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ENGROSSED SUBSTITUTE HOUSE BILL 2546

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State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Education (originally sponsored by Representatives Peery, Brough, D. Sommers, Brumsickle, Vance, Wineberry, Dorn, Franklin, Orr, Wang, Scott, Broback, J. Kohl, Wood, Rayburn, Roland, Bray, Ogden, Cooper, Pruitt, Sheldon, Sprenkle, Spanel, Hine, Rasmussen and H. Myers)

Read first time 01/31/92.

1 AN ACT Relating to education; amending RCW 28A.305.140,  
2 28A.150.210, 28A.150.220, 28A.150.290, 28A.195.010, 28A.230.090,  
3 28A.410.040, and 28A.410.050; adding new sections to chapter 28A.630  
4 RCW; adding a new section to chapter 28A.150 RCW; adding a new section  
5 to chapter 28A.320 RCW; creating new sections; repealing RCW  
6 28A.320.210 and 28A.320.200; providing an effective date; and providing  
7 expiration dates.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that the  
10 educational needs of students when they leave the public school system  
11 has increased dramatically in the past two decades. If young people  
12 are to prosper in our democracy and if our nation is to grow  
13 economically, it is imperative that the overall level of learning  
14 achieved by students be significantly increased.

1 To achieve this higher level of learning, the legislature finds  
2 that the state of Washington needs to develop a performance-based  
3 school system. Instead of maintaining burdensome state accountability  
4 laws and rules that dictate educational offerings, the state needs to  
5 hold schools accountable for their performance based on what their  
6 students learn.

7 The legislature further finds moving toward a performance-based  
8 accountability system will require repealing state laws and rules that  
9 inhibit the freedom of school boards and professional educators to  
10 carry out their work, and also will require that significantly more  
11 decisions be made at the school district and school building levels.  
12 In addition, it will be necessary to set high expectations for  
13 students, to identify what is expected of all students, and to develop  
14 a rigorous academic assessment system to determine if these  
15 expectations have been achieved.

16 The legislature further finds that the governor's council on  
17 education reform and funding will, by December 1992, identify broad  
18 student learning goals. Subject to decisions made by the 1993  
19 legislature, the legislature finds that it is critical that an  
20 organization be established to continue the council's work in  
21 identifying necessary student skills and knowledge, to develop student  
22 assessment and school accountability systems, and to take other steps  
23 necessary to develop a performance-based education system.

24 The legislature further finds that there is a need for high quality  
25 professional development as the state implements a performance-based  
26 system. Professional development must be available to schools and  
27 school districts to maintain quality control and to assure access to  
28 proven research on effective teaching.

1 DEFINITIONS

2 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.630  
3 RCW to read as follows:

4 Unless the context clearly requires otherwise, the definitions in  
5 this section apply throughout sections 101 through 308 of this act.

6 (1) "Academic assessment system" or "assessment system" means a  
7 series of academic examinations and performance-based assessments  
8 developed by the commission on student learning to determine if  
9 students have mastered the essential academic learning requirements.

10 (2) "Essential academic learning requirements" means the academic  
11 and technical knowledge and skills identified by the commission on  
12 student learning, as reviewed and amended by the legislature and state  
13 board of education, that students are expected to know and be able to  
14 do at specified intervals in their schooling. The essential academic  
15 learning requirements, at a minimum, shall include knowledge and skills  
16 in reading, writing, speaking, science, history, geography,  
17 mathematics, and critical thinking.

18 PART II

19 COMMISSION ON STUDENT LEARNING

20 NEW SECTION. **Sec. 201.** A new section is added to chapter 28A.630  
21 RCW to read as follows:

22 (1) The Washington commission on student learning is hereby  
23 established. The primary purposes of the commission are to identify  
24 what all students need to know and be able to do based on the student  
25 learning goals of the governor's council on education reform and  
26 funding, to develop student assessment and school accountability  
27 systems, and to take other steps necessary to develop a performance-

1 based education system. The governor shall appoint nine persons to the  
2 commission and shall appoint a chair from the commissioners. In making  
3 the appointments, the governor shall ensure that educators, business  
4 leaders, and parents are represented, and shall request nominations  
5 from state-wide education, business, and parent organizations. In  
6 addition, the commission shall include the superintendent of public  
7 instruction or the superintendent's designee. When making  
8 appointments, the governor shall ensure that the commission reflects  
9 the cultural diversity of the state's K-12 student population and that  
10 the major geographic regions in the state are represented. The  
11 governor shall select the most qualified individuals available who are  
12 supportive of educational restructuring, who have a positive record of  
13 service, and who will devote sufficient time to the responsibilities of  
14 the commission to ensure that the objectives of the commission are  
15 achieved.

16 (2) The commission shall establish technical advisory committees.  
17 Membership of the technical advisory committees shall include, but not  
18 necessarily be limited to, professionals from the office of the  
19 superintendent of public instruction and the state board of education,  
20 and other state and local educational practitioners and student  
21 assessment specialists.

22 (3) The commission, with the assistance of the technical advisory  
23 committees, shall:

24 (a) Identify what all elementary and secondary students need to  
25 know and be able to do. At a minimum, these essential academic  
26 learning requirements shall include reading, writing, speaking,  
27 science, history, geography, mathematics, and critical thinking. In  
28 developing these essential academic learning requirements, the  
29 commission shall incorporate the student learning goals identified by  
30 the council on education reform and funding;

1 (b) By December 1, 1995, present to the state board of education  
2 and superintendent of public instruction a state-wide academic  
3 assessment system for use in the elementary grades designed to  
4 determine if each student has mastered the essential academic learning  
5 requirements identified in (a) of this subsection. The academic  
6 assessment system shall include a variety of methodologies, including  
7 performance-based measures. The assessment system shall be designed so  
8 that the results under the assessment system are used by educators as  
9 tools to evaluate instructional practices, and to initiate appropriate  
10 educational support for students who do not master the essential  
11 academic learning requirements. The assessment system shall be  
12 designed to identify disparities in mastery based on gender and  
13 ethnicity. Mastery of each component of the essential academic  
14 learning requirements shall be required before students progress in  
15 subsequent components of the essential academic learning requirements.  
16 The state board of education and superintendent of public instruction  
17 shall implement the elementary academic assessment system beginning in  
18 the 1996-97 school year, unless the legislature takes action to delay  
19 or prevent implementation of the assessment system and essential  
20 academic learning requirements. The state board of education and  
21 superintendent of public instruction may modify the academic assessment  
22 system, as needed, in subsequent school years;

23 (c) By December 1, 1996, present to the state board of education  
24 and superintendent of public instruction a state-wide academic  
25 assessment system for use in the secondary grades designed to determine  
26 if each student has mastered the essential academic learning  
27 requirements identified for secondary students in (a) of this  
28 subsection. The academic assessment system shall use a variety of  
29 methodologies, including performance-based measures, to determine if  
30 students have mastered the essential academic learning requirements,

1 and shall lead to a certificate of mastery. The assessment system  
2 shall be designed so that the results are used by educators to  
3 evaluate instructional practices, and to initiate appropriate  
4 educational support for students who do not master the essential  
5 academic learning requirements. The commission shall recommend to the  
6 state board of education whether the certificate of mastery should take  
7 the place of the graduation requirements or be required for graduation  
8 in addition to graduation requirements. The state board of education  
9 and superintendent of public instruction shall implement the secondary  
10 academic assessment system beginning in the 1997-98 school year, unless  
11 the legislature takes action to delay or prevent implementation of the  
12 assessment system and essential academic learning requirements. The  
13 state board of education and superintendent of public instruction may  
14 modify the assessment system, as needed, in subsequent school years;

15 (d) Consider methods to address the unique needs of special  
16 education students when developing the assessments in (b) and (c) of  
17 this subsection;

18 (e) Develop strategies that will assist educators in helping  
19 students master the essential academic learning requirements, including  
20 those that will eliminate performance disparities based on gender or  
21 ethnicity;

22 (f) Establish a center the primary role of which is to plan,  
23 implement, and evaluate a high quality professional development  
24 process. The quality schools center shall: Have an advisory council  
25 composed of educators, parents, and community and business leaders; use  
26 best practices research regarding instruction, management, curriculum  
27 development, and assessment; coordinate its activities with the office  
28 of the superintendent of public instruction and the state board of  
29 education; employ and contract with individuals who have a commitment  
30 to quality reform; prepare a six-year plan to be updated every two

1 years; and be able to accept resources and funding from private and  
2 public sources;

3 (g) Develop recommendations for the repeal or amendment of federal,  
4 state, and local laws, rules, budgetary language, regulations, and  
5 other factors that inhibit schools from adopting strategies designed to  
6 help students achieve the essential academic learning requirements;

7 (h) Develop recommendations on the time, support, and resources,  
8 including technical assistance, needed by schools and school districts  
9 to help students achieve the essential academic learning requirements.  
10 These recommendations shall include an estimate for the legislature,  
11 superintendent of public instruction, and governor on the expected cost  
12 of implementing the elementary and secondary academic assessment  
13 systems during the 1995-97 biennium and beyond;

14 (i) Develop recommendations for consideration by the higher  
15 education coordinating board for adopting college and university  
16 entrance requirements that would assist schools in adopting strategies  
17 designed to help students achieve the essential academic learning  
18 requirements;

19 (j) By December 1, 1996, recommend to the legislature, state board  
20 of education, and superintendent of public instruction a state-wide  
21 accountability system to evaluate accurately and fairly the level of  
22 learning occurring in individual schools and school districts. The  
23 commission also shall recommend to the legislature steps that should be  
24 taken to assist school districts and schools in which learning is  
25 significantly below expected levels of performance as measured by the  
26 academic assessment systems established under this section;

27 (k) Report annually by December 1st to the legislature and the  
28 state board of education on the progress, findings, and recommendations  
29 of the commission; and

30 (l) Complete other tasks, as appropriate.

1 (4) The commission shall coordinate its activities with the state  
2 board of education and the office of the superintendent of public  
3 instruction.

4 (5) The commission shall seek advice broadly from the public and  
5 all interested educational organizations in the conduct of its work,  
6 including holding periodic regional public hearings.

7 (6) The commission shall select an entity to provide staff support  
8 and the office of financial management shall contract with that entity.  
9 The commission may direct the office of financial management to enter  
10 into subcontracts with school districts, teachers, higher education  
11 faculty, state agencies, business organizations, and other individuals  
12 and organizations to assist the commission in its deliberations.

13 (7) Members of the commission shall be reimbursed for travel  
14 expenses as provided in RCW 43.03.050 and 43.03.060.

15 NEW SECTION. **Sec. 202.** Section 201 of this act shall expire  
16 September 1, 1998.

17 PART III

18 INTERIM WAIVERS OF BASIC EDUCATION REQUIREMENTS

19 **Sec. 301.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended  
20 to read as follows:

21 ~~((The state board of education may grant waivers to school~~  
22 ~~districts from the provisions of))~~ (1) The self-study process  
23 requirements under RCW 28A.320.200, the teacher classroom contact  
24 requirements under RCW 28A.150.260(4), and the program hour offerings  
25 requirements under RCW 28A.150.200 through 28A.150.220 ~~((on the basis~~  
26 ~~that such waiver or waivers are necessary to implement successfully a~~  
27 ~~local plan to provide for all students in the district an effective~~

1 ~~education system that is designed to enhance the educational program~~  
2 ~~for each student. The local plan may include alternative ways to~~  
3 ~~provide effective educational programs for students who experience~~  
4 ~~difficulty with the regular education program.~~

5 ~~The state board shall adopt criteria to evaluate the need for the~~  
6 ~~waiver or waivers)) shall be waived for school districts or individual~~  
7 ~~schools within a district if the school district submits to the state~~  
8 ~~board of education a plan for restructuring its educational program, or~~  
9 ~~the educational program of individual schools within the district that~~  
10 ~~includes:~~

11 ~~(a) Specific standards for increased student learning that the~~  
12 ~~district expects to achieve;~~

13 ~~(b) How the district plans to achieve the higher standards,~~  
14 ~~including timelines for implementation and plans that will eliminate~~  
15 ~~learning disparities based on gender or ethnicity;~~

16 ~~(c) How the district plans to determine if the higher standards are~~  
17 ~~met;~~

18 ~~(d) Evidence that the board of directors, teachers, administrators,~~  
19 ~~and classified employees are committed to working cooperatively in~~  
20 ~~implementing the plan;~~

21 ~~(e) Evidence that opportunities were provided for parents and~~  
22 ~~citizens to be involved in the development of the plan; and~~

23 ~~(f) Identification of the state requirements that will be waived.~~

24 ~~(2) Waivers granted by the state board of education under this~~  
25 ~~section shall be renewed every three years upon the state board of~~  
26 ~~education receiving a renewal request from the school district board of~~  
27 ~~directors. Before filing the request, the school district shall~~  
28 ~~conduct at least one public meeting to evaluate the educational~~  
29 ~~programs that were implemented as a result of the waivers. The request~~  
30 ~~to the state board of education shall include information regarding the~~

1 activities and programs implemented as a result of the waivers, whether  
2 the higher standards for students are being achieved, and a summary of  
3 the comments received at the public meeting or meetings.

4 (3) If a school district intends to waive the program hour  
5 offerings under RCW 28A.150.220, it shall make available to students  
6 enrolled in kindergarten at least a total instructional offering of  
7 four hundred fifty hours. Each school district also shall make  
8 available to students enrolled in grades one through twelve at least a  
9 district-wide annual average total instructional hour offering of one  
10 thousand hours. A school district may schedule the last thirty  
11 instructional hours of any school year for noninstructional purposes in  
12 the case of students who are graduating from high school, including,  
13 but not limited to, the observance of graduation and early release from  
14 school upon the request of a student, and all such students may be  
15 claimed as full-time equivalent students to the extent they could  
16 otherwise have been so claimed for the purposes of RCW 28A.150.250 and  
17 28A.150.260. The state board of education may define alternatives to  
18 classroom instructional time for students in grades nine through twelve  
19 enrolled in alternative learning experiences. The state board of  
20 education shall establish rules to determine annual average  
21 instructional hours for districts having fewer than twelve grades. The  
22 program shall include instruction in the essential academic learning  
23 requirements under section 201 of this 1992 act and other subjects and  
24 activities the school district determines to be appropriate.

25 (4) "Instructional hours" means those hours students are provided  
26 the opportunity to engage in educational activity planned by and under  
27 the direction of school district staff, as directed by the  
28 administration and board of directors of the district, inclusive of  
29 intermissions for class changes, recess, and teacher/parent-guardian  
30 conferences that are planned and scheduled by the district for the

1 purpose of discussing students' educational needs or progress, and  
2 exclusive of time actually spent for meals.

3 NEW SECTION. Sec. 302. RCW 28A.320.210 and 1990 c 33 s 334,  
4 1988 c 256 s 1, 1987 c 505 s 9, 1986 c 137 s 1, 1984 c 278 s 3, 1977  
5 ex.s. c 305 s 1, & 1975-'76 2nd ex.s. c 90 s 1 are each repealed.

6 PART IV

7 BASIC EDUCATION AMENDMENTS--EFFECTIVE 1998

8 **Sec. 401.** RCW 28A.150.210 and 1977 ex.s. c 359 s 2 are each  
9 amended to read as follows:

10 The goal of the Basic Education Act for the schools of the state of  
11 Washington set forth in this (~~(1977 amendatory act)~~) chapter shall be  
12 to provide students with the opportunity to (~~(achieve those skills~~  
13 ~~which are generally recognized as requisite to learning. Those skills~~  
14 ~~shall include the ability:~~

15 ~~(1) To distinguish, interpret and make use of words, numbers and~~  
16 ~~other symbols, including sound, colors, shapes and textures;~~

17 ~~(2) To organize words and other symbols into acceptable verbal and~~  
18 ~~nonverbal forms of expression, and numbers into their appropriate~~  
19 ~~functions;~~

20 ~~(3) To perform intellectual functions such as problem solving,~~  
21 ~~decision making, goal setting, selecting, planning, predicting,~~  
22 ~~experimenting, ordering and evaluating; and~~

23 ~~(4) To use various muscles necessary for coordinating physical and~~  
24 ~~mental functions)) master the essential academic learning requirements  
25 necessary for their roles as citizens and potential participants in the  
26 economic marketplace and in the marketplace of ideas identified by the  
27 commission established in section 201 of this 1992 act.~~

1        NEW SECTION.    **Sec. 402.**    A new section is added to chapter 28A.150  
2    RCW to read as follows:

3        Unless the context clearly requires otherwise, the definition in  
4    this section applies throughout RCW 28A.150.200 through 28A.150.295.

5        "Instructional hours" means those hours students are provided the  
6    opportunity to engage in educational activity planned by and under the  
7    direction of school district staff, as directed by the administration  
8    and board of directors of the district, inclusive of intermissions for  
9    class changes, recess, and teacher/parent-guardian conferences that are  
10    planned and scheduled by the district for the purpose of discussing  
11    students' educational needs or progress, and exclusive of time actually  
12    spent for meals.

13        **Sec. 403.**    RCW 28A.150.220 and 1990 c 33 s 105 are each amended to  
14    read as follows:

15        ~~(1) ((For the purposes of this section and RCW 28A.150.250 and~~  
16    ~~28A.150.260:~~

17        ~~(a) The term "total program hour offering" shall mean those hours~~  
18    ~~when students are provided the opportunity to engage in educational~~  
19    ~~activity planned by and under the direction of school district staff,~~  
20    ~~as directed by the administration and board of directors of the~~  
21    ~~district, inclusive of intermissions for class changes, recess and~~  
22    ~~teacher/parent-guardian conferences which are planned and scheduled by~~  
23    ~~the district for the purpose of discussing students' educational needs~~  
24    ~~or progress, and exclusive of time actually spent for meals.~~

25        ~~(b) "Instruction in work skills" shall include instruction in one~~  
26    ~~or more of the following areas: Industrial arts, home and family life~~  
27    ~~education, business and office education, distributive education,~~  
28    ~~agricultural education, health occupations education, vocational~~

1 ~~education, trade and industrial education, technical education and~~  
2 ~~career education.~~

3       (2)) Satisfaction of the basic education ((goal)) program  
4 requirements identified in RCW 28A.150.210 shall be considered to be  
5 implemented by the following program ((requirements)):

6       (a) Each school district shall make available to students enrolled  
7 in kindergarten at least a total ((program)) instructional offering of  
8 four hundred fifty hours. The program shall include ((reading,  
9 arithmetic, language skills)) instruction in the essential academic  
10 learning requirements under section 201 of this 1992 act and such other  
11 subjects and such activities as the school district shall determine to  
12 be appropriate for the education of the school district's students  
13 enrolled in such program;

14       (b) Each school district shall make available to students enrolled  
15 in grades one through ((three)) twelve, at least a district-wide annual  
16 average total ((program)) instructional hour offering of ((two thousand  
17 seven hundred)) one thousand hours. ((A minimum of ninety-five percent  
18 of the total program hour offerings)) The state board of education may  
19 define alternatives to classroom instructional time for students in  
20 grades nine through twelve enrolled in alternative learning  
21 experiences. The state board of education shall establish rules to  
22 determine annual average instructional hours for districts including  
23 fewer than twelve grades. The program shall ((be in the basic skills  
24 areas of reading/language arts (which may include foreign languages),  
25 mathematics, social studies, science, music, art, health and physical  
26 education. The remaining five percent of the total program hour  
27 offerings may include such subjects and activities as the school  
28 district shall determine to be appropriate for the education of the  
29 school district's students in such grades;

1       (c) Each school district shall make available to students in grades  
2 four through six at least a total program hour offering of two thousand  
3 nine hundred seventy hours. A minimum of ninety percent of the total  
4 program hour offerings shall be in the basic skills areas of  
5 reading/language arts (which may include foreign languages),  
6 mathematics, social studies, science, music, art, health and physical  
7 education. The remaining ten percent of the total program hour  
8 offerings may include such subjects and activities as the school  
9 district shall determine to be appropriate for the education of the  
10 school district's students in such grades;

11       (d) Each school district shall make available to students in grades  
12 seven through eight, at least a total program hour offering of one  
13 thousand nine hundred eighty hours. A minimum of eighty five percent  
14 of the total program hour offerings shall be in the basic skills areas  
15 of reading/language arts (which may include foreign languages),  
16 mathematics, social studies, science, music, art, health and physical  
17 education. A minimum of ten percent of the total program hour  
18 offerings shall be in the area of work skills. The remaining five  
19 percent of the total program hour offerings may include such subjects  
20 and activities as the school district shall determine to be appropriate  
21 for the education of the school district's students in such grades;

22       (e) Each school district shall make available to students in grades  
23 nine through twelve at least a total program hour offering of four  
24 thousand three hundred twenty hours. A minimum of sixty percent of the  
25 total program hour offerings shall be in the basic skills areas of  
26 language arts, foreign language, mathematics, social studies, science,  
27 music, art, health and physical education. A minimum of twenty percent  
28 of the total program hour offerings shall be in the area of work  
29 skills. The remaining twenty percent of the total program hour  
30 offerings may include traffic safety or such subjects and activities as

1 the school district shall determine to be appropriate for the education  
2 of the school district's students in such grades, with not less than  
3 one half thereof in basic skills and/or work skills: PROVIDED, That  
4 each school district shall have the option of including grade nine  
5 within the program hour offering requirements of grades seven and eight  
6 so long as such requirements for grades seven through nine are  
7 increased to two thousand nine hundred seventy hours and such  
8 requirements for grades ten through twelve are decreased to three  
9 thousand two hundred forty hours.

10 (3) In order to provide flexibility to the local school districts  
11 in the setting of their curricula, and in order to maintain the intent  
12 of this legislation, which is to stress the instruction of basic skills  
13 and work skills, any local school district may establish minimum course  
14 mix percentages that deviate by up to five percentage points above or  
15 below those minimums required by subsection (2) of this section, so  
16 long as the total program hour requirement is still met)) include the  
17 essential academic learning requirements under section 201 of this 1992  
18 act and such other subjects and such activities as the school district  
19 shall determine to be appropriate for the education of the school  
20 district's students enrolled in such group.

21 ((4)) (2) Nothing contained in subsection ((2)) (1) of this  
22 section shall be construed to require individual students to attend  
23 school for any particular number of hours per day or to take any  
24 particular courses.

25 ((5)) (3) Each school district's kindergarten through twelfth  
26 grade basic educational program shall be accessible to all students who  
27 are five years of age, as provided by RCW 28A.225.160, and less than  
28 twenty-one years of age and shall consist of a minimum of one hundred  
29 eighty school days per school year in such grades as are conducted by  
30 a school district, and one hundred eighty half-days of instruction, or

1 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a  
2 school district may schedule the last five school days of the one  
3 hundred and eighty day school year for noninstructional purposes in the  
4 case of students who are graduating from high school, including, but  
5 not limited to, the observance of graduation and early release from  
6 school upon the request of a student, and all such students may be  
7 claimed as a full time equivalent student to the extent they could  
8 otherwise have been so claimed for the purposes of RCW 28A.150.250 and  
9 28A.150.260.

10 ((+6)) (4) The state board of education shall adopt rules to  
11 implement and ensure compliance with the program requirements imposed  
12 by this section, RCW 28A.150.250 and 28A.150.260, and such related  
13 supplemental program approval requirements as the state board may  
14 establish(~~(:—PROVIDED, That each school district board of directors~~  
15 ~~shall establish the basis and means for determining and monitoring the~~  
16 ~~district's compliance with the basic skills and work skills percentage~~  
17 ~~and course requirements of this section.—The certification of the~~  
18 ~~board of directors and the superintendent of a school district that the~~  
19 ~~district is in compliance with such basic skills and work skills~~  
20 ~~requirements may be accepted by the superintendent of public~~  
21 ~~instruction and the state board of education.~~

22 (7) ~~Handicapped education programs, vocational technical institute~~  
23 ~~programs, state institution and state residential school programs, all~~  
24 ~~of which programs are conducted for the common school age, kindergarten~~  
25 ~~through secondary school program students encompassed by this section,~~  
26 ~~shall be exempt from the basic skills and work skills percentage and~~  
27 ~~course requirements of this section in order that the unique needs,~~  
28 ~~abilities or limitations of such students may be met.~~

29 (8) ~~Any school district may petition the state board of education~~  
30 ~~for a reduction in the total program hour offering requirements for one~~

1 or more of the grade level groupings specified in this section. The  
2 state board of education shall grant all such petitions that are  
3 accompanied by an assurance that the minimum total program hour  
4 offering requirements in one or more other grade level groupings will  
5 be exceeded concurrently by no less than the number of hours of the  
6 reduction)).

7       **Sec. 404.** RCW 28A.150.290 and 1990 c 33 s 111 are each amended to  
8 read as follows:

9       (1) The superintendent of public instruction shall have the power  
10 and duty to make such rules and regulations as are necessary for the  
11 proper administration of this chapter and RCW 28A.160.150 through  
12 28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the  
13 provisions thereof, and in addition to require such reports as may be  
14 necessary to carry out his or her duties under this chapter and RCW  
15 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010.

16       (2) The superintendent of public instruction shall have the  
17 authority to make rules and regulations which establish the terms and  
18 conditions for allowing school districts to receive state basic  
19 education moneys as provided in RCW 28A.150.250 when said districts are  
20 unable to fulfill for one or more schools as officially scheduled the  
21 requirement of a full school year of one hundred eighty days or the  
22 annual average total ((program)) instructional hour offering((, teacher  
23 contact hour, or course mix and percentage requirements)) imposed by  
24 RCW 28A.150.220 and 28A.150.260 due to one or more of the following  
25 conditions:

26       (a) An unforeseen natural event, including, but not necessarily  
27 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or  
28 volcanic eruption that has the direct or indirect effect of rendering

1 one or more school district facilities unsafe, unhealthy, inaccessible,  
2 or inoperable; and

3 (b) An unforeseen mechanical failure or an unforeseen action or  
4 inaction by one or more persons, including negligence and threats, that  
5 (i) is beyond the control of both a school district board of directors  
6 and its employees and (ii) has the direct or indirect effect of  
7 rendering one or more school district facilities unsafe, unhealthy,  
8 inaccessible, or inoperable. Such actions, inactions or mechanical  
9 failures may include, but are not necessarily limited to, arson,  
10 vandalism, riots, insurrections, bomb threats, bombings, delays in the  
11 scheduled completion of construction projects, and the discontinuance  
12 or disruption of utilities such as heating, lighting and water:  
13 PROVIDED, That an unforeseen action or inaction shall not include any  
14 labor dispute between a school district board of directors and any  
15 employee of the school district.

16 A condition is foreseeable for the purposes of this subsection to  
17 the extent a reasonably prudent person would have anticipated prior to  
18 August first of the preceding school year that the condition probably  
19 would occur during the ensuing school year because of the occurrence of  
20 an event or a circumstance which existed during such preceding school  
21 year or a prior school year. A board of directors of a school district  
22 is deemed for the purposes of this subsection to have knowledge of  
23 events and circumstances which are a matter of common knowledge within  
24 the school district and of those events and circumstances which can be  
25 discovered upon prudent inquiry or inspection.

26 (3) The superintendent of public instruction shall make every  
27 effort to reduce the amount of paperwork required in administration of  
28 this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and  
29 28A.500.010; to simplify the application, monitoring and evaluation  
30 processes used; to eliminate all duplicative requests for information

1 from local school districts; and to make every effort to integrate and  
2 standardize information requests for other state education acts and  
3 federal aid to education acts administered by the superintendent of  
4 public instruction so as to reduce paperwork requirements and  
5 duplicative information requests.

6 **Sec. 405.** RCW 28A.195.010 and 1990 c 33 s 176 are each amended to  
7 read as follows:

8 The legislature hereby recognizes that private schools should be  
9 subject only to those minimum state controls necessary to ((insure))  
10 ensure the health and safety of all the students in the state and to  
11 ((insure)) ensure a sufficient basic education to meet usual graduation  
12 requirements. The state, any agency or official thereof, shall not  
13 restrict or dictate any specific educational or other programs for  
14 private schools except as hereinafter in this section provided.

15 Principals of private schools or superintendents of private school  
16 districts shall file each year with the state superintendent of public  
17 instruction a statement certifying that the minimum requirements  
18 hereinafter set forth are being met, noting any deviations. After  
19 review of the statement, the state superintendent will notify schools  
20 or school districts of those deviations which must be corrected. In  
21 case of major deviations, the school or school district may request and  
22 the state board of education may grant provisional status for one year  
23 in order that the school or school district may take action to meet the  
24 requirements. Minimum requirements shall be as follows:

25 (1) The minimum school year for instructional purposes shall  
26 consist of no less than one hundred eighty school days or the  
27 equivalent in annual minimum ((program)) instructional hour offerings  
28 as prescribed in RCW 28A.150.220.

1       (2) (~~The school day shall be the same as that required in RCW~~  
2 ~~28A.150.030 and 28A.150.220, except that the percentages of total~~  
3 ~~program hour offerings as prescribed in RCW 28A.150.220 for basic~~  
4 ~~skills, work skills, and optional subjects and activities shall not~~  
5 ~~apply to private schools or private sectarian schools.~~

6       ~~(3))~~ All classroom teachers shall hold appropriate Washington  
7 state certification except as follows:

8       (a) Teachers for religious courses or courses for which no  
9 counterpart exists in public schools shall not be required to obtain a  
10 state certificate to teach those courses.

11       (b) In exceptional cases, people of unusual competence but without  
12 certification may teach students so long as a certified person  
13 exercises general supervision. Annual written statements shall be  
14 submitted to the office of the superintendent of public instruction  
15 reporting and explaining such circumstances.

16       ~~((4))~~ (3) An approved private school may operate an extension  
17 program for parents, guardians, or persons having legal custody of a  
18 child to teach children in their custody. The extension program shall  
19 require at a minimum that:

20       (a) The parent, guardian, or custodian be under the supervision of  
21 an employee of the approved private school who is certified under  
22 chapter 28A.410 RCW;

23       (b) The planning by the certified person and the parent, guardian,  
24 or person having legal custody include objectives consistent with this  
25 subsection and subsections (1), ~~((2))~~ (4), (5), and (6)~~((, and (7))~~  
26 of this section;

27       (c) The certified person spend a minimum average each month of one  
28 contact hour per week with each student under his or her supervision  
29 who is enrolled in the approved private school extension program;

1 (d) Each student's progress be evaluated by the certified person;  
2 and

3 (e) The certified employee shall not supervise more than thirty  
4 students enrolled in the approved private school's extension program.

5 ~~((+5))~~ (4) Appropriate measures shall be taken to safeguard all  
6 permanent records against loss or damage.

7 ~~((+6))~~ (5) The physical facilities of the school or district shall  
8 be adequate to meet the program offered by the school or district:  
9 PROVIDED, That each school building shall meet reasonable health and  
10 fire safety requirements. A residential dwelling of the parent,  
11 guardian, or custodian shall be deemed to be an adequate physical  
12 facility when a parent, guardian, or person having legal custody is  
13 instructing his or her child under subsection ~~((+4))~~ (3) of this  
14 section.

15 ~~((+7))~~ (6) Private school curriculum shall include, but not be  
16 limited to, instruction ~~((of))~~ in the basic skills of occupational  
17 education, science, mathematics, language, social studies, history,  
18 health, reading, writing, spelling, and the development of appreciation  
19 of art and music, all in sufficient units ~~((for meeting))~~ so that  
20 students are able to master the essential academic learning  
21 requirements under section 201 of this 1992 act and meet state board of  
22 education graduation requirements.

23 ~~((+8))~~ (7) Each school or school district shall be required to  
24 maintain up-to-date policy statements related to the administration and  
25 operation of the school or school district.

26 All decisions of policy, philosophy, selection of books, teaching  
27 material, curriculum, except as provided in subsection ~~((+7) above~~  
28 ~~provided))~~ (6) of this section, school rules and administration, or  
29 other matters not specifically referred to in this section, shall be

1 the responsibility of the administration and administrators of the  
2 particular private school involved.

3 NEW SECTION. **Sec. 406.** Sections 401 through 405 of this act  
4 shall take effect September 1, 1998. However, these sections shall not  
5 take effect if, by September 1, 1998, a law is enacted stating that a  
6 school accountability and academic assessment system is not in place.

7 NEW SECTION. **Sec. 407.** RCW 28A.320.200 and 1990 c 33 s 333,  
8 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2 are each repealed  
9 effective September 1, 1998. However, this section shall not take  
10 effect if, by September 1, 1998, a law is enacted stating that a school  
11 accountability and academic assessment system is not in place.

12 NEW SECTION. **Sec. 408.** Section 301 of this act shall expire  
13 September 1, 1998. However, this section shall not take effect if, by  
14 September 1, 1998, a law is enacted stating that a school  
15 accountability and academic assessment system is not in place.

16 PART V

17 SCHOOL BOARD POWERS

18 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.320  
19 RCW to read as follows:

20 (1) The board of directors of each school district may exercise the  
21 following:

22 (a) The broad discretionary power to determine and adopt written  
23 policies not in conflict with other law that provide for the  
24 development and implementation of programs, activities, services, or  
25 practices that the board determines will:

1 (i) Promote the education of kindergarten through twelfth grade  
2 students in the public schools; or

3 (ii) Promote the effective, efficient, or safe management and  
4 operation of the school district;

5 (b) Such powers as are expressly authorized by law; and

6 (c) Such powers as are necessarily or fairly implied in the powers  
7 expressly authorized by law.

8 (2) Before adopting a policy under subsection (1)(a) of this  
9 section, the school district board of directors shall comply with the  
10 notice requirements of the open public meetings act, chapter 42.30 RCW,  
11 and shall in addition include in that notice a statement that sets  
12 forth or reasonably describes the proposed policy. The board of  
13 directors shall provide a reasonable opportunity for public written and  
14 oral comment and consideration of the comment by the board of  
15 directors.

16 PART VI

17 HIGH SCHOOL GRADUATION REQUIREMENTS

18 **Sec. 601.** RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each  
19 amended to read as follows:

20 (1) The state board of education shall establish high school  
21 graduation requirements or equivalencies for students who commence the  
22 ninth grade subsequent to July 1, 1985, that meet or exceed the  
23 following:

24 SUBJECT	CREDITS
25 English	3
26 Mathematics	2

1	Social Studies	
2	United States history	
3	and government	1
4	Washington state	
5	history and government	1/2
6	Contemporary world	
7	history, geography,	
8	and problems	1
9	Science (1 credit	
10	must be in	
11	laboratory science)	2
12	Occupational Education	1
13	Physical Education	2
14	Electives	5 1/2
15	Total	18

16       (2) For the purposes of this section one credit is equivalent to  
17 one year of study.

18       (3) The Washington state history and government requirement may be  
19 fulfilled by students in grades seven or eight or both. Students who  
20 have completed the Washington state history and government requirement  
21 in grades seven or eight or both shall be considered to have fulfilled  
22 the Washington state history and government requirement.

23       (4) A candidate for graduation must have in addition earned a  
24 minimum of 18 credits including all required courses. These credits  
25 shall consist of the state requirements listed above and such  
26 additional requirements and electives as shall be established by each  
27 district.

28       (5) In recognition of the statutory authority of the state board of  
29 education to establish and enforce minimum high school graduation

1 requirements, the state board shall periodically reevaluate the  
2 graduation requirements and shall report such findings to the  
3 legislature in a timely manner as determined by the state board.

4 (6) Pursuant to any foreign language requirement established by the  
5 state board of education or a local school district, or both, for  
6 purposes of high school graduation, students who receive instruction in  
7 sign language shall be considered to have satisfied the state or local  
8 school district foreign language graduation requirement.

9 (7) If requested by the student and his or her family, a student  
10 who has completed high school courses (~~((while in seventh and eighth  
11 grade))~~) before attending high school shall be given high school credit  
12 which shall be applied to fulfilling high school graduation  
13 requirements if:

14 (a) The course was taken with high school students, if the academic  
15 level of the course exceeds the requirements for seventh and eighth  
16 grade classes, and the student has successfully passed by completing  
17 the same course requirements and examinations as the high school  
18 students enrolled in the class; or

19 (b) The academic level of the course exceeds the requirements for  
20 seventh and eighth grade classes and the course would qualify for high  
21 school credit, because the course is similar or equivalent to a course  
22 offered at a high school in the district as determined by the school  
23 district board of directors.

24 (8) Students who have taken and successfully completed high school  
25 courses under the circumstances in subsection (7) of this section shall  
26 not be required to take an additional competency examination or perform  
27 any other additional assignment to receive credit. Subsection (7) of  
28 this section shall also apply to students enrolled in high school on  
29 April 11, 1990, who took the courses (~~((while they were in seventh and  
30 eighth grade))~~) before attending high school.

1 PART VII

2 LEGISLATIVE OVERSIGHT

3 NEW SECTION. **Sec. 701.** The governor's council on education  
4 reform and funding shall submit its proposed student learning goals to  
5 the appropriate committees of the legislature by December 1, 1992. If  
6 both houses of the legislature do not adopt a joint memorial or  
7 legislation ratifying, or ratifying with amendment, the student  
8 learning goals by July 1, 1993, section 201 and sections 401 through  
9 408 of this act shall be null and void.

10 PART VIII

11 EDUCATOR CERTIFICATION REQUIREMENTS

12 NEW SECTION. **Sec. 801.** The state board of education, in  
13 conjunction with the governor's council on education reform and  
14 funding, shall study the current requirements for the certification of  
15 teachers and administrators, and shall prepare a report to the  
16 legislature that includes options for improving the current  
17 certification system. The report, at a minimum, shall analyze  
18 postinitial certification requirements, including the continuing  
19 education, endorsement, and the fifth-year requirements, and shall  
20 analyze the merits of requiring teachers and administrators to develop  
21 personal education plans after they have obtained their initial  
22 certificates. The report shall be submitted to the appropriate  
23 committees of the house of representatives and senate by December 1,  
24 1992.

25 **Sec. 802.** RCW 28A.410.040 and 1990 c 33 s 406 are each amended to  
26 read as follows:

1       (~~(1)~~) The state board of education shall adopt rules providing  
2 that, except as provided in this section, all individuals qualifying  
3 for an initial-level teaching certificate after August 31, 1992, shall  
4 possess a baccalaureate degree in the arts, sciences, and/or humanities  
5 and have fulfilled the requirements for teacher certification pursuant  
6 to RCW 28A.305.130 (1) and (2). (~~The state board of education shall  
7 develop and adopt rules establishing baccalaureate degree equivalency  
8 standards for certification of vocational instructors performing  
9 instructional duties and acquiring initial level certification after  
10 August 31, 1992.~~) However, candidates for grades preschool through  
11 eight certificates shall have fulfilled the requirements for a major as  
12 part of their baccalaureate degree. If the major is in early childhood  
13 education, elementary education, or special education, the candidate  
14 must have at least thirty quarter hours or twenty semester hours in one  
15 academic field.

16       (~~(2)~~ The state board of education shall study the impact of  
17 eliminating the major in education under subsection (1) of this section  
18 and submit a report to the legislature by January 15, 1990. The report  
19 shall include a recommendation on whether the major in education under  
20 subsection (1) of this section should be eliminated.

21       (3) The initial certificate shall be valid for two years.

22       (4) Certificate holders may renew the certificate for a three year  
23 period by providing proof of acceptance and enrollment in an approved  
24 masters degree program. A second renewal, for a period of two years,  
25 may be granted upon recommendation of the degree granting institution  
26 and if the certificate holder can demonstrate substantial progress  
27 toward the completion of the masters degree and that the degree will be  
28 completed within the two year extension period. Under no circumstances  
29 may an initial certificate be valid for a period of more than seven  
30 years.)

1       **Sec. 803.** RCW 28A.410.050 and 1989 c 29 s 2 are each amended to  
2 read as follows:

3       (~~(1) The state board of education shall implement rules providing~~  
4 ~~that all teachers performing instructional duties and acquiring~~  
5 ~~professional level certificate status after August 31, 1992, shall~~  
6 ~~possess, as a requirement of professional status, a masters degree in~~  
7 ~~teaching, or a masters degree in the arts, sciences, and/or humanities.~~

8       (2)) The state board of education shall develop and adopt rules  
9 establishing masters degree equivalency standards for vocational  
10 instructors performing instructional duties and acquiring professional  
11 level certification after August 31, 1992.