




Date: March 3, 2017
To: The Board of Education
From: Chris Gardea 
RE: Snow Make-Up Days vs Snow Closure Waivers

For the 2016-2017 school year Walla Walla Public Schools has missed six school days, thus far, due to inclement weather. The three days missed in December (12, 15 and 16) have been scheduled and approved to be made up (March 3, May 12 and June 9).

Since adjusting the calendar we missed three additional school days due to inclement weather (January 11 and 18. and February 9, 2017).

In determining next steps for make-up days or the option of requesting a snow closure waiver here is the guidance we received from OSPI:

WAC-392-129-105 and RCW 28A.150.220(2) indicate that:

1. You must make up at least 3 days and extend your school year to and through June 14th
2. You must meet a minimum district-wide annual average 1,027 instructional hours
3. Missed days that fall between Jan10-20, 2017 (Governor's state of emergency proclamation) may be forgiven IF you have met criteria #1 and #2.

Due to these circumstances, we are proposing that the 2016-2017 school year be extended by three days, adding June 12, 13 and 14, 2017 as make-up days for the three January and February 2017 missed school days.

We are also recommending that the graduation date remain the same for Lincoln High School and Walla Walla High School. In order to meet the minimum number of school days requirement we will be offering Saturday options for seniors to participate in. Dates of offerings are: April 29, May 6 and May 13. Topics considered will be: AP testing, SAT preparation, post secondary transitions, culminating project and credit retrieval.

Thank you for your support and consideration.

CG/ma

Attached:

WAC-392-129-105
RCW 28A.150.220(2)

WAC 392-129-105

Definition—Reasonable effort.

As used in this chapter, "reasonable effort" means the:

(1) Extension of the school year to and through June 14th; and

(2) Use of scheduled vacation days and foreseeable school closure days, to attain the minimum number of school days and district-wide annual average total instruction hour offerings required by law. In no case, except as provided in subsection (3) of this section, shall a school district or charter school be considered to have made a reasonable effort unless at least three school days, per incident, and district-wide annual average total instruction hour offerings which have been lost have in fact been made up.

(3) Where a school district or charter school resides in a county which was declared a state of emergency proclamation by the governor due to fire, flood, explosion, storm, earthquake, epidemic, or volcanic eruption, and the emergency impacted district-wide facilities or operations, the superintendent may consider school district or charter school applications to have met the "reasonable effort" test by providing at least the district-wide annual average total instruction hour offerings.

[Statutory Authority: RCW **28A.150.290** and **28A.710.220**. WSR 15-18-078, § 392-129-105, filed 8/28/15, effective 9/28/15. Statutory Authority: RCW **28A.41.170(2)**. WSR 07-13-090, § 392-129-105, filed 6/19/07, effective 7/20/07; WSR 90-01-141 (Order 22), § 392-129-105, filed 12/20/89, effective 1/20/90.]

RCW 28A.150.220

Basic education—Minimum instructional requirements—Program accessibility—Rules.

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through twelve, at least a district-wide annual average of one thousand hours, which shall be increased beginning in the 2015-16 school year to at least one thousand eighty instructional hours for students enrolled in grades nine through twelve and at least one thousand instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through twelve; and

(b) For students enrolled in kindergarten, at least four hundred fifty instructional hours, which shall be increased to at least one thousand instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the essential academic learning requirements under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete twenty-four credits for high school graduation, beginning with the graduating class of 2019 or as otherwise provided in RCW 28A.230.090. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the essential academic learning requirements include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for underachieving students through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

(e) Supplemental instruction and services for eligible and enrolled students and exited students whose primary language is other than English through the transitional bilingual instruction program under RCW 28A.180.010 through 28A.180.080;

(f) The opportunity for an appropriate education at public expense as defined by RCW 28A.155.020 for all eligible students with disabilities as defined in RCW 28A.155.020; and

(g) Programs for highly capable students under RCW 28A.185.010 through 28A.185.030.

(4) Nothing contained in this section shall be construed to require individual students to attend school for any particular number of hours per day or to take any particular courses.

(5)(a) Each school district's kindergarten through twelfth grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than twenty-one years of age and shall consist of a minimum of one hundred eighty school days per school year in such grades as are conducted by a school district, and one hundred eighty half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of one hundred eighty school days per school year according to the implementation schedule under RCW 28A.150.315.

(b) Schools administering the Washington kindergarten inventory of developing skills may use up to three school days at the beginning of the school year to meet with parents and families as required in the parent involvement component of the inventory.

(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the one hundred eighty day school year for noninstructional purposes including, but not limited to, the observance of graduation and early release from school upon the request of a student. All such students may be claimed as a full-time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a

school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2)(a) of this section.

(6) Nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

(7) The state board of education shall adopt rules to implement and ensure compliance with the program requirements imposed by this section, RCW **28A.150.250** and **28A.150.260**, and such related supplemental program approval requirements as the state board may establish.

[**2014 c 217 § 201**; **2013 2nd sp.s. c 9 § 2**; **2013 c 323 § 2**; **2011 1st sp.s. c 27 § 1**; **2009 c 548 § 104**; **1993 c 371 § 2**; (1995 c 77 § 1 and 1993 c 371 § 1 expired September 1, 2000); **1992 c 141 § 503**; **1990 c 33 § 105**; **1982 c 158 § 1**; **1979 ex.s. c 250 § 1**; **1977 ex.s. c 359 § 3**. Formerly RCW **28A.58.754**.]

NOTES:

Finding—Intent—2014 c 217: "The legislature recognizes that preparing students to be successful in postsecondary education, gainful employment, and citizenship requires increased rigor and achievement, including attaining a meaningful high school diploma with the opportunity to earn twenty-four credits. The legislature finds that an investment was made in the 2013-2015 omnibus appropriations act to implement an increase in instructional hours in the 2014-15 school year. School districts informed the legislature that the funding as provided in the 2013-2015 omnibus appropriations act would result in only a few minutes being added onto each class period and would not result in a meaningful increase in instruction that would have the positive impact on student learning that the legislature expects. The school districts suggested that it would be a better educational policy to use the funds to implement the requirement of twenty-four credits for high school graduation, which will result in a meaningful increase of instructional hours. Based on input from school districts across the state, the legislature recognizes the need to provide flexibility for school districts to implement the increase in instructional hours while still moving towards an increase in the high school graduation requirements. Therefore, the legislature intends to shift the focus and intent of the investments from compliance with the minimum instructional hours offering to assisting school districts to provide an opportunity for students to earn twenty-four credits for high school graduation and obtain a meaningful diploma, beginning with the graduating class of 2019, with the opportunity for school districts to request a waiver for up to two years." [**2014 c 217 § 1**.]

Intent—2013 2nd sp.s. c 9: "The legislature intends to fund a plan to carry out the reforms enacted in chapter 548, Laws of 2009, and chapter 236, Laws of 2010, and to make the statutory changes necessary to support this plan." [**2013 2nd sp.s. c 9 § 1**.]

Effective dates—2013 2nd sp.s. c 9: "(1) Sections 2 through 4 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect September 1, 2013.

(2) Section 7 of this act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect June 30, 2013.

(3) Sections 5, 6, and 8 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and take effect immediately [June 30, 2013]." [**2013 2nd sp.s. c 9 § 9**.]

Effective date—2011 1st sp.s. c 27 §§ 1-3: "Sections 1 through 3 of this act take effect September 1, 2011." [**2011 1st sp.s. c 27 § 8**.]

Effective date—2009 c 548 §§ 101-110 and 701-710: See note following RCW 28A.150.200.

Intent—2009 c 548: See RCW 28A.150.1981.

Finding—2009 c 548: See note following RCW 28A.410.270.

Intent—Finding—2009 c 548: See note following RCW 28A.305.130.

Contingent expiration date—1995 c 77 § 1: "Section 1 of this act shall expire September 1, 2000. However, section 1 of this act shall not expire if, by September 1, 2000, a law is not enacted stating that a school accountability and academic assessment system is not in place." [1995 c 77 § 32.] That law was not enacted by September 1, 2000.

Contingent effective date—1993 c 371 § 2: "Section 2 of this act shall take effect September 1, 2000. However, section 2 of this act shall not take effect if, by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1993 c 371 § 5.] That law was not enacted by September 1, 2000.

Contingent effective date—1992 c 141 §§ 502-504, 506, and 507: See note following RCW 28A.150.205.

Findings—Part headings—Severability—1992 c 141: See notes following RCW 28A.410.040.

Severability—1982 c 158: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 158 § 8.]

Effective date—1979 ex.s. c 250: "This amendatory act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and except as otherwise provided in subsection (5) of section 1, and section 2 of this amendatory act, shall take effect August 15, 1979." [1979 ex.s. c 250 § 10.]

Severability—1979 ex.s. c 250: "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1979 ex.s. c 250 § 11.]

Effective date—Severability—1977 ex.s. c 359: See notes following RCW 28A.150.200.