
SUBSTITUTE HOUSE BILL 2850

State of Washington 53rd Legislature 1994 Regular Session

By House Committee on Education (originally sponsored by Representatives Dorn, Brough, Cothorn and Karahalios)

Read first time 02/04/94.

1 AN ACT Relating to education; amending RCW 28A.300.138,
2 28A.650.015, 28A.630.952, 28A.170.060, 28A.175.070, 28A.230.070,
3 28A.300.150, and 28A.150.230; amending 1993 c 336 s 704 (uncodified);
4 amending 1993 c 336 s 1007 (uncodified); repealing RCW 28A.300.140,
5 28A.610.060, and 28A.615.050; and providing an expiration date.

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

7 **Sec. 1.** RCW 28A.300.138 and 1993 c 336 s 301 are each amended to
8 read as follows:

9 (1) To the extent funds are appropriated, the office of the
10 superintendent of public instruction shall provide student learning
11 improvement grants for the 1994-95 through 1996-97 school years. The
12 purpose of the grants is to provide funds for additional time and
13 resources for staff development and planning intended to improve
14 student learning for all students, including students with diverse
15 needs, consistent with the student learning goals in RCW 28A.150.210.

16 (2) To be eligible for student learning improvement grants, school
17 district boards of directors shall:

18 (a) Adopt a policy regarding the sharing of instructional decisions
19 with school staff, parents, and community members;

1 (b) Submit school-based applications that have been developed by
2 school building personnel, parents, and community members. Each
3 application shall:

4 (i) Enumerate specific activities to be carried out as part of the
5 grant;

6 (ii) Identify the technical resources desired and availability of
7 those resources;

8 (iii) Include a proposed budget; and

9 (iv) Indicate that the application was approved by the school
10 principal and representatives of teachers, parents, and the community.

11 (3) The school board shall conduct at least one public hearing on
12 schools' plans for using the grants before the board approves the
13 plans. Boards may hear and approve more than one school's plan at a
14 hearing. The board shall only submit applications for grants to the
15 superintendent of public instruction if the board has approved the
16 plans.

17 (4) If the requirements of subsections (2) and (3) of this section
18 are met, the superintendent of public instruction shall approve the
19 grant application.

20 (5) To the extent funds are appropriated, and for allocation
21 purposes only, the amount of grants for the 1994-95 school year shall
22 be based on time equivalent to no fewer than three days and not more
23 than five days depending upon the number of grant applications received
24 and on the number of full-time equivalent certificated staff(~~(7~~
25 ~~classified instructional aides, and classified secretaries))~~) who work
26 in the school at the time of application. Funds from the grant may be
27 used to pay for planning and staff development for certificated and
28 classified staff, and for other activities consistent with the purpose
29 of the grant program. For the 1995-96 and 1996-97 school years, the
30 equivalent of five days annually shall be ~~((provided))~~ allocated.
31 ~~((The allocation per full-time equivalent staff shall be determined in~~
32 ~~the biennial operating appropriations act.))~~ School districts shall
33 use all funds received under this section solely for grants to schools
34 and shall not use any portion of the funds for indirect costs.

35 (6) The state schools for the deaf and blind may apply for grants
36 under this section.

37 (7) The superintendent of public instruction shall adopt timelines
38 and rules as necessary under chapter 34.05 RCW to administer the
39 program. The superintendent may modify application requirements for

1 schools that have schools for the twenty-first century projects under
2 RCW 28A.630.100. A copy of the proposed rules shall be submitted to
3 the joint select committee on education restructuring established in
4 RCW 28A.630.950 at least forty-five days prior to adoption of the
5 rules.

6 (8) Funding under this section shall not become a part of the
7 state's basic program of education obligation as set forth under
8 Article IX of the state Constitution.

9 **Sec. 2.** RCW 28A.650.015 and 1993 c 336 s 703 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction, to the extent funds
12 are appropriated, shall develop and implement a Washington state K-12
13 education technology plan. The technology plan, which shall be
14 completed by (~~December 15, 1993~~) September 1, 1994, and updated on at
15 least a biennial basis, shall be developed to coordinate and expand the
16 use of education technology in the common schools of the state. The
17 plan shall be consistent with applicable provisions of chapter 43.105
18 RCW. The plan, at a minimum, shall address:

19 (a) The provision of technical assistance to schools and school
20 districts for the planning, implementation, and training of staff in
21 the use of technology in curricular and administrative functions;

22 (b) The continued development of a network to connect school
23 districts, institutions of higher learning, and other sources of on-
24 line information; and

25 (c) Methods to equitably increase the use of education technology
26 by students and school personnel throughout the state.

27 (2) The superintendent of public instruction shall appoint an
28 educational technology advisory committee to assist in the development
29 and implementation of the technology plan in subsection (1) of this
30 section. The committee shall include, but is not limited to, persons
31 representing: The state board of education, the commission on student
32 learning, the department of information services, educational service
33 districts, school directors, school administrators, school principals,
34 teachers, classified staff, higher education faculty, parents,
35 students, business, labor, scientists and mathematicians, the higher
36 education coordinating board, the work force training and education
37 coordinating board, and the state library.

1 **Sec. 3.** 1993 c 336 s 704 (uncodified) is amended to read as
2 follows:

3 In conjunction with the plan required in section 703 of this act,
4 the superintendent of public instruction shall prepare recommendations
5 to the legislature regarding the development of a grant program for
6 school districts for the purchase and installation of computers,
7 computer software, telephones, and other types of education technology.
8 The recommendations shall address methods to ensure equitable access to
9 technology by students throughout the state, and methods to ensure that
10 school districts have prepared technology implementation plans before
11 applying for grant funds. The recommendations, with proposed
12 legislation, shall be submitted to the appropriate committees of the
13 legislature by (~~December 15, 1993~~) September 1, 1994.

14 **Sec. 4.** RCW 28A.630.952 and 1993 c 336 s 1003 are each amended to
15 read as follows:

16 (1) In addition to the duties in RCW 28A.630.951, the joint select
17 committee on education restructuring shall review all laws pertaining
18 to K-12 public education and to educator preparation and
19 certification(~~(, except those that protect the health, safety, and~~
20 ~~civil rights of students and staff,)~~) with the intent of identifying
21 laws that inhibit the achievement of the new system of performance-
22 based education. The select committee shall report to the legislature
23 by November 15, 1994. The laws pertaining to home schooling and
24 private schools shall not be reviewed in this study.

25 (2) The joint select committee on education restructuring shall
26 review current school district data reporting requirements for the
27 purposes of accountability and meeting state information needs. The
28 joint select committee shall report to the legislature by January 1995
29 on:

30 (a) What data is necessary to compare how school districts are
31 performing before the essential academic learning requirements and the
32 assessment system are implemented with how school districts are
33 performing after the essential academic learning requirements and the
34 assessment system are implemented; and

35 (b) What data is necessary pertaining to school district reports
36 under the accountability systems developed by the commission on student
37 learning under RCW 28A.630.885(3)(h).

1 **Sec. 5.** RCW 28A.170.060 and 1989 c 271 s 113 are each amended to
2 read as follows:

3 The superintendent of public instruction(~~(, through the state~~
4 ~~clearinghouse for education information,)~~) shall collect and
5 disseminate to all school districts and other interested parties
6 information about effective substance abuse programs and the penalties
7 for manufacturing, selling, delivering, or possessing controlled
8 substances on or within one thousand feet of a school or school bus
9 route stop under RCW 69.50.435 and distributing a controlled substance
10 to a person under the age of eighteen under RCW 69.50.406.

11 **Sec. 6.** RCW 28A.175.070 and 1987 c 518 s 219 are each amended to
12 read as follows:

13 The superintendent of public instruction(~~(, through the state~~
14 ~~clearinghouse for education information,)~~) shall collect and
15 disseminate to all school districts and other interested parties
16 information about effective student motivation, retention, and
17 retrieval programs.

18 **Sec. 7.** RCW 28A.230.070 and 1988 c 206 s 402 are each amended to
19 read as follows:

20 (1) The life-threatening dangers of acquired immunodeficiency
21 syndrome (AIDS) and its prevention shall be taught in the public
22 schools of this state. AIDS prevention education shall be limited to
23 the discussion of the life-threatening dangers of the disease, its
24 spread, and prevention. Students shall receive such education at least
25 once each school year beginning no later than the fifth grade.

26 (2) Each district board of directors shall adopt an AIDS prevention
27 education program which is developed in consultation with teachers,
28 administrators, parents, and other community members including, but not
29 limited to, persons from medical, public health, and mental health
30 organizations and agencies so long as the curricula and materials
31 developed for use in the AIDS education program either (a) are the
32 model curricula and resources under subsection (3) of this section, or
33 (b) are developed by the school district and approved for medical
34 accuracy by the office on AIDS established in RCW 70.24.250. If a
35 district elects to use curricula developed by the school district, the
36 district shall submit to the office on AIDS a copy of its curricula and
37 an affidavit of medical accuracy stating that the material in the

1 district-developed curricula has been compared to the model curricula
2 for medical accuracy and that in the opinion of the district the
3 district-developed materials are medically accurate. Upon submission
4 of the affidavit and curricula, the district may use these materials
5 until the approval procedure to be conducted by the office of AIDS has
6 been completed.

7 (3) Model curricula and other resources available from the
8 superintendent of public instruction (~~((through the state clearinghouse
9 for educational information))~~) may be reviewed by the school district
10 board of directors, in addition to materials designed locally, in
11 developing the district's AIDS education program. The model curricula
12 shall be reviewed for medical accuracy by the office on AIDS
13 established in RCW 70.24.250 within the department of social and health
14 services.

15 (4) Each school district shall, at least one month before teaching
16 AIDS prevention education in any classroom, conduct at least one
17 presentation during weekend and evening hours for the parents and
18 guardians of students concerning the curricula and materials that will
19 be used for such education. The parents and guardians shall be
20 notified by the school district of the presentation and that the
21 curricula and materials are available for inspection. No student may
22 be required to participate in AIDS prevention education if the
23 student's parent or guardian, having attended one of the district
24 presentations, objects in writing to the participation.

25 (5) The office of the superintendent of public instruction with the
26 assistance of the office on AIDS shall update AIDS education curriculum
27 material as newly discovered medical facts make it necessary.

28 (6) The curriculum for AIDS prevention education shall be designed
29 to teach students which behaviors place a person dangerously at risk of
30 infection with the human immunodeficiency virus (HIV) and methods to
31 avoid such risk including, at least:

32 (a) The dangers of drug abuse, especially that involving the use of
33 hypodermic needles; and

34 (b) The dangers of sexual intercourse, with or without condoms.

35 (7) The program of AIDS prevention education shall stress the life-
36 threatening dangers of contracting AIDS and shall stress that
37 abstinence from sexual activity is the only certain means for the
38 prevention of the spread or contraction of the AIDS virus through
39 sexual contact. It shall also teach that condoms and other artificial

1 means of birth control are not a certain means of preventing the spread
2 of the AIDS virus and reliance on condoms puts a person at risk for
3 exposure to the disease.

4 **Sec. 8.** RCW 28A.300.150 and 1987 c 489 s 2 are each amended to
5 read as follows:

6 The superintendent of public instruction shall collect and
7 disseminate to school districts information on child abuse and neglect
8 prevention curriculum (~~((through the state clearinghouse for education
9 information))~~). The superintendent of public instruction and the
10 departments of social and health services and community, trade, and
11 economic development shall share relevant information.

12 **Sec. 9.** RCW 28A.150.230 and 1991 c 61 s 1 are each amended to read
13 as follows:

14 (1) It is the intent and purpose of this section to guarantee that
15 each common school district board of directors, whether or not acting
16 through its respective administrative staff, be held accountable for
17 the proper operation of their district to the local community and its
18 electorate. In accordance with the provisions of Title 28A RCW, as now
19 or hereafter amended, each common school district board of directors
20 shall be vested with the final responsibility for the setting of
21 policies ensuring quality in the content and extent of its educational
22 program and that such program provide students with the opportunity to
23 achieve those skills which are generally recognized as requisite to
24 learning.

25 (2) In conformance with the provisions of Title 28A RCW, as now or
26 hereafter amended, it shall be the responsibility of each common school
27 district board of directors to adopt policies to:

28 (a) Establish performance criteria and an evaluation process for
29 its certificated personnel, including administrative staff, and for all
30 programs constituting a part of such district's curriculum;

31 (b) Determine the final assignment of staff, certificated or
32 classified, according to board enumerated classroom and program needs;

33 (c) Determine the amount of instructional hours necessary for any
34 student to acquire a quality education in such district, in not less
35 than an amount otherwise required in RCW 28A.150.220, or rules and
36 regulations of the state board of education;

1 (d) Determine the allocation of staff time, whether certificated or
2 classified;

3 (e) Establish final curriculum standards consistent with law and
4 rules and regulations of the state board of education, relevant to the
5 particular needs of district students or the unusual characteristics of
6 the district, and ensuring a quality education for each student in the
7 district; and

8 (f) Evaluate teaching materials, including text books, teaching
9 aids, handouts, or other printed material, in public hearing upon
10 complaint by parents, guardians or custodians of students who consider
11 dissemination of such material to students objectionable.

12 ~~((3) In keeping with the accountability purpose expressed in this
13 section and to insure that the local community and electorate have
14 access to information on the educational programs in the school
15 districts, each school district's board of directors shall annually
16 publish a descriptive guide to the district's common schools. This
17 guide shall be made available at each school in the district for
18 examination by the public. The guide shall include, but not be limited
19 to, the following:~~

20 ~~(a) Criteria used for written evaluations of staff members pursuant
21 to RCW 28A.405.100;~~

22 ~~(b) A summary of program objectives pursuant to RCW 28A.320.210;~~

23 ~~(c) Results of comparable testing for all schools within the
24 district; and~~

25 ~~(d) Budget information which will include the following:~~

26 ~~(i) Student enrollment;~~

27 ~~(ii) Number of full time equivalent personnel per school in the
28 district itemized according to classroom teachers, instructional
29 support, and building administration and support services, including
30 itemization of such personnel by program;~~

31 ~~(iii) Number of full time equivalent personnel assigned in the
32 district to central administrative offices, itemized according to
33 instructional support, building and central administration, and support
34 services, including itemization of such personnel by program;~~

35 ~~(iv) Total number of full time equivalent personnel itemized by
36 classroom teachers, instructional support, building and central
37 administration, and support services, including itemization of such
38 personnel by program; and~~

1 ~~(v) Special levy budget request presented by program and~~
2 ~~expenditure for purposes over and above those requirements identified~~
3 ~~in RCW 28A.150.220.)~~)

4 **Sec. 10.** 1993 c 336 s 1007 (uncodified) is amended to read as
5 follows:

6 (1) A legislative fiscal study committee is hereby created. The
7 committee shall be comprised of three members from each caucus of the
8 senate, appointed by the president of the senate, and three members
9 from each caucus of the house of representatives, appointed by the
10 speaker of the house of representatives. In consultation with the
11 office of the superintendent of public instruction, the committee shall
12 study the common school funding system.

13 (2) By ~~((January 16))~~ December 15, 1995, the committee shall report
14 to the full legislature on its findings and any recommendations for a
15 new funding model for the common school system.

16 (3) This section shall expire ~~((January 16))~~ December 31, 1995.

17 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
18 each repealed:

19 (1) RCW 28A.300.140 and 1990 c 33 s 256 & 1987 c 119 s 1;

20 (2) RCW 28A.610.060 and 1987 c 518 s 109; and

21 (3) RCW 28A.615.050 and 1987 c 518 s 305.

22 NEW SECTION. **Sec. 12.** Section 4 of this act shall expire December
23 1, 2001.

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