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ENGROSSED SUBSTITUTE SENATE BILL 6600

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State of Washington

55th Legislature

1998 Regular Session

By Senate Committee on Education (originally sponsored by Senators T. Sheldon, Hochstatter, Long, Kohl, Oke and Winsley; by request of Superintendent of Public Instruction)

Read first time 02/04/98.

1 AN ACT Relating to education of juveniles incarcerated in adult  
2 correctional facilities; amending RCW 72.09.460, 41.59.080,  
3 28A.310.300, and 28A.225.010; adding a new section to chapter 41.56  
4 RCW; adding a new chapter to Title 28A RCW; providing an effective  
5 date; and declaring an emergency.

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

7 NEW SECTION. **Sec. 1.** The legislature intends to provide for the  
8 operation of education programs for the department of corrections'  
9 juvenile inmates. School districts, educational service districts, or  
10 any combination thereof should be the primary providers of the  
11 education programs. However, the legislature does not intend to  
12 preclude community and technical colleges, four-year institutions of  
13 higher education, or other qualified entities from contracting to  
14 provide all or part of these education programs if no school district  
15 or educational service district is willing to operate all or part of  
16 the education programs.

17 The legislature finds that this chapter fully satisfies any  
18 constitutional duty to provide education programs for juvenile inmates  
19 in adult correctional facilities. The legislature further finds that

1 biennial appropriations for education programs under this chapter amply  
2 provide for any constitutional duty to educate juvenile inmates in  
3 adult correctional facilities.

4 NEW SECTION. **Sec. 2.** Any school district or educational service  
5 district may operate all or any portion of an education program for  
6 juveniles in accordance with this chapter, notwithstanding the fact the  
7 services or benefits provided extend beyond the geographic boundaries  
8 of the school district or educational service district providing the  
9 service.

10 NEW SECTION. **Sec. 3.** The superintendent of public instruction  
11 shall solicit an education provider for the department of corrections'  
12 juvenile inmates within sixty days as follows:

13 (1) The superintendent of public instruction shall notify and  
14 solicit proposals from all interested and capable school districts,  
15 educational service districts, institutions of higher education,  
16 private contractors, or any combination thereof. The notice shall  
17 describe the proposed education program's requirements and the  
18 appropriated amount. The selection of an education provider shall be  
19 in the following order:

20 (a) The school district where there is an educational site for  
21 juveniles in an adult correctional facility maintained by the state  
22 department of corrections has first priority to operate an education  
23 program for inmates at that site. The district may elect to operate an  
24 education program by itself or with another school district,  
25 educational service district, institution of higher education, private  
26 contractor, or any combination thereof. If the school district elects  
27 not to exercise its priority, it shall notify the superintendent of  
28 public instruction within thirty calendar days of the day of  
29 solicitation.

30 (b) The educational service district where there is an educational  
31 site for juveniles in an adult correctional facility maintained by the  
32 state department of corrections has second priority to operate an  
33 education program for inmates at that site. The educational service  
34 district may elect to do so by itself or with a school district,  
35 another educational service district, institution of higher education,  
36 private contractor, or any combination thereof. If the educational  
37 service district elects not to exercise its priority, it shall notify

1 the superintendent of public instruction within forty-five calendar  
2 days of the day of solicitation.

3 (c) If neither the school district nor the educational service  
4 district chooses to operate an education program for inmates as  
5 provided for in (a) and (b) of this subsection, the superintendent of  
6 public instruction may contract with an entity, including, but not  
7 limited to, school districts, educational service districts,  
8 institutions of higher education, private contractors, or any  
9 combination thereof, within sixty calendar days of the day of  
10 solicitation. The selected entity may operate an education program by  
11 itself or with another school district, educational service district,  
12 institution of higher education, or private contractor, or any  
13 combination thereof.

14 (2) If the superintendent of public instruction does not contract  
15 with an interested entity within sixty days of the day of solicitation,  
16 the educational service district where there is an educational site for  
17 juveniles in an adult correctional facility maintained by the state  
18 department of corrections shall begin operating the education program  
19 for inmates at the site within ninety days from the day of solicitation  
20 in subsection (1) of this section.

21 NEW SECTION. **Sec. 4.** Except as otherwise provided for by contract  
22 under section 7 of this act, the duties and authority of a school  
23 district, educational service district, institution of higher  
24 education, or private contractor to provide for education programs  
25 under this chapter are limited to the following:

26 (1) Employing, supervising, and controlling administrators,  
27 teachers, specialized personnel, and other persons necessary to conduct  
28 education programs, subject to security clearance by the department of  
29 corrections;

30 (2) Purchasing, leasing, or renting and providing textbooks, maps,  
31 audiovisual equipment, paper, writing instruments, physical education  
32 equipment, and other instructional equipment, materials, and supplies  
33 deemed necessary by the provider of the education programs;

34 (3) Conducting education programs for inmates under the age of  
35 eighteen in accordance with program standards established by the  
36 superintendent of public instruction. The education provider shall  
37 develop the curricula, instructional methods, and educational  
38 objectives of the education programs, subject to applicable

1 requirements of state and federal law. The department of corrections  
2 shall establish behavior standards that govern inmate participation in  
3 education programs, subject to applicable requirements of state and  
4 federal law;

5 (4) Students age eighteen who have participated in an education  
6 program governed by this chapter may continue in the program with the  
7 permission of the department of corrections and the education provider,  
8 under the rules adopted by the superintendent of public instruction.

9 NEW SECTION. **Sec. 5.** School districts and educational service  
10 districts providing an education program to juvenile inmates in an  
11 adult corrections facility, notwithstanding that their geographical  
12 boundaries do not include the facility, may:

13 (1) Award appropriate diplomas or certificates to inmates who  
14 successfully complete graduation requirements;

15 (2) Spend only funds appropriated by the legislature and allocated  
16 by the superintendent of public instruction for the exclusive purpose  
17 of maintaining and operating education programs under this chapter,  
18 including direct and indirect costs of maintaining and operating the  
19 education programs, and funds from federal and private grants,  
20 bequests, and gifts made for that purpose. School districts may not  
21 expend excess tax levy proceeds authorized for school district purposes  
22 to pay costs incurred under this chapter.

23 NEW SECTION. **Sec. 6.** To support each education program under this  
24 chapter, the department of corrections and each superintendent or chief  
25 administrator of a correction facility shall:

26 (1) Through construction, lease, or rental of space, provide  
27 necessary building and exercise spaces for the education program that  
28 is secure, separate, and apart from space occupied by nonstudent  
29 inmates;

30 (2) Through construction, lease, or rental, provide vocational  
31 instruction machines; technology and supporting equipment; tools,  
32 building, and exercise facilities; and other equipment and fixtures  
33 deemed necessary by the department of corrections to conduct the  
34 education program;

35 (3) Provide heat, lights, telephone, janitorial services, repair  
36 services, and other support services for the building and exercise  
37 spaces, equipment, and fixtures provided under this section;

1 (4) Employ, supervise, and control security staff to safeguard  
2 agents of the education providers and inmates while engaged in  
3 educational and related activities conducted under this chapter;

4 (5) Provide clinical and medical evaluation services necessary for  
5 a determination by the education provider of the educational needs of  
6 inmates; and

7 (6) Provide such other support services and facilities as are  
8 reasonably necessary to conduct the education program.

9 NEW SECTION. **Sec. 7.** Each education provider under this chapter  
10 and the department of corrections shall negotiate and execute a written  
11 contract for each school year or such longer period as may be agreed to  
12 that delineates the manner in which their respective duties and  
13 authority will be cooperatively performed and exercised, and any  
14 disputes and grievances resolved through mediation, and if necessary,  
15 arbitration. Any such contract may provide for the performance of  
16 duties by an education provider in addition to those set forth in this  
17 chapter, including duties imposed upon the department of corrections  
18 and its agents under section 6 of this act if supplemental funding  
19 provided by the department of corrections is available to fully pay the  
20 direct and indirect costs of these additional duties.

21 NEW SECTION. **Sec. 8.** By April 15th of each school year, the  
22 department of corrections shall provide written notice to the  
23 superintendent of public instruction and education providers operating  
24 programs under this chapter of any reasonably foreseeable education  
25 site closures, reductions in the number of inmates or education  
26 services, or any other cause for a reduction in certificated or  
27 classified staff the next school year. In the event the department of  
28 corrections fails to provide notice as required by this section, the  
29 department is liable and responsible for the payment of the salary and  
30 employment-related costs for the next school year of each employee  
31 whose contract would or could have been nonrenewed but for the failure  
32 of the department to provide notice. Disputes arising under this  
33 section shall be resolved in accordance with the alternative dispute  
34 resolution method or methods specified in the contract required by  
35 section 7 of this act.

1        NEW SECTION.    **Sec. 9.**    The superintendent of public instruction  
2 shall:

3        (1) Allocate money appropriated by the legislature to administer  
4 and provide education programs under this chapter to school districts,  
5 educational service districts, and other education providers selected  
6 under section 3 of this act that have assumed the primary  
7 responsibility to administer and provide education programs under this  
8 chapter.    The allocation of moneys to any private contractor is  
9 contingent upon and must be in accordance with a contract between the  
10 private contractor and the department of corrections; and

11        (2) Adopt rules in accordance with chapter 34.05 RCW that establish  
12 reporting, program compliance, audit, and such other accountability  
13 requirements as are reasonably necessary to implement this chapter and  
14 related provisions of the biennial operating act effectively.

15        **Sec. 10.**    RCW 72.09.460 and 1997 c 338 s 43 are each amended to  
16 read as follows:

17        (1) The legislature intends that all inmates be required to  
18 participate in department-approved education programs, work programs,  
19 or both, unless exempted under subsection (4) of this section.  
20 Eligible inmates who refuse to participate in available education or  
21 work programs available at no charge to the inmates shall lose  
22 privileges according to the system established under RCW 72.09.130.  
23 Eligible inmates who are required to contribute financially to an  
24 education or work program and refuse to contribute shall be placed in  
25 another work program. Refusal to contribute shall not result in a loss  
26 of privileges. The legislature recognizes more inmates may agree to  
27 participate in education and work programs than are available. The  
28 department must make every effort to achieve maximum public benefit by  
29 placing inmates in available and appropriate education and work  
30 programs.

31        (2) The department shall provide access to a program of education  
32 to all offenders who are under the age of eighteen and who have not met  
33 high school graduation or general equivalency diploma requirements in  
34 accordance with chapter 28A.-- RCW (sections 1 through 9 of this act).  
35 The program of education established by the department and education  
36 provider under section 3 of this act for offenders under the age of  
37 eighteen must provide each offender a choice of curriculum that will  
38 assist the inmate in achieving a high school diploma or general

1 equivalency diploma. The program of education may include but not be  
2 limited to basic education, prevocational training, work ethic skills,  
3 conflict resolution counseling, substance abuse intervention, and anger  
4 management counseling. The curriculum may balance these and other  
5 rehabilitation, work, and training components.

6 (3) The department shall, to the extent possible and considering  
7 all available funds, prioritize its resources to meet the following  
8 goals for inmates in the order listed:

9 (a) Achievement of basic academic skills through obtaining a high  
10 school diploma or its equivalent and achievement of vocational skills  
11 necessary for purposes of work programs and for an inmate to qualify  
12 for work upon release;

13 (b) Additional work and education programs based on assessments and  
14 placements under subsection (5) of this section; and

15 (c) Other work and education programs as appropriate.

16 (4) The department shall establish, by rule, objective medical  
17 standards to determine when an inmate is physically or mentally unable  
18 to participate in available education or work programs. When the  
19 department determines an inmate is permanently unable to participate in  
20 any available education or work program due to a medical condition, the  
21 inmate is exempt from the requirement under subsection (1) of this  
22 section. When the department determines an inmate is temporarily  
23 unable to participate in an education or work program due to a medical  
24 condition, the inmate is exempt from the requirement of subsection (1)  
25 of this section for the period of time he or she is temporarily  
26 disabled. The department shall periodically review the medical  
27 condition of all temporarily disabled inmates to ensure the earliest  
28 possible entry or reentry by inmates into available programming.

29 (5) The department shall establish, by rule, standards for  
30 participation in department-approved education and work programs. The  
31 standards shall address the following areas:

32 (a) Assessment. The department shall assess all inmates for their  
33 basic academic skill levels using a professionally accepted method of  
34 scoring reading, math, and language skills as grade level equivalents.  
35 The department shall determine an inmate's education history, work  
36 history, and vocational or work skills. The initial assessment shall  
37 be conducted, whenever possible, within the first thirty days of an  
38 inmate's entry into the correctional system, except that initial  
39 assessments are not required for inmates who are sentenced to life

1 without the possibility of release, assigned to an intensive management  
2 unit within the first thirty days after entry into the correctional  
3 system, are returning to the correctional system within one year of a  
4 prior release, or whose physical or mental condition renders them  
5 unable to complete the assessment process. The department shall track  
6 and record changes in the basic academic skill levels of all inmates  
7 reflected in any testing or assessment performed as part of their  
8 education programming;

9 (b) Placement. The department shall follow the policies set forth  
10 in subsection (1) of this section in establishing criteria for placing  
11 inmates in education and work programs. The department shall, to the  
12 extent possible, place all inmates whose composite grade level score  
13 for basic academic skills is below the eighth grade level in a combined  
14 education and work program. The placement criteria shall include at  
15 least the following factors:

16 (i) An inmate's release date and custody level, except an inmate  
17 shall not be precluded from participating in an education or work  
18 program solely on the basis of his or her release date;

19 (ii) An inmate's education history and basic academic skills;

20 (iii) An inmate's work history and vocational or work skills;

21 (iv) An inmate's economic circumstances, including but not limited  
22 to an inmate's family support obligations; and

23 (v) Where applicable, an inmate's prior performance in department-  
24 approved education or work programs;

25 (c) Performance and goals. The department shall establish, and  
26 periodically review, inmate behavior standards and program goals for  
27 all education and work programs. Inmates shall be notified of  
28 applicable behavior standards and program goals prior to placement in  
29 an education or work program and shall be removed from the education or  
30 work program if they consistently fail to meet the standards or goals;

31 (d) Financial responsibility. (i) The department shall establish  
32 a formula by which inmates, based on their ability to pay, shall pay  
33 all or a portion of the costs or tuition of certain programs. Inmates  
34 shall, based on the formula, pay a portion of the costs or tuition of  
35 participation in:

36 (A) Second and subsequent vocational programs associated with an  
37 inmate's work programs; and

1 (B) An associate of arts or baccalaureate degree program when  
2 placement in a degree program is the result of a placement made under  
3 this subsection;

4 (ii) Inmates shall pay all costs and tuition for participation in:

5 (A) Any postsecondary academic degree program which is entered  
6 independently of a placement decision made under this subsection; and

7 (B) Second and subsequent vocational programs not associated with  
8 an inmate's work program.

9 Enrollment in any program specified in (d)(ii) of this subsection  
10 shall only be allowed by correspondence or if there is an opening in an  
11 education or work program at the institution where an inmate is  
12 incarcerated and no other inmate who is placed in a program under this  
13 subsection will be displaced; and

14 (e) Notwithstanding any other provision in this section, an inmate  
15 sentenced to life without the possibility of release:

16 (i) Shall not be required to participate in education programming;  
17 and

18 (ii) May receive not more than one postsecondary academic degree in  
19 a program offered by the department or its contracted providers.

20 If an inmate sentenced to life without the possibility of release  
21 requires prevocational or vocational training for a work program, he or  
22 she may participate in the training subject to this section.

23 (6) The department shall coordinate education and work programs  
24 among its institutions, to the greatest extent possible, to facilitate  
25 continuity of programming among inmates transferred between  
26 institutions. Before transferring an inmate enrolled in a program, the  
27 department shall consider the effect the transfer will have on the  
28 inmate's ability to continue or complete a program. This subsection  
29 shall not be used to delay or prohibit a transfer necessary for  
30 legitimate safety or security concerns.

31 (7) Before construction of a new correctional institution or  
32 expansion of an existing correctional institution, the department shall  
33 adopt a plan demonstrating how cable, closed-circuit, and satellite  
34 television will be used for education and training purposes in the  
35 institution. The plan shall specify how the use of television in the  
36 education and training programs will improve inmates' preparedness for  
37 available work programs and job opportunities for which inmates may  
38 qualify upon release.

1 (8) The department shall adopt a plan to reduce the per-pupil cost  
2 of instruction by, among other methods, increasing the use of volunteer  
3 instructors and implementing technological efficiencies. The plan  
4 shall be adopted by December 1996 and shall be transmitted to the  
5 legislature upon adoption. The department shall, in adoption of the  
6 plan, consider distance learning, satellite instruction, video tape  
7 usage, computer-aided instruction, and flexible scheduling of offender  
8 instruction.

9 (9) Following completion of the review required by section 27(3),  
10 chapter 19, Laws of 1995 1st sp. sess. the department shall take all  
11 necessary steps to assure the vocation and education programs are  
12 relevant to work programs and skills necessary to enhance the  
13 employability of inmates upon release.

14 **Sec. 11.** RCW 41.59.080 and 1975 1st ex.s. c 288 s 9 are each  
15 amended to read as follows:

16 The commission, upon proper application for certification as an  
17 exclusive bargaining representative or upon petition for change of unit  
18 definition by the employer or any employee organization within the time  
19 limits specified in RCW 41.59.070(3), and after hearing upon reasonable  
20 notice, shall determine the unit appropriate for the purpose of  
21 collective bargaining. In determining, modifying or combining the  
22 bargaining unit, the commission shall consider the duties, skills, and  
23 working conditions of the educational employees; the history of  
24 collective bargaining; the extent of organization among the educational  
25 employees; and the desire of the educational employees; except that:

26 (1) A unit including nonsupervisory educational employees shall not  
27 be considered appropriate unless it includes all such nonsupervisory  
28 educational employees of the employer; and

29 (2) A unit that includes only supervisors may be considered  
30 appropriate if a majority of the employees in such category indicate by  
31 vote that they desire to be included in such a unit; and

32 (3) A unit that includes only principals and assistant principals  
33 may be considered appropriate if a majority of such employees indicate  
34 by vote that they desire to be included in such a unit; and

35 (4) A unit that includes both principals and assistant principals  
36 and other supervisory employees may be considered appropriate if a  
37 majority of the employees in each category indicate by vote that they  
38 desire to be included in such a unit; and

1 (5) A unit that includes supervisors and/or principals and  
2 assistant principals and nonsupervisory educational employees may be  
3 considered appropriate if a majority of the employees in each category  
4 indicate by vote that they desire to be included in such a unit; and

5 (6) A unit that includes only employees in vocational-technical  
6 institutes or occupational skill centers may be considered to  
7 constitute an appropriate bargaining unit if the history of bargaining  
8 in any such school district so justifies; and

9 (7) Notwithstanding the definition of collective bargaining, a unit  
10 that contains only supervisors and/or principals and assistant  
11 principals shall be limited in scope of bargaining to compensation,  
12 hours of work, and the number of days of work in the annual employment  
13 contracts; and

14 (8) The bargaining unit of certificated employees of school  
15 districts, educational service districts, or institutions of higher  
16 education that are education providers under chapter 28A.-- RCW  
17 (sections 1 through 9 of this act) must be limited to the employees  
18 working as education providers to juveniles in each adult correctional  
19 facility maintained by the department of corrections and must be  
20 separate from other bargaining units in school districts, educational  
21 service districts, or institutions of higher education.

22 NEW SECTION. Sec. 12. A new section is added to chapter 41.56 RCW  
23 to read as follows:

24 This chapter applies to the bargaining unit of classified employees  
25 of school districts, educational service districts, or institutions of  
26 higher education that are education providers under chapter 28A.-- RCW  
27 (sections 1 through 9 of this act). Such bargaining units must be  
28 limited to the employees working as education providers to juveniles in  
29 each adult correctional facility maintained by the department of  
30 corrections and must be separate from other bargaining units in school  
31 districts, educational service districts, or institutions of higher  
32 education.

33 **Sec. 13.** RCW 28A.310.300 and 1990 c 33 s 283 are each amended to  
34 read as follows:

35 In addition to other powers and duties as provided by law, each  
36 educational service district superintendent shall:

1 (1) Assist the school districts in preparation of their budgets as  
2 provided in chapter 28A.505 RCW.

3 (2) Enforce the provisions of the compulsory attendance law as  
4 provided in RCW 28A.225.010 through (~~28A.225.150~~) 28A.225.140,  
5 28A.200.010, and 28A.200.020.

6 (3) Perform duties relating to capital fund aid by nonhigh  
7 districts as provided in chapter 28A.540 RCW.

8 (4) Carry out the duties and issue orders creating new school  
9 districts and transfers of territory as provided in chapter 28A.315  
10 RCW.

11 (5) Perform the limited duties as provided in chapter 28A.-- RCW  
12 (sections 1 through 9 of this act).

13 (6) Perform all other duties prescribed by law and the educational  
14 service district board.

15 **Sec. 14.** RCW 28A.225.010 and 1996 c 134 s 1 are each amended to  
16 read as follows:

17 (1) All parents in this state of any child eight years of age and  
18 under eighteen years of age shall cause such child to attend the public  
19 school of the district in which the child resides and such child shall  
20 have the responsibility to and therefore shall attend for the full time  
21 when such school may be in session unless:

22 (a) The child is attending an approved private school for the same  
23 time or is enrolled in an extension program as provided in RCW  
24 28A.195.010(4);

25 (b) The child is receiving home-based instruction as provided in  
26 subsection (4) of this section;

27 (c) The child is attending an education center as provided in  
28 chapter 28A.205 RCW;

29 (d) The school district superintendent of the district in which the  
30 child resides shall have excused such child from attendance because the  
31 child is physically or mentally unable to attend school, is attending  
32 a residential school operated by the department of social and health  
33 services, is incarcerated in an adult correctional facility, or has  
34 been temporarily excused upon the request of his or her parents for  
35 purposes agreed upon by the school authorities and the parent:  
36 PROVIDED, That such excused absences shall not be permitted if deemed  
37 to cause a serious adverse effect upon the student's educational  
38 progress: PROVIDED FURTHER, That students excused for such temporary

1 absences may be claimed as full time equivalent students to the extent  
2 they would otherwise have been so claimed for the purposes of RCW  
3 28A.150.250 and 28A.150.260 and shall not affect school district  
4 compliance with the provisions of RCW 28A.150.220; or

5 (e) The child is sixteen years of age or older and:

6 (i) The child is regularly and lawfully employed and either the  
7 parent agrees that the child should not be required to attend school or  
8 the child is emancipated in accordance with chapter 13.64 RCW;

9 (ii) The child has already met graduation requirements in  
10 accordance with state board of education rules and regulations; or

11 (iii) The child has received a certificate of educational  
12 competence under rules and regulations established by the state board  
13 of education under RCW 28A.305.190.

14 (2) A parent for the purpose of this chapter means a parent,  
15 guardian, or person having legal custody of a child.

16 (3) An approved private school for the purposes of this chapter and  
17 chapter 28A.200 RCW shall be one approved under regulations established  
18 by the state board of education pursuant to RCW 28A.305.130.

19 (4) For the purposes of this chapter and chapter 28A.200 RCW,  
20 instruction shall be home-based if it consists of planned and  
21 supervised instructional and related educational activities, including  
22 a curriculum and instruction in the basic skills of occupational  
23 education, science, mathematics, language, social studies, history,  
24 health, reading, writing, spelling, and the development of an  
25 appreciation of art and music, provided for a number of hours  
26 equivalent to the total annual program hours per grade level  
27 established for approved private schools under RCW 28A.195.010 and  
28 28A.195.040 and if such activities are:

29 (a) Provided by a parent who is instructing his or her child only  
30 and are supervised by a certificated person. A certificated person for  
31 purposes of this chapter and chapter 28A.200 RCW shall be a person  
32 certified under chapter 28A.410 RCW. For purposes of this section,  
33 "supervised by a certificated person" means: The planning by the  
34 certificated person and the parent of objectives consistent with this  
35 subsection; a minimum each month of an average of one contact hour per  
36 week with the child being supervised by the certificated person; and  
37 evaluation of such child's progress by the certificated person. The  
38 number of children supervised by the certificated person shall not  
39 exceed thirty for purposes of this subsection; or

1 (b) Provided by a parent who is instructing his or her child only  
2 and who has either earned forty-five college level quarter credit hours  
3 or its equivalent in semester hours or has completed a course in home-  
4 based instruction at a postsecondary institution or a vocational-  
5 technical institute; or

6 (c) Provided by a parent who is deemed sufficiently qualified to  
7 provide home-based instruction by the superintendent of the local  
8 school district in which the child resides.

9 (5) The legislature recognizes that home-based instruction is less  
10 structured and more experiential than the instruction normally provided  
11 in a classroom setting. Therefore, the provisions of subsection (4) of  
12 this section relating to the nature and quantity of instructional and  
13 related educational activities shall be liberally construed.

14 NEW SECTION. **Sec. 15.** Sections 1 through 9 of this act constitute  
15 a new chapter in Title 28A RCW.

16 NEW SECTION. **Sec. 16.** Sections 1 through 9 and 11 through 14 of  
17 this act are necessary for the immediate preservation of the public  
18 peace, health, or safety, or support of the state government and its  
19 existing public institutions, and take effect immediately.

20 NEW SECTION. **Sec. 17.** Section 10 of this act takes effect  
21 September 1, 1998.

22 NEW SECTION. **Sec. 18.** If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

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