



Washington Office of Superintendent of
PUBLIC INSTRUCTION

REPORT TO THE LEGISLATURE

180-Day Waivers for the 2022–23 School Year

2023

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 Office of Superintendent of Public Instruction (OSPI).

Under this authority, OSPI may grant certain school day waivers that would assist the school district in implementing a local plan to provide all students an effective education 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, RCW 28A.150.220 requires each school district to 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 180-day school year requirement 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 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)
- 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)

Regular 180-Day School Year Waivers

OSPI may grant Regular 180-Day School Year Waivers to allow districts to implement local plans that “provide for all students in the district an effective education system that is designed to enhance the educational program for each student” (RCW 28A.300.750). 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 2022–23 school year, 21 school districts submitted waiver applications for the Regular 180-Day Waiver. OSPI reviewed the applications and concluded that the applying districts demonstrated that they met the required standards adopted by the SBE (WAC 180-18-040, WAC 180-18-050). All 21 were approved.

Appendix A identifies all school districts with active 180-Day Waivers as of September 1, 2023.

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.

Under RCW 28A.300.750, OSPI grants the waivers in accordance with criteria adopted by the State Board of Education (SBE). SBE has determined that charter schools and tribal compact schools are not eligible for parent-teacher conference days. In 2023, the legislature considered Senate Bill 5648 which would have amended RCW 28A.300.750 to explicitly include charter schools and state-tribal education compact schools as those eligible for parent-teacher conference waivers and others that are necessary to implement a local plan to provide an effective education system designed to enhance educational programs for students. The bill passed the Senate but no action was taken by the House Committee on Education.

During the 2022–23 school year, 29 school districts submitted waiver notifications for the Parent-Teacher Conference Days Waiver. After review by OSPI staff, all but three met the requirements set forth in WAC 180-18-040 and WAC 180-18-050 and were approved. The three that were not approved were applications from two charter schools and a tribal school, which, as described above, are not considered school districts by SBE under RCW 28A.300.750.

Appendix B identifies all school districts with an active Parent-Teacher Conference Days Waiver as of August 1, 2023.

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 10 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 the SBE (WAC 180-18-065).

During the 2022–23 school year, six school districts with expiring three-year Economy and Efficiency Waivers submitted renewal applications. After review by OSPI staff, all six renewal requests were approved, as staff determined that the districts met the SBE’s criteria.

In addition to those renewal requests that were renewed, one school district submitted an application but could not be considered, due to the number of approved waivers reaching the statutory limit of 10. Additionally, 10 schools contacted OSPI to inquire about applying for an Economy and Efficiency Waiver but after hearing there were no available spots due to the statutory limit of 10, they did not pursue an application.

Currently, ten 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	# of Years	Waiver Granted	New or Renewal	Approved Thru (SY)
Bickleton	30	3	3/23/23	Renewal	2025–26
Cusick	30	3	3/23/23	Renewal	2025–26
Inchelium	29	3	6/7/21	New	2023–24
Mary Walker	26	3	3/27/23	Renewal	2023–24
Nespelem	36	1	3/23/23	Renewal	2023–24
Paterson	34	3	3/23/23	Renewal	2025–26
Pe Ell	30	3	4/27/22	Renewal	2024–25
Selkirk	30	3	3/24/23	Renewal	2025–26
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 2022–23 school year, 35 school districts submitted waiver applications for Emergency School Closures. After review by OSPI staff, 21 waiver applications were approved and 14 applications were not approved, as staff determined that the districts did not meet 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 2022–23 school year, OSPI did not receive any CTE waivers.

CONCLUSION

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 is authorized to grant waivers from the 180-day school year. School districts seeking a 180-day school year waiver must submit a request package to OSPI.

For the 2022–23 school year, OSPI received and approved the following waiver applications:

- **Regular 180-Day School Year Waivers:** 21 applications received; 21 applications approved.
- **Parent-Teacher Conference Days Waivers:** 29 applications received; 26 applications approved.
- **Economy and Efficiency Waivers:** six renewals received; six renewals approved.
- **Emergency School Closure Waivers:** 35 applications received; 21 applications approved.
- **CTE Course Equivalency Waivers:** no applications received.

[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 3: School districts with active 180-Day School Year Waivers (as of 09-1-2023)

DISTRICT	GRANTED	DAYS	YEARS	Approved Thru (SY)	PURPOSE OF WAIVER
Adna	5/10/22	3	3	2024–2025	professional development
Anacortes	6/28/22	2	3	2024–2025	professional development
Battle Ground	7/10/23	2	1	2023–2024	professional development
Bethel	2/7/23	2	3	2025–2026	professional development
Columbia	9/8/22	2	3	2024–2025	professional development
Davenport	5/10/22	2	3	2024–2025	professional development
Dieringer	8/9/23	1	3	2025–2026	professional development
Granger	6/9/23	1	3	2025–2026	professional development
Granite Falls	9/12/22	2	3	2024–2025	professional development
Kelso	5/14/21	1	3	2023–2024	student transition day
Lopez Island	6/12/23	4	1	2023–2024	professional development
Lynden	5/22/23	4	3	2025–2026	professional development
Meridian	5/14/21	3	3	2023–2024	professional development
Methow Valley	2/8/23	4	3	2025–2026	professional development
Mount Adams	6/29/23	2	3	2025–2026	professional development
Mount Baker	5/15/23	2	3	2025–2026	professional development
Mukilteo	6/16/22	2	3	2024–2025	professional development

DISTRICT	GRANTED	DAYS	YEARS	Approved Thru (SY)	PURPOSE OF WAIVER
Napavine	4/6/23	3	3	2025–2026	professional development
Okanogan	5/11/23	3	1	2023–2024	professional development
Orient	5/22/23	5	3	2025–2026	professional development
Raymond	5/22/23	3	3	2025–2026	professional development
Reardan Edwall	5/10/22	1	3	2024–2025	professional development
Ridgefield	12/9/20	1	3	2023–2024	student transition day
Riverside	4/6/23	1	2	2024–2025	professional development
South Bend	4/12/21	3	3	2023–2024	professional development
Spokane	5/15/22	2	3	2024–2025	professional development
Stanwood-Camano	5/25/23	2	1	2023–2024	professional development
Sultan	5/14/21	2	3	2023–2024	professional development
Sunnyside	8/3/23	3	1	2023–2024	professional development
Tacoma (all schools)	5/14/21	2	3	2023–2024	staff collaboration, data review, planning
Tacoma (IDEA-School of Industrial Design Engineering and Arts)	8/16/22	15	3	2024–2025	alternative school calendar
Tacoma (SAMI-Science and Math Institute)	8/16/22	15	3	2024–2025	alternative school calendar
Tacoma (SOTA-School of the Arts)	8/16/22	15	3	2024–2025	alternative school calendar

DISTRICT	GRANTED	DAYS	YEARS	Approved Thru (SY)	PURPOSE OF WAIVER
White River	1/20/23	3	3	2025–2026	professional development
Willapa Valley	5/10/22	3	3	2024–2025	professional development
Zillah	11/9/22	3	3	2025–2026	professional development

APPENDIX B: PARENT-TEACHER CONFERENCE DAYS WAIVERS

Table 4: School districts with active Parent-Teacher Conference Days Waivers (as of 9/1/23)

DISTRICT	DAYS	YEARS	GRANTED	Approved Through (SY)
Aberdeen	4	3	9/19/22	2024–2025
Asotin-Anatone	2	3	8/1/22	2024–2025
Bainbridge Island	5	3	8/8/23	2025–2026
Cascade	4	3	5/17/21	2023–2024
Cashmere	2	2	4/4/23	2024–2025
Centralia	4	3	3/2/21	2023–2024
Chehalis	1	3	9/12/22	2024–2025
Cheney	4	2	4/4/23	2024–2025
Chewelah	4	3	5/2/22	2024–2025
Chimacum	3	3	4/15/22	2024–2025
Clarkston	3	3	4/29/21	2023–2024
College Place	2	3	1/3/23	2024–2025
Columbia	3	3	9/8/22	2024–2025
Colville	4	3	2/8/23	2025–2026
Concrete	4	3	6/26/23	2025–2026
Coupeville	4	3	6/9/22	2024–2025
Deer Park	4	3	11/29/21	2023–2024
Dieringer - Lake Tapps Elementary & Dieringer Heights Elementary	2	3	8/9/23	2025–2026

DISTRICT	DAYS	YEARS	GRANTED	Approved Through (SY)
Dieringer - North Tapps Middle School	2	3	8/9/23	2025–2026
Eastmont	3	3	3/2/21	2023–2024
Eatonville	2	2	5/30/23	2024–2025
Entiat	4	3	11/9/22	2025–2026
Enumclaw	5	3	7/14/22	2024–2025
Federal Way	4	3	8/1/23	2025–2026
Fife	5	3	4/15/22	2024–2025
Finley	3	3	8/15/22	2024–2025
Freeman	4	3	12/3/21	2023–2024
Granger	4	3	6/20/23	2025–2026
Granite Falls	4	3	9/12/22	2024–2025
Highline	3	3	4/4/23	2025–2026
Issaquah	2	3	4/29/21	2023–2024
Kelso	3	3	4/15/22	2024–2025
Kettle Falls	4	3	7/3/23	2025–2026
Lind	4	3	9/12/22	2024–2025
Longview	2	3	8/9/23	2025–2026
Loon Lake	4	1	5/24/23	2023–2024
Mead	4	3	12/3/21	2024–2025
Methow Valley	1	3	2/8/23	2025–2026
Mt Adams	4	3	5/31/22	2024–2025
Mukilteo	5	3	5/31/22	2024–2025
Newport	4	3	5/31/22	2024–2025

DISTRICT	DAYS	YEARS	GRANTED	Approved Through (SY)
Nine Mile Falls	2	1	5/10/2023	2023–2024
North Franklin	4	3	5/17/22	2024–2025
North Thurston	2	3	7/26/22	2024–2025
Oak Harbor	4	3	10/17/22	2025–2026
Ocosta	4	3	8/1/2022	2024–2025
Okanogan	4	3	5/11/23	2025–2026
Omak	4	3	5/31/22	2024–2025
Orcas Island	4	3	4/4/23	2025–2026
Orondo	5	3	8/1/22	2024–2025
Oroville	4	3	8/15/23	2025–2026
Port Townsend	2	3	9/7/22	2024–2025
Prosser	4	3	8/20/21	2023–2024
Pullman	4	3	8/4/22	2024–2025
Quincy	1	1	5/31/23	2022–2023
Reardan Edwall	4	3	4/15/22	2024–2025
Republic	3	2	5/24/23	2024–2025
Richland	4	3	8/4/21	2023–2024
Ritzville	4	3	9/12/22	2024–2025
Riverside	4	3	5/16/22	2024–2025
Riverview	1	3	9/19/22	2024–2025
Rochester	3	3	8/20/21	2023–2024
Seattle	3	3	7/25/22	2024–2025
Selah	4	3	4/4/23	2025–2026
Sequim	2	3	4/15/22	2024–2025

DISTRICT	DAYS	YEARS	GRANTED	Approved Through (SY)
Soap Lake	4	3	6/26/23	2025–2026
Spokane	4	3	8/15/22	2024–2025
Steilacoom	2	2	8/3/22	2023–2024
Sultan	4	3	5/14/21	2023–2024
Sunnyside	4	1	8/3/23	2023–2024
Tonasket	5	3	4/29/21	2023–2024
Toppenish	4	3	5/25/21	2023–2024
Valley	4	3	4/4/23	2025–2026
Vancouver	2	3	5/24/23	2025–2026
Vashon Island	5	3	5/2/22	2024–2025
Waitsburg	2	3	5/10/23	2025–2026
Walla Walla	2	3	1/20/23	2023–2024
Wapato	4	1	6/26/23	2023–2024
Wenatchee	4	3	10/22/21	2023–2024
West Valley (Spokane)	4	3	4/29/21	2023–2024
Zillah	4	3	11/9/22	2025–2026

APPENDIX C: EMERGENCY SCHOOL CLOSURE WAIVERS

Table 5: School districts granted an Emergency School Closure Waiver for 2022-23 school year

District	Days Waived	Cause	Approved
Arlington	1	Inclement weather - power outages	5/19/2023
Brinnon	4	Inclement weather - power outages	5/3/2023
Central Kitsap	3	Snow/Ice - dangerous driving conditions	4/26/2023
Edmonds (Woodway Center, Brier Elementary, Chase Lake Elementary, and Alderwood Early Childhood Center)	1	Snow and power outages - no heating	4/17/2023
Edmonds Lynwood High School	1	HVAC system down - no heat	4/17/2023
Everett	1	Power outage	4/26/2023
Highline (Raisbeck Aviation High School)	1	Water main break	4/26/2023
Index	2	Town was evacuated due to Fire and heavy smoke	2/21/2023
Lake Washington (Blackwell Elementary)	1	Loss of electrical power	7/21/2023
Lake Washington (Inglewood Middle School)	1	Gas smell resulting in evacuation and evaluation	7/21/2023
Lake Washington (Ella Backer Elementary, Rose Parks Elementary, and Timberline Middle School)	1	Snowstorm resulting in inability to	7/21/2023

District	Days Waived	Cause	Approved
		access schools/Road conditions	
Lake Washington (Mann Elementary and Redmond High School)	1	Windstorm resulting in loss of electrical power	7/21/2023
Lake Washington (Frost Elementary)	1	Loss of electrical power	7/21/2023
Lake Washington (Redmond High School)	1	Security threat	7/21/2023
Lake Washington (Community Elementary School and International Community School)	1	Fire	7/21/2023
Mary M Knight	1	Inclement weather	5/8/2023
Mill A	1	Inclement weather	6/1/2023
Mt. Pleasant	7	Wildfire, inclement weather, broken water pipe	6/5/2023
Oakville	1	Bomb threat	6/1/2023
Orient	6	Snow days and Covid closures	4/26/2023
Quileute Tribal School	1	Lack of staff due to illness and unsafe road conditions due to snow	6/1/2023
Royal	1	Inclement weather	4/10/2023
Skamania	5	Inclement weather - Septic system failure	5/19/2023

District	Days Waived	Cause	Approved
Skykomish	8	Bolt creek fire	1/13/2023
Stevenson-Carson	5	Inclement weather - Security threat	5/26/2023
West Valley	1	Water main break	6/1/2023

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