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).

Under this authority, OSPI may grant certain school day waivers that would help the school district put a local plan in place to provide an effective system designed to enhance the educational program for each student. Waiver examples include parent-teacher conference days, professional development days, student transition days, and alternative calendars for specific schools or districts. In addition, OSPI may grant waivers to small school districts from the provisions of RCW 28A.230.010, which requires districts to provide high school students the opportunity to access career and technical statewide equivalency courses.

Under separate authority, OSPI can also grant waivers for emergency school closures related to weather and other unforeseen events.

OSPI is required by RCW 28A.300.760 to report annually to SBE and to the education committees of the Legislature regarding the applications OSPI received for these waivers during the prior school year.

INTRODUCTION

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. School districts must also provide at least 1,000 annual instructional hours to students in kindergarten through 8th grade, and at least 1,080 annual instructional hours to students in grades 9–12 (a district-wide average of at least 1,027 hours in grades 1–12). School districts receive state apportionment funding based on the number of students who are enrolled in the district for an average of 1,027 instructional hours over 180 school days.

OSPI is authorized to grant waivers from the requirement of a 180-day school year and, in some instances, the instructional hour requirement. School districts seeking a 180-day school year waiver must submit a request package to OSPI, which includes an application responding to a series of questions, an adopted school board resolution, proposed school year calendar(s), and other information as needed.

Waivers may be granted to school districts for the following purposes:

- School districts may apply for general 180-day waivers (“Regular 180-Day Waiver”) to implement a local plan to provide an effective education system for all students in the district. That system must be designed to improve student achievement by enhancing the educational program district-wide or for individual schools in the district (RCW 28A.300.750). These include waiver requests for the purpose of scheduling:
 - Parent-teacher conference days
 - Professional development
 - Student transition days
- Emergency school closures due to unforeseen natural events, mechanical failures, or actions or inactions by one or more persons, including negligence and threats (RCW 28A.150.290)
- Substantial lack of classroom space
- Career and technical education (CTE) course equivalency for small school districts unable to provide students with access to CTE courses (RCW 28A.230.010, RCW 28A.230.015)
- A limited number of districts meeting certain enrollment criteria may propose to operate schools on a flexible calendar for purposes of economy and efficiency (RCW 28A.150.222)

WAIVERS FOR THE 2021–22 SCHOOL YEAR

Regular 180-Day School Year Waivers

The Regular 180-Day Waiver application process is used for pre-planned activities such as professional development, student transition days, or conducting parent-teacher conferences for more than five days. A waiver request may be granted for up to three consecutive school years.

During the 2021–22 school year, nine school districts submitted waiver applications for the Regular 180-Day Waiver. OSPI reviewed the applications and concluded the applying districts demonstrated that they met the required standards adopted by the SBE (Washington Administrative Code [WAC] 180-18-040, WAC 180-18-050). All nine were approved.

Appendix A identifies all school districts with active 180-Day Waivers as of September 1, 2022.

Parent-Teacher Conference Days Waivers

A school district seeking a waiver solely for the purpose of providing five or fewer parent-teacher conference days is not required to follow the application process for Regular 180-Day Waivers (WAC 180-18-050(3)). Instead, the district must provide notification to OSPI at least 30 days prior to implementation of the plan. The district's notification must include a form or letter, an adopted school board resolution, and proposed calendar(s). The waiver can be effective for up to three years.

During the 2021–22 school year, 24 school districts submitted waiver applications for the Parent-Teacher Conference Days Waiver. After review by OSPI staff, all were approved, as staff determined that the districts met the requirements set forth in WAC 180-18-040 and WAC 180-18-050.

Appendix B identifies all school districts with an active Parent-Teacher Conference Days Waiver as of September 1, 2022.

Economy and Efficiency Waivers

OSPI may grant waivers to the basic education requirement of a 180-day school year to school districts that propose to operate one or more schools on a flexible calendar for purposes of economy and efficiency (RCW 28A.150.222). School districts still must offer the minimum instructional hours required by RCW 28A.150.220.

Economy and Efficiency Waivers may be granted to 10 or fewer school districts with student populations of fewer than 500 students. Two of the ten waivers must be reserved for school districts with student populations of fewer than 150 students. Waivers may be granted for up to three years. The criteria for evaluating requests for Economy and Efficiency Waivers are established by SBE (WAC 180-18-065).

During the 2021–22 school year, three school districts submitted waiver applications for approval. One application was a renewal request for a district with an existing, but expiring, Economy and Efficiency Waiver. Two applications were new waiver requests. After review by OSPI staff, all three were approved, as staff determined that the districts met SBE’s criteria.

In addition to those requests that were approved or renewed, one school district applied but could not be approved, due to the number of approved waivers reaching the statutory limit of 10.

Currently, 10 school districts are operating with an Economy and Efficiency Waiver. Those districts are listed in Table 1.

Table 1: Economy and Efficiency Waivers

School District	Waiver Days	Number of Years	Waiver Granted	New or Renewal	Approved Through
Bickleton	30	3	3/25/20	Renewal	2022–23
Cusick	30	3	3/25/20	Renewal	2022–23
Inchelium	29	3	6/7/21	New	2023–24
Mary	26	3	4/27/22	New	2024–25
Nespelem	36	1	4/27/22	New	2022–23
Paterson	34	3	3/25/20	Renewal	2022–23
Pe Ell	30	3	4/27/22	Renewal	2024–25
Selkirk	30	3	3/25/20	Renewal	2022–23
Washtucna	30	3	6/7/21	New	2023–24
Waterville	30	3	6/7/21	Renewal	2023–24

Emergency School Closure Waivers

Occasionally, unforeseen emergencies cause temporary school closures because the facilities could be unsafe, unhealthy, inaccessible, or inoperable. Under certain circumstances, school districts may request an Emergency School Closure Waiver from the 180-day school year requirement (RCW 28A.150.290).

School districts seeking an Emergency School Closure Waiver must make a reasonable effort to make-up the missed school days. At a minimum, the district must make up at least three school days. Make-up days can include the use of scheduled vacation days or other previously planned school closure days. Make-up days can also include the extension of the school year to and/or through June 14. However, if a state of emergency proclamation is issued by the governor, districts may meet the “reasonable effort” test by providing at least the district-wide annual average total instruction hour offerings.

Unforeseen emergencies include:

- Natural events (such as fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption)
- Mechanical failures (disruption of utilities such as heating, lighting, or water)
- Action or inaction by one or more persons (including arson, vandalism, riots, insurrections, bomb threats, bombing)
- Certain unforeseeable construction delays

School closure emergencies *do not* include:

- Labor dispute between a local education agency's governing body and any employee of the school district
- Construction delays that are foreseeable and reasonably anticipated

During the 2021–22 school year, 61 school districts submitted waiver applications for Emergency School Closures. After review by OSPI staff, all were approved, as staff determined that the districts met the requirements set forth in WAC 392-129. Appendix C identifies the school districts that were granted an Emergency School Closure Waiver. (See RCW 28A.159.290, WAC 392-129.)

Career and Technical Education Course Equivalency Waivers

Certain school districts may request a waiver from the provisions of RCW 28A.230.010, which requires districts to provide high school students the opportunity to access state career and technical education (CTE) statewide equivalency courses. Rules for the CTE Course Equivalency Waiver are codified in WAC 180-18-100.

School districts with fewer than 2,000 students may apply for a waiver of up to two years from the provisions of RCW 28A.230.010. To receive a waiver, districts must demonstrate that students enrolled in the district do not have, and cannot be provided, reasonable access to the statewide course equivalencies through high schools, inter-district cooperatives, skill centers or branch or satellite skill centers, or through online learning or Running Start vocational courses.

Certain school districts may request a waiver from the provisions of RCW 28A.230.010, which requires districts to provide high school students the opportunity to access state career and technical education (CTE) statewide equivalency courses. Rules for the CTE Course Equivalency Waiver are codified in WAC 180-18-100.

School districts with fewer than 2,000 students may apply for a waiver of up to two years from the provisions of RCW 28A.230.010. To receive a waiver, districts must demonstrate that students enrolled in the district do not have, and cannot be provided, reasonable access to the statewide

course equivalencies through high schools, inter-district cooperatives, skill centers or branch or satellite skill centers, or through online learning or Running Start vocational courses. To provide sufficient notice to students, families, and staff, the application must be submitted to OSPI no later than January 15 of the school year prior to the school year for which the waiver is requested starting with the 2021–22 school year.

For the 2021–22 school year, OSPI received one waiver request which was granted to the Kettle Falls School District.

CONCLUSION & NEXT STEPS

OSPI continues to receive and process 180-day waiver applications for the 2022–23 school year.

[Information concerning 180-day School Year Waivers, including links to the waiver applications, can be found on the OSPI website.](#) Also included on the OSPI website is [information about CTE waivers, including the waiver application.](#)

APPENDIX A: 180-DAY SCHOOL YEAR WAIVERS

Table 2: School Districts with Active 180-Day School Year Waivers (as of 09/1/2022)

DISTRICT	GRANTED	DAYS	YEARS	Approved Thru (SY)	PURPOSE OF WAIVER
Adna	5/10/22	3	3	2024–25	Professional Development
Anacortes	6/28/2022	2	3	2024–25	Professional Development
Auburn	8/19/20	3	3	2022–23	Professional Development
Battle Ground	8/16/2022	2	1	2022–23	Professional Development
Bethel	2/12/20	2	3	2022–23	Professional Development
Cle Elum-Roslyn	8/19/20	3	3	2022–23	Professional Development
Columbia	9/8/22	2	3	2024–25	Professional Development
Davenport	5/10/22	2	3	2024–25	Professional Development
Granger	8/14/20	5	3	2022–23	Professional Development
Granite Falls	9/12/2022	2	3	2024–25	Professional Development
Kelso	5/14/21	1	3	2023–24	Student Transition Day
Lopez Island	5/31/22	4	2	2022–23	Professional Development
Lynden	5/18/20	4	3	2022–23	Professional Development
Meridian	5/14/21	3	3	2023–24	Professional Development
Methow Valley	3/23/20	6	3	2022–23	Professional Development
Mount Baker	9/24/20	3	3	2022–23	Professional Development
Mukilteo	6/16/22	2	3	2024–25	Professional Development

DISTRICT	GRANTED	DAYS	YEARS	Approved Thru (SY)	PURPOSE OF WAIVER
Napavine	5/18/20	3	3	2022–23	Professional Development
Onion Creek	5/18/20	3	3	2022–23	Professional Development
Orient	5/18/20	5	3	2022–23	Professional Development
Reardan Edwall	5/10/22	1	3	2024–25	Professional Development
Ridgefield	12/9/20	1	3	2023–24	Student Transition Day
Riverside	6/23/21	1	2	2022–23	Professional Development
South Bend	4/12/21	3	3	2023–24	Professional Development
Spokane	5/15/2022	2	3	2024–25	Professional Development
Sultan	5/14/21	2	3	2023–24	Professional Development
Sunnyside	8/19/20	7	3	2022–23	Professional Development
Tacoma (all schools)	5/14/21	2	3	2023–24	Staff Collaboration, Data Review, Planning
Tacoma (IDEA)	8/16/22	15	3	2024–25	Alternative School Calendar
Tacoma (SAMI)	8/16/22	15	3	2024–25	Alternative School Calendar
Tacoma (SOTA)	8/16/22	15	3	2024–25	Alternative School Calendar
Valley	2/12/20	3	3	2022–23	Professional Development
White River	3/23/20	3	3	2022–23	Professional Development
Willapa Valley	5/10/22	3	3	2024–25	Professional Development
Zillah	12/16/19	3	3	2022–23	Professional Development

APPENDIX B: PARENT-TEACHER CONFERENCE DAYS WAIVERS

Table 3: School Districts with Active Parent-Teacher Conference Days Waivers (as of 9/1/22)

District	Days	Years	Granted	Approved Through
Aberdeen	4	3	9/19/22	2024–25
Asotin-Anatone	2	3	8/1/2022	2024–25
Bainbridge Island	5	3	5/18/20	2022–23
Cascade	4	3	5/17/21	2023–24
Cashmere	2	2	4/29/21	2022–23
Central Kitsap	3	3	5/18/20	2022–23
Centralia	4	3	3/2/21	2023–24
Chehalis	1	3	9/12/2022	2024–25
Cheney	4	2	4/29/21	2022–23
Chewelah	4	3	5/2/2022	2024–25
Chimacum	3	3	4/15/2022	2024–25
Clarkston	3	3	4/29/21	2023–24
College Place	2	3	3/2/21	2022–23
Columbia	3	3	9/8/2022	2024–25
Colville	4	3	1/15/20	2022–23
Coupeville	4	3	6/9/22	2024–25
Deer Park	4	3	11/29/21	2023–24
Dieringer	2	3	10/29/20	2022–23
Eastmont	3	3	3/2/21	2023–24
Entiat	4	3	12/16/19	2022–23
Enumclaw	5	3	7/14/22	2024–25

District	Days	Years	Granted	Approved Through
Federal Way	4	1	9/19/22	2022–23
Fife	5	3	4/15/2022	2024–25
Finley	3	3	8/15/22	2024–25
Freeman	4	3	12/3/21	2023–24
Granite Falls	4	3	9/12/2022	2024–25
Highline	3	3	2/26/20	2022–23
Issaquah	2	3	4/29/21	2023–24
Kelso	3	3	4/15/2022	2024–25
Kettle Falls	4	3	5/18/20	2022–23
Lind	4	3	9/12/2022	2024–25
Loon Lake	4	1	5/31/2022	2022–23
Mead	4	3	12/3/21	2024–25
Medical Lake	4	3	8/28/20	2022–23
Mt Adams	4	3	5/31/2022	2024–25
Mukilteo	5	3	5/31/2022	2024–25
Naches Valley	2	1	4/15/2022	2022–23
Newport	4	3	5/31/2022	2024–25
North Franklin	4	3	5/17/2022	2024–25
North Thurston	2	3	7/26/2022	2024–25
Oak Harbor	4	3	11/19/19	2022–23
Ocosta	4	3	8/1/2022	2024–25
Okanogan	4	3	8/28/20	2022–23
Omak	4	3	5/31/2022	2024–25
Orcas Island	4	3	3/23/20	2022–23

District	Days	Years	Granted	Approved Through
Orondo	5	3	8/1/2022	2024–25
Othello	4	2	4/15/2022	2022–23
Pateros	3	1	5/3/2022	2022–23
Port Townsend	2	3	9/7/22	2024–25
Prosser	4	3	8/20/21	2023–24
Pullman	4	3	8/4/2022	2024–25
Reardan Edwall	4	3	4/15/2022	2024–25
Richland	4	3	8/4/21	2023–24
Ritzville	4	3	9/12/2022	2024–25
Riverside	4	1	5/16/2022	2022–23
Riverview	1	3	9/19/22	2022–23
Rochester	3	3	8/20/21	2023–24
Seattle	3	3	7/25/2022	2024–25
Sequim	2	3	4/15/2022	2024–25
Spokane	4	3	8/15/2022	2024–25
Steilacoom	2	2	8/3/2022	2023–24
Sultan	4	3	5/14/21	2023–24
Tonasket	5	3	4/29/21	2023–24
Toppenish	4	3	5/25/21	2023–24
Tumwater	3	1	8/9/2022	2022–23
Valley	4	3	2/12/20	2022–23
Vashon Island	5	3	5/2/2022	2024–25
Waitsburg	2	3	8/28/20	2022–23
Walla Walla	2	3	3/23/20	2022–23

District	Days	Years	Granted	Approved Through
Wenatchee	4	3	10/22/21	2023–24
West Valley (Spokane)	4	3	4/29/21	2023–24
Zillah	4	3	12/16/19	2022–23

APPENDIX C: EMERGENCY SCHOOL CLOSURE WAIVERS

Table 4: School Districts Granted an Emergency School Closure Waiver for the 2021–22 School Year

District	Days Waived	Cause	Approved
Aberdeen	1	Flooding	4/20/2022
Aberdeen (Harbor Learning Center & A.J. West)	0.5	Flooding	4/20/2022
Almira	2	Fire/Inclement Weather	4/29/2022
Bellingham (District-wide)	1	Snow/Flooding	4/17/2022
Bellingham (Sehome)	1	Bomb Threat	4/17/2022
Blaine	2	Threat Against a Student	6/15/2022
Boistfort	1	Flooding	5/11/2022
Brinnon	4	Weather/Power	4/20/2022
Castle Rock	1	Report of School Shooter	7/5/2022
Centerville	2	Severe Winter Weather	5/12/2022
Cle Elum-Roslyn	2	Snow	5/20/2022
Concrete	2	Snow/Flooding	4/29/2022
Creston	1	COVID/Staffing Shortage	5/11/2022
Easton	3	Snow/Boiler/Power	4/15/2022

District	Days Waived	Cause	Approved
Ellensburg	1	Snow	4/29/2022
Evaline	1	Flooding/Snow	6/7/2022
Ferndale	3	Flooding/Snow/Ice	5/10/2022
Goldendale	1	Threat, Snow	6/7/2022
Hood Canal	4	Snow/Ice/Heating	5/16/2022
Index	5	Snow/Road Closures	5/10/2022
Kelso	1	Snow	5/16/2022
Lake Washington	1	Security Threat	7/5/2022
Loon Lake	1.5	Snow/Ice	4/17/2022
Lummi Tribal Agency	11	Flooding/Snow/COVID	6/7/2022
Lyle	5	Inclement Weather	4/17/2022
Manson	2	Snow	4/29/2022
Marysville (Quil Ceda Tulalip Elementary School)	1	COVID/Staffing Shortage	5/10/2022
Marysville (Kellogg Marsh Elementary School and Totem Middle School)	1	Flooding	5/10/2022
Marysville (Legacy High School)	1	Snow/Flooding	5/10/2022
Marysville Tulalip-Heritage High School	1	Snow/Flooding	5/10/2022

District	Days Waived	Cause	Approved
Marysville (Cedarcrest Middle School)	1	Snow/Ice	5/10/2022
Meridian	2	Flooding	5/11/2022
Mill A	5	Snow	4/17/2022
Moses Lake	2	Flooding	4/29/2022
Mt Baker	3	Flooding	4/29/2022
Mt. Adams	1	Snow/Road Closures	5/20/2022
Mt. Vernon	3	Power Outage	4/17/2022
Nooksack Valley	6	COVID/Snow/ Flooding	4/17/2022
North Mason	2	Flooding	5/10/2022
North Thurston	1	Flooding	5/20/2022
Oakville	1	Snow	5/10/2022
Ocosta	1	Snow	4/20/2022
Orcas Island	1	COVID	5/12/2022
Palisades	1	Flooding	6/7/2022
Pinnacles Prep	2	Snow	5/20/22
Pullman Community Montessori	5	Flooding/COVID	6/14/2022

District	Days Waived	Cause	Approved
Quileute	2	COVID	4/17/2022
Quincy	2	Snow/Flooding	4/17/2022
Raymond	4	Power	4/29/2022
Richland	2	Threat	4/17/2022
San Juan	2	COVID	4/29/2022
Seattle (Franklin)	1	Power Outage	4/18/2022
Seattle (Franklin)	1	Construction Fumes	4/18/2022
Seattle (Viewridge Elementary)	1	Power Outage and Security Concern	4/18/2022
Seattle (John Rogers Elementary)	1	Flooding	4/18/2022
Seattle (West Seattle High School)	1	Snow/Ice/Heating	4/18/2022
Seattle (Decatur Elementary)	1	COVID	4/18/2022
Seattle (Wedgewood Elementary)	1	Power Outage/Road Closures/Ice	4/18/2022
Seattle (Thornton Creek Elementary)	1	Snow/Ice	4/18/2022
Seattle (District-wide)	1	Flooding	4/18/2022
Seattle (Nova)	1	Weather/Power	4/18/2022
Seattle (Leschi)	2	Snow/Ice	4/18/2022

District	Days Waived	Cause	Approved
Seattle (Aki Kurose Middle School)	1	Weather/Power	8/24/2022
Seattle (West Woodland Elementary)	1	Snow	4/17/2022
Sedro Woolley	1	Heating	4/20/2022
Skykomish	5	Snow	4/17/2022
South Kitsap	2	Snow	4/29/2022
South Whidbey	2	Snow/Flooding	5/11/2022
Stevenson Carson	2	COVID/Staffing Shortage	4/17/2022
Tenino	1	COVID/Staffing Shortage	4/17/2022
Toledo	3	Flooding	5/20/2022
Touchet	2	Flooding	5/11/2022
Toutle Lake	1	Fire/Inclement Weather	4/20/2022
Trout Lake	2	Snow/Flooding	6/7/2022
Washougal	1	Bomb Threat	4/17/2022
Wenatchee (Columbia)	1	Threat Against a Student	4/17/2022
Wenatchee (District-wide)	2	Flooding	4/17/2022
White Pass	4	Weather/Power	5/20/2022

District	Days Waived	Cause	Approved
Why Not You Academy	1	Report of School Shooter	5/11/2022
Wilbur	1	Severe Winter Weather	4/20/2022

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