
HOUSE BILL 2320

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Peery, Brough, Winsley and J. Kohl

Read first time 01/15/92. Referred to Committee on Education.

1 AN ACT Relating to nomenclature of educational clinics; amending
2 RCW 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.040, 28A.205.050,
3 28A.205.060, 28A.205.070, 28A.205.080, and 28A.205.090; and creating a
4 new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The purpose of this act is to change the
7 name of educational clinics to education centers.

8 **Sec. 2.** RCW 28A.205.010 and 1990 c 33 s 180 are each amended to
9 read as follows:

10 (1) As used in this chapter, unless the context thereof shall
11 clearly indicate to the contrary:

12 (~~Education clinic~~) Education center means any private school
13 operated on a profit or nonprofit basis which does the following:

1 (a) Is devoted to the teaching of basic academic skills, including
2 specific attention to improvement of student motivation for achieving,
3 and employment orientation.

4 (b) Operates on a clinical, client centered basis. This shall
5 include, but not be limited to, performing diagnosis of individual
6 educational abilities, determination and setting of individual goals,
7 prescribing and providing individual courses of instruction therefor,
8 and evaluation of each individual client's progress in his or her
9 educational program.

10 (c) Conducts courses of instruction by professionally trained
11 personnel certificated by the state board of education according to
12 rules and regulations promulgated for the purposes of this chapter and
13 providing, for certification purposes, that a year's teaching
14 experience in an ((~~educational clinic~~)) education center shall be
15 deemed equal to a year's teaching experience in a common or private
16 school.

17 (2) For purposes of this chapter, basic academic skills shall
18 include the study of mathematics, speech, language, reading and
19 composition, science, history, literature and political science or
20 civics; it shall not include courses of a vocational training nature
21 and shall not include courses deemed nonessential to the accrediting of
22 the common schools or the approval of private schools under RCW
23 28A.305.130.

24 (3) The state board of education shall certify an education
25 ((~~clinic~~)) center only upon application and (a) determination that such
26 school comes within the definition thereof as set forth in subsection
27 (1) above and (b) demonstration on the basis of actual educational
28 performance of such applicants' students which shows after
29 consideration of their students' backgrounds, educational gains that
30 are a direct result of the applicants' educational program. Such

1 certification may be withdrawn if the board finds that a ((elinie))
2 center fails to provide adequate instruction in basic academic skills.
3 No ((~~educational elinie~~)) education center certified by the state board
4 of education pursuant to this section shall be deemed a common school
5 under RCW 28A.150.020 or a private school for the purposes of RCW
6 28A.195.010 through 28A.195.050.

7 **Sec. 3.** RCW 28A.205.020 and 1990 c 33 s 181 are each amended to
8 read as follows:

9 Only eligible common school dropouts shall be enrolled in a
10 certified ((~~educational elinie~~)) education center for reimbursement by
11 the superintendent of public instruction as provided in RCW
12 28A.205.040. No person shall be considered an eligible common school
13 dropout who (1) has completed high school, (2) who has not reached his
14 or her thirteenth birthday or has passed his or her twentieth birthday,
15 or (3) shows proficiency beyond the high school level in a test
16 approved by the superintendent of public instruction to be given as
17 part of the initial diagnostic procedure, or (4) until one month has
18 passed after he or she has dropped out of any common school and the
19 ((~~educational elinie~~)) education center has received written
20 verification from a school official of the common school last attended
21 in this state that such person is no longer in attendance at such
22 school, unless such ((elinie)) center has been requested to admit such
23 person by written communication of the board of directors or its
24 designee, of that common school, or unless such person is unable to
25 attend a particular common school because of disciplinary reasons,
26 including suspension and/or expulsion therefrom. The fact that any
27 person may be subject to RCW 28A.225.010 through 28A.225.150,
28 28A.200.010, and 28A.200.020 shall not affect his or her qualifications
29 as an eligible common school dropout under this chapter.

1 **Sec. 4.** RCW 28A.205.030 and 1990 c 33 s 182 are each amended to
2 read as follows:

3 The superintendent of public instruction shall adopt, by rules,
4 policies and procedures to permit a prior common school dropout to
5 reenter at the grade level appropriate to such individual's ability:
6 PROVIDED, That such individual shall be placed with the class he or she
7 would be in had he or she not dropped out and graduate with that class,
8 if the student's ability so permits notwithstanding any loss of credits
9 prior to reentry and if such student earns credits at the normal rate
10 subsequent to reentry.

11 Notwithstanding any other provision of law, any certified
12 (~~educational clinic~~) education center student, upon completion of an
13 individual student program and irrespective of age, shall be eligible
14 to take the general educational development test as given throughout
15 the state.

16 **Sec. 5.** RCW 28A.205.040 and 1990 c 33 s 183 are each amended to
17 read as follows:

18 From funds appropriated for that purpose, the superintendent of
19 public instruction shall pay to a certified (~~clinic~~) center on a
20 monthly basis for each student enrolled in compliance with RCW
21 28A.205.020, fees in accordance with the following conditions:

22 (1)(a) The fee for the initial diagnostic procedure shall be not
23 more than fifty dollars per student, and hourly fees for each student
24 shall be sixteen dollars if the class size is no greater than one, ten
25 dollars if the class size is at least two and no greater than five, and
26 five dollars if the class size is at least six: PROVIDED, That
27 revisions in such fees proposed by an education (~~clinic~~) center shall
28 become effective after thirty days notice unless the superintendent
29 finds such a revision is unreasonable in which case the revision shall

1 not take effect: PROVIDED FURTHER, That an education ((~~eline~~)) center
2 may, within fifteen days after such a finding by the superintendent,
3 file notification of appeal with the state board of education which
4 shall, no later than its second regularly scheduled meeting following
5 notification of such appeal, either grant or deny the proposed
6 revision: AND PROVIDED FURTHER, That the administration of any general
7 education development test shall not be a part of such initial
8 diagnostic procedure.

9 (b) Reimbursements shall not be made for students who are absent.

10 (c) No ((~~eline~~)) center shall make any charge to any student, or
11 the student's parent, guardian or custodian, for whom a fee is being
12 received under the provisions of this section.

13 (2) Payments shall be made from available funds first to those
14 ((~~eline(s)~~)) centers which have in the judgment of the superintendent
15 demonstrated superior performance based upon consideration of students'
16 educational gains taking into account such students' backgrounds, and
17 upon consideration of cost effectiveness. In considering the cost
18 effectiveness of nonprofit ((~~elines~~)) centers the superintendent shall
19 take into account not only payments made under this section but also
20 factors such as tax exemptions, direct and indirect subsidies or any
21 other cost to taxpayers at any level of government which result from
22 such nonprofit status.

23 (3) To be eligible for such payment, every such ((~~eline~~)) center,
24 without prior notice, shall permit a review of its accounting records
25 by personnel of the state auditor during normal business hours.

26 (4) If total funds for this purpose approach depletion, the
27 superintendent shall notify the ((~~elines~~)) centers of the date after
28 which further funds for reimbursement of the ((~~elines'~~)) centers'
29 services will be exhausted.

1 **Sec. 6.** RCW 28A.205.050 and 1990 c 33 s 184 are each amended to
2 read as follows:

3 In accordance with chapter 34.05 RCW, the administrative procedure
4 act, the state board of education with respect to the matter of
5 certification, and the superintendent of public instruction with
6 respect to all other matters, shall have the power and duty to make the
7 necessary rules and regulations to carry out the purpose and intent of
8 this chapter.

9 Criteria as promulgated by the state board of education or
10 superintendent of public instruction for determining if any
11 (~~educational clinic~~) education center is providing adequate
12 instruction in basic academic skills or demonstrating superior
13 performance in student educational gains for funding under RCW
14 28A.205.040 shall be subject to review by four members of the
15 legislature, one from each caucus of each house, including the chairs
16 of the respective education committees.

17 **Sec. 7.** RCW 28A.205.060 and 1985 c 434 s 2 are each amended to
18 read as follows:

19 The superintendent of public instruction shall prepare a report on
20 (~~educational clinics~~) education centers that:

21 (1) Identifies a funding level that is adequate to fund the
22 enrollment served by (~~educational clinics~~) education centers during
23 the previous fiscal year;

24 (2) Identifies locales in the state which are served by
25 (~~educational clinics~~) education centers but where demand for
26 (~~educational clinic~~) education center services will support
27 additional service, and recommends the funding level necessary to serve
28 such demand;

1 (3) Identifies locales in the state which are not served by
2 (~~educational clinics~~) education centers but where demand will support
3 operation of (~~clinics~~) centers, and recommends the funding level
4 necessary to serve such demand; and

5 (4) Identifies locales in the state that are either underserved or
6 not served by existing public school programs for drop-outs or for
7 drop-out prevention, but where demand will support such services and
8 recommends the funding level necessary to serve such demand.

9 The report shall be submitted to the legislature by January 1 in
10 the year following June 27, 1985, and updates of the report shall be
11 submitted with each biennial budget request until such time as funding
12 levels reach the levels recommended in subsections (2) and (3) of this
13 section.

14 **Sec. 8.** RCW 28A.205.070 and 1990 c 33 s 185 are each amended to
15 read as follows:

16 In allocating funds appropriated for (~~educational clinics~~)
17 education centers, the superintendent of public instruction shall:

18 (1) Place priority upon stability and adequacy of funding for
19 (~~educational clinics~~) education centers that have demonstrated
20 superior performance as defined in RCW 28A.205.040(2).

21 (2) Initiate and maintain a competitive review process to select
22 new or expanded (~~clinic~~) center programs in unserved or underserved
23 areas. The criteria for review of competitive proposals for new or
24 expanded education (~~clinic~~) center services shall include but not be
25 limited to:

26 (a) The proposing organization shall have obtained certification
27 from the state board of education as provided in RCW 28A.205.010;

28 (b) The cost-effectiveness of the proposal (~~as judged by the~~
29 ~~criteria established in RCW 28A.97.100(1) and (2)~~); and

1 (c) The availability of committed nonstate funds to support,
2 enrich, or otherwise enhance the basic program.

3 (3) In selecting areas for new or expanded ((~~educational clinics~~))
4 education centers programs, the superintendent of public instruction
5 shall consider factors including but not limited to:

6 (a) The proportion and total number of dropouts unserved by
7 existing ((~~clinics~~)) centers' programs, if any;

8 (b) The availability within the geographic area of programs other
9 than ((~~educational clinics~~)) education centers which address the basic
10 educational needs of dropouts; and

11 (c) Waiting lists or other evidence of demand for expanded
12 ((~~educational clinic~~)) education center programs.

13 (4) In the event of any curtailment of services resulting from
14 lowered legislative appropriations, the superintendent of public
15 instruction shall issue pro rata reductions to all ((~~clinics~~)) centers
16 funded at the time of the lowered appropriation. Individual
17 ((~~clinics~~)) centers may be exempted from such pro rata reductions if
18 the superintendent finds that such reductions would impair the
19 ((~~clinic's~~)) center's ability to operate at minimally acceptable levels
20 of service. In the event of such exceptions, the superintendent shall
21 determine an appropriate rate for reduction to permit the ((~~clinic~~))
22 center to continue operation.

23 (5) In the event that an additional ((~~clinic~~)) center or
24 ((~~clinics~~)) centers become certified and apply to the superintendent
25 for funds to be allocated from a legislative appropriation which does
26 not increase from the immediately preceding biennium, or does not
27 increase sufficiently to allow such additional ((~~clinic~~)) center or
28 ((~~clinics~~)) centers to operate at minimally acceptable levels of
29 service without reducing the funds available to previously funded
30 ((~~clinics~~)) centers, the superintendent shall not provide funding for

1 such additional ((elinie)) center or ((elinies)) centers from such
2 appropriation.

3 **Sec. 9.** RCW 28A.205.080 and 1990 c 33 s 186 are each amended to
4 read as follows:

5 The legislature recognizes that ((educational-elinies)) education
6 centers provide a necessary and effective service for students who have
7 dropped out of common school programs. ((Educational-elinies))
8 Education centers have demonstrated success in preparing such youth for
9 productive roles in society and are an integral part of the state's
10 program to address the needs of students who have dropped out of
11 school. The superintendent of public instruction shall distribute
12 funds, consistent with legislative appropriations, allocated
13 specifically for ((educational-elinies)) education centers in accord
14 with chapter 28A.205 RCW. The legislature encourages school districts
15 to explore cooperation with ((educational-elinies)) education centers.

16 **Sec. 10.** RCW 28A.205.090 and 1990 c 33 s 187 are each amended to
17 read as follows:

18 The superintendent shall include the ((educational-elinies))
19 education centers program in the biennial budget request. Contracts
20 between the superintendent of public instruction and the ((educational-
21 elinies)) education centers shall include quarterly plans which provide
22 for relatively stable student enrollment but take into consideration
23 anticipated seasonal variations in enrollment in the individual
24 ((elinies)) centers. Funds which are not expended by a ((elinie))
25 center during the quarter for which they were planned may be carried
26 forward to subsequent quarters of the fiscal year. The superintendent
27 shall make payments to the ((elinies)) centers on a monthly basis
28 pursuant to RCW 28A.205.040.