
SENATE BILL 6604

State of Washington

61st Legislature

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By Senators Hobbs, King, McAuliffe, Oemig, Tom, Brandland, Holmquist, McDermott, and Kline

Read first time 01/19/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to flexibility in the education system; amending
2 RCW 28A.150.520, 28A.185.030, 28A.210.020, 28A.210.030, 28A.210.080,
3 28A.210.370, 28A.210.380, 28A.215.010, 28A.220.030, 28A.300.118,
4 28A.300.150, 28A.300.160, 28A.300.270, 28A.300.405, 28A.300.410,
5 28A.300.450, 28A.300.490, 28A.300.520, 28A.320.080, 28A.320.128,
6 28A.320.160, 28A.345.020, 28A.345.050, 28A.640.020, 28A.655.061, and
7 39.35D.040; repealing RCW 28A.210.130, 28A.210.360, 28A.210.365,
8 28A.220.050, 28A.220.080, 28A.220.085, 28A.230.150, 28A.300.280, and
9 28A.320.185; providing an expiration date; and declaring an emergency.

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

11 **Sec. 1.** RCW 28A.150.520 and 2005 c 12 s 9 are each amended to read
12 as follows:

13 To the extent funds are available, public school districts must
14 comply with high-performance public ((building[s])) buildings
15 requirements under RCW 39.35D.010, 39.35D.020, 39.35D.040, 39.35D.060,
16 and 28A.150.530.

17 **Sec. 2.** RCW 28A.185.030 and 2009 c 380 s 4 are each amended to
18 read as follows:

1 Local school districts may establish and operate, either separately
2 or jointly, programs for highly capable students. Such authority shall
3 include the right to employ and pay special instructors and to operate
4 such programs jointly with a public institution of higher education.
5 Local school districts which establish and operate programs for highly
6 capable students shall adopt identification procedures and provide
7 educational opportunities as follows, to the extent funds are
8 available:

9 (1) In accordance with rules adopted by the superintendent of
10 public instruction, school districts shall implement procedures for
11 nomination, assessment and selection of their most highly capable
12 students. Nominations shall be based upon data from teachers, other
13 staff, parents, students, and members of the community. Assessment
14 shall be based upon a review of each student's capability as shown by
15 multiple criteria intended to reveal, from a wide variety of sources
16 and data, each student's unique needs and capabilities. Selection
17 shall be made by a broadly based committee of professionals, after
18 consideration of the results of the multiple criteria assessment.

19 (2) When a student, who is a child of a military family in
20 transition, has been assessed or enrolled as highly capable by a
21 sending school, the receiving school shall initially honor placement of
22 the student into a like program.

23 (a) The receiving school shall determine whether the district's
24 program is a like program when compared to the sending school's
25 program; and

26 (b) The receiving school may conduct subsequent assessments to
27 determine appropriate placement and continued enrollment in the
28 program.

29 (3) Students selected pursuant to procedures outlined in this
30 section shall be provided, to the extent feasible, an educational
31 opportunity which takes into account each student's unique needs and
32 capabilities and the limits of the resources and program options
33 available to the district, including those options which can be
34 developed or provided by using funds allocated by the superintendent of
35 public instruction for that purpose.

36 (4) The definitions in Article II of RCW 28A.705.010 apply to
37 subsection (2) of this section.

1 **Sec. 3.** RCW 28A.210.020 and 2009 c 556 s 18 are each amended to
2 read as follows:

3 (1) Every board of school directors shall have the power, and it
4 shall be its duty to provide for and require screening for the visual
5 and auditory acuity of all children attending schools in their
6 districts to ascertain which if any of such children have defects
7 sufficient to retard them in their studies. Auditory and visual
8 screening shall be made in accordance with procedures and standards
9 adopted by rule (~~(or regulation)~~) of the state board of health. Prior
10 to the adoption or revision of such rules (~~(or regulations)~~) the state
11 board of health shall seek the recommendations of the superintendent of
12 public instruction regarding the administration of visual and auditory
13 screening and the qualifications of persons competent to administer
14 such screening. Persons performing visual screening may include, but
15 are not limited to, ophthalmologists, optometrists, or opticians who
16 donate their professional services to schools or school districts. If
17 a vision professional who donates his or her services identifies a
18 vision defect sufficient to affect a student's learning, the vision
19 professional must notify the school nurse and/or the school principal
20 in writing and may not contact the student's parents or guardians
21 directly. A school official shall inform parents or guardians of
22 students in writing that a visual examination was recommended, but may
23 not communicate the name or contact information of the vision
24 professional conducting the screening.

25 (2) Except to the extent necessary to comply with the federal
26 individuals with disabilities education act (IDEA) or to serve children
27 who are eligible for free or reduced-price lunch, this section is
28 suspended until July 1, 2013.

29 **Sec. 4.** RCW 28A.210.030 and 1991 c 3 s 289 are each amended to
30 read as follows:

31 (1) The person or persons completing the screening prescribed in
32 RCW 28A.210.020 shall promptly prepare a record of the screening of
33 each child found to have, or suspected of having, reduced visual and/or
34 auditory acuity in need of attention, including the special education
35 services provided by RCW 28A.155.010 through 28A.155.100, and send
36 copies of such records and recommendations to the parents or guardians
37 of such children and shall deliver the original records to the

1 appropriate school official who shall preserve such records and forward
2 to the superintendent of public instruction and the secretary of health
3 visual and auditory data as requested by such officials.

4 (2) Except to the extent necessary to comply with the federal
5 individuals with disabilities education act (IDEA) or to serve children
6 who are eligible for free or reduced-price lunch, this section is
7 suspended until July 1, 2013.

8 **Sec. 5.** RCW 28A.210.080 and 2007 c 276 s 1 are each amended to
9 read as follows:

10 (1) The attendance of every child at every public and private
11 school in the state and licensed day care center shall be conditioned
12 upon the presentation before or on each child's first day of attendance
13 at a particular school or center, of proof of either (a) full
14 immunization, (b) the initiation of and compliance with a schedule of
15 immunization, as required by rules of the state board of health, or (c)
16 a certificate of exemption as provided for in RCW 28A.210.090. The
17 attendance at the school or the day care center during any subsequent
18 school year of a child who has initiated a schedule of immunization
19 shall be conditioned upon the presentation of proof of compliance with
20 the schedule on the child's first day of attendance during the
21 subsequent school year. Once proof of full immunization or proof of
22 completion of an approved schedule has been presented, no further proof
23 shall be required as a condition to attendance at the particular school
24 or center.

25 (2)(a) Beginning with sixth grade entry, every public and private
26 school in the state shall provide parents and guardians with access to
27 information about meningococcal disease and its vaccine at the
28 beginning of every school year. Providing online access to the
29 information satisfies the requirements of this section unless a parent
30 or guardian specifically requests information to be provided in written
31 form. The information about meningococcal disease shall include:

32 (i) Its causes and symptoms, how meningococcal disease is spread,
33 and the places where parents and guardians may obtain additional
34 information and vaccinations for their children; and

35 (ii) Current recommendations from the United States centers for
36 disease control and prevention regarding the receipt of vaccines for
37 meningococcal disease and where the vaccination can be received.

1 (b) This subsection shall not be construed to require the
2 department of health or the school to provide meningococcal vaccination
3 to students.

4 (c) The department of health shall prepare the informational
5 materials and shall consult with the office of superintendent of public
6 instruction.

7 (d) This subsection does not create a private right of action.

8 (3)(a) Beginning with sixth grade entry, every public school in the
9 state shall provide parents and guardians with access to information
10 about human papillomavirus disease and its vaccine at the beginning of
11 every school year. Providing online access to the information
12 satisfies the requirements of this section unless a parent or guardian
13 specifically requests information to be provided in written form. The
14 information about human papillomavirus disease shall include:

15 (i) Its causes and symptoms, how human papillomavirus disease is
16 spread, and the places where parents and guardians may obtain
17 additional information and vaccinations for their children; and

18 (ii) Current recommendations from the United States centers for
19 disease control and prevention regarding the receipt of vaccines for
20 human papillomavirus disease and where the vaccination can be received.

21 (b) This subsection shall not be construed to require the
22 department of health or the school to provide human papillomavirus
23 vaccination to students.

24 (c) The department of health shall prepare the informational
25 materials and shall consult with the office of the superintendent of
26 public instruction.

27 (d) This subsection does not create a private right of action.

28 (4) Private schools are required by state law to notify parents
29 that information on the human papillomavirus disease prepared by the
30 department of health is available.

31 **Sec. 6.** RCW 28A.210.370 and 2005 c 462 s 2 are each amended to
32 read as follows:

33 (1) The superintendent of public instruction and the secretary of
34 the department of health shall develop a uniform policy for all school
35 districts providing for the in-service training for school staff on
36 symptoms, treatment, and monitoring of students with asthma and on the
37 additional observations that may be needed in different situations that

1 may arise during the school day and during school-sponsored events. To
2 the extent possible, the in-service training shall be offered online
3 and no more than once every three years. The policy shall include the
4 standards and skills that must be in place for in-service training of
5 school staff.

6 (2) All school districts shall adopt policies regarding asthma
7 rescue procedures for each school within the district.

8 (3) All school districts must require that each public elementary
9 school and secondary school grant to any student in the school
10 authorization for the self-administration of medication to treat that
11 student's asthma or anaphylaxis, if:

12 (a) A health care practitioner prescribed the medication for use by
13 the student during school hours and instructed the student in the
14 correct and responsible use of the medication;

15 (b) The student has demonstrated to the health care practitioner,
16 or the practitioner's designee, and a professional registered nurse at
17 the school, the skill level necessary to use the medication and any
18 device that is necessary to administer the medication as prescribed;

19 (c) The health care practitioner formulates a written treatment
20 plan for managing asthma or anaphylaxis episodes of the student and for
21 medication use by the student during school hours; and

22 (d) The student's parent or guardian has completed and submitted to
23 the school any written documentation required by the school, including
24 the treatment plan formulated under (c) of this subsection and other
25 documents related to liability.

26 (4) An authorization granted under subsection (3) of this section
27 must allow the student involved to possess and use his or her
28 medication:

29 (a) While in school;
30 (b) While at a school-sponsored activity, such as a sporting event;
31 and
32 (c) In transit to or from school or school-sponsored activities.

33 (5) An authorization granted under subsection (3) of this section:

34 (a) Must be effective only for the same school and school year for
35 which it is granted; and

36 (b) Must be renewed by the parent or guardian each subsequent
37 school year in accordance with this subsection.

1 (6) School districts must require that backup medication, if
2 provided by a student's parent or guardian, be kept at a student's
3 school in a location to which the student has immediate access in the
4 event of an asthma or anaphylaxis emergency.

5 (7) School districts must require that information described in
6 subsection (3)(c) and (d) of this section be kept on file at the
7 student's school in a location easily accessible in the event of an
8 asthma or anaphylaxis emergency.

9 (8) Nothing in this section creates a cause of action or in any
10 other way increases or diminishes the liability of any person under any
11 other law.

12 **Sec. 7.** RCW 28A.210.380 and 2008 c 173 s 1 are each amended to
13 read as follows:

14 (1) The office of the superintendent of public instruction, in
15 consultation with the department of health, shall develop anaphylactic
16 policy guidelines for schools to prevent anaphylaxis and deal with
17 medical emergencies resulting from it. The policy guidelines shall be
18 developed with input from pediatricians, school nurses, other health
19 care providers, parents of children with life-threatening allergies,
20 school administrators, teachers, and food service directors.
21 The policy guidelines shall include, but need not be limited to:

22 (a) A procedure for each school to follow to develop a treatment
23 plan including the responsibilities (~~(for~~~~{of~~)) of school nurses and
24 other appropriate school personnel responsible for responding to a
25 student who may be experiencing anaphylaxis;

26 (b) The content of a training course for appropriate school
27 personnel for preventing and responding to a student who may be
28 experiencing anaphylaxis. To the extent possible, the training course
29 shall be offered online and no more than once every three years;

30 (c) A procedure for the development of an individualized emergency
31 health care plan for children with food or other allergies that could
32 result in anaphylaxis;

33 (d) A communication plan for the school to follow to gather and
34 disseminate information on students with food or other allergies who
35 may experience anaphylaxis;

36 (e) Strategies for reduction of the risk of exposure to
37 anaphylactic causative agents including food and other allergens.

1 (2) For the purpose of this section "anaphylaxis" means a severe
2 allergic and life-threatening reaction that is a collection of
3 symptoms, which may include breathing difficulties and a drop in blood
4 pressure or shock.

5 (3)(a) By October 15, 2008, the superintendent of public
6 instruction shall report to the select interim legislative task force
7 on comprehensive school health reform created in section 6, chapter 5,
8 Laws of 2007, on the following:

9 (i) The implementation within school districts of the 2008
10 guidelines for care of students with life-threatening food allergies
11 developed by the superintendent pursuant to section 501, chapter 522,
12 Laws of 2007, including a review of policies developed by the school
13 districts, the training provided to school personnel, and plans for
14 follow-up monitoring of policy implementation; and

15 (ii) Recommendations on requirements for effectively implementing
16 the school anaphylactic policy guidelines developed under this section.

17 (b) By March 31, 2009, the superintendent of public instruction
18 shall report policy guidelines to the appropriate committees of the
19 legislature and to school districts for the districts to use to develop
20 and adopt their policies.

21 (4) By September 1, 2009, each school district shall use the
22 guidelines developed under subsection (1) of this section to develop
23 and adopt a school district policy for each school in the district to
24 follow to assist schools to prevent anaphylaxis.

25 **Sec. 8.** RCW 28A.215.010 and 2006 c 263 s 410 are each amended to
26 read as follows:

27 The board of directors of any school district shall have the power
28 to establish and maintain preschools and to provide before-and-after-
29 school and vacation care in connection with the common schools of said
30 district located at such points as the board shall deem most suitable
31 for the convenience of the public, for the care and instruction of
32 infants and children residing in said district. The board shall
33 establish such courses, activities, and rules(~~(, and regulations)~~)
34 governing preschools and before-and-after-school care as it may deem
35 best: PROVIDED, That these courses and activities (~~shall~~) are
36 encouraged to meet the minimum standard for such preschools as
37 established by the United States department of health, education and

1 welfare, or its successor agency, and the superintendent of public
2 instruction. Except as otherwise provided by state or federal law, the
3 board of directors may fix a reasonable charge for the care and
4 instruction of children attending such schools. The board may, if
5 necessary, supplement such funds as are received for the superintendent
6 of public instruction or any agency of the federal government, by an
7 appropriation from the general school fund of the district.

8 **Sec. 9.** RCW 28A.220.030 and 2000 c 115 s 9 are each amended to
9 read as follows:

10 (1) The superintendent of public instruction is authorized to
11 establish a section of traffic safety education, and through such
12 section shall: Define a "realistic level of effort" required to
13 provide an effective traffic safety education course, establish a level
14 of driving competency required of each student to successfully complete
15 the course, and ensure that an effective statewide program is
16 implemented and sustained, administer, supervise, and develop the
17 traffic safety education program and shall assist local school
18 districts in the conduct of their traffic safety education programs.
19 The superintendent shall adopt necessary rules (~~and regulations~~)
20 governing the operation and scope of the traffic safety education
21 program; and each school district shall submit a report in even-
22 numbered years to the superintendent on the condition of its traffic
23 safety education program: PROVIDED, That the superintendent shall
24 monitor the quality of the program and carry out the purposes of this
25 chapter.

26 (2) The board of directors of any school district maintaining a
27 secondary school which includes any of the grades 10 to 12, inclusive,
28 may establish and maintain a traffic safety education course. If a
29 school district elects to offer a traffic safety education course and
30 has within its boundaries a private accredited secondary school which
31 includes any of the grades 10 to 12, inclusive, to the extent funds are
32 available, at least one class in traffic safety education shall be
33 given at times other than regular school hours if there is sufficient
34 demand therefor.

35 (3) The board of directors of a school district, or combination of
36 school districts, may contract with any drivers' school licensed under
37 the provisions of chapter 46.82 RCW to teach the laboratory phase of

1 the traffic safety education course. Instructors provided by any such
2 contracting drivers' school must be properly qualified teachers of
3 traffic safety education under the joint qualification requirements
4 adopted by the superintendent of public instruction and the director of
5 licensing.

6 (4) The superintendent shall establish a required minimum number of
7 hours of continuing traffic safety education for traffic safety
8 education instructors. The superintendent may phase in the requirement
9 over not more than five years.

10 (5) By January 1, 2011, the superintendent shall survey districts
11 regarding the impact of the rules and minimum hours of training
12 established under the authority of this section. The superintendent
13 shall revise the rules and minimum hours based on that survey in order
14 to reduce the burden on school districts.

15 **Sec. 10.** RCW 28A.300.118 and 2000 c 126 s 1 are each amended to
16 read as follows:

17 (1) Beginning with the ((2000-01)) 2011-12 school year, the
18 superintendent of public instruction shall notify senior high schools
19 and any other public school that includes ninth grade of the names and
20 contact information of public and private entities offering programs
21 leading to college credit, including information about online advanced
22 placement classes, if the superintendent has knowledge of such entities
23 and if the cost of reporting these entities is minimal.

24 (2) Beginning with the ((2000-01)) 2011-12 school year, each senior
25 high school and any other public school that includes ninth grade shall
26 publish annually and deliver to each parent with children enrolled in
27 ninth through twelfth grades, information concerning the entrance
28 requirements and the availability of programs in the local area that
29 lead to college credit, including classes such as advanced placement,
30 running start, tech-prep, skill centers, college in the high school,
31 and international baccalaureate programs. The information may be
32 included with other information the school regularly mails to parents.
33 In addition, each senior high school and any other public school that
34 includes ninth grade shall enclose information of the names and contact
35 information of other public or private entities offering such programs,
36 including online advanced placement programs, to its ninth through
37 twelfth grade students if the school has knowledge of such entities.

1 **Sec. 11.** RCW 28A.300.150 and 2006 c 263 s 705 are each amended to
2 read as follows:

3 The superintendent of public instruction shall collect and
4 disseminate to school districts information on child abuse and neglect
5 prevention curriculum and shall adopt rules dealing with the prevention
6 of child abuse for purposes of curriculum use in the common schools.
7 The superintendent of public instruction and the departments of social
8 and health services and (~~community, trade, and economic development~~)
9 commerce shall share relevant information. Providing online access to
10 the information satisfies the requirements of this section unless a
11 parent or guardian specifically requests information to be provided in
12 written form.

13 **Sec. 12.** RCW 28A.300.160 and 1995 c 399 s 21 are each amended to
14 read as follows:

15 (1) The office of the superintendent of public instruction shall be
16 the lead agency and shall assist the department of social and health
17 services, the department of (~~community, trade, and economic~~
18 ~~development~~) commerce, and school districts in establishing a
19 coordinated primary prevention program for child abuse and neglect.

20 (2) In developing the program, consideration shall be given to the
21 following:

22 (a) Parent, teacher, and children's workshops whose information and
23 training is:

24 (i) Provided in a clear, age-appropriate, nonthreatening manner,
25 delineating the problem and the range of possible solutions;

26 (ii) Culturally and linguistically appropriate to the population
27 served;

28 (iii) Appropriate to the geographic area served; and

29 (iv) Designed to help counteract common stereotypes about child
30 abuse victims and offenders;

31 (b) Training for school age children's parents and school staff,
32 which includes:

33 (i) Physical and behavioral indicators of abuse;

34 (ii) Crisis counseling techniques;

35 (iii) Community resources;

36 (iv) Rights and responsibilities regarding reporting;

1 (v) School district procedures to facilitate reporting and apprise
2 supervisors and administrators of reports; and

3 (vi) Caring for a child's needs after a report is made;

4 (c) Training for licensed day care providers and parents that
5 includes:

6 (i) Positive child guidance techniques;

7 (ii) Physical and behavioral indicators of abuse;

8 (iii) Recognizing and providing safe, quality day care;

9 (iv) Community resources;

10 (v) Rights and responsibilities regarding reporting; and

11 (vi) Caring for the abused or neglected child;

12 (d) Training for children that includes:

13 (i) The right of every child to live free of abuse;

14 (ii) How to disclose incidents of abuse and neglect;

15 (iii) The availability of support resources and how to obtain help;

16 (iv) Child safety training and age-appropriate self-defense
17 techniques; and

18 (v) A period for crisis counseling and reporting immediately
19 following the completion of each children's workshop in a school
20 setting which maximizes the child's privacy and sense of safety.

21 (3) The office of the superintendent of public instruction shall
22 not require annual training under subsection (2) of this section. The
23 office of the superintendent of public instruction may consider
24 offering training every four years, except for new employees who shall
25 receive training within the first year of their hire date. School
26 districts are encouraged to work with private or nonprofit entities
27 that have the ability to provide the appropriate training for staff in
28 accordance with this section.

29 (4) The primary prevention program established under this section
30 shall be a voluntary program and shall not be part of the basic program
31 of education.

32 ~~((+4))~~ (5) Parents shall be given notice of the primary prevention
33 program and may refuse to have their children participate in the
34 program.

35 **Sec. 13.** RCW 28A.300.270 and 1994 sp.s. c 7 s 602 are each amended
36 to read as follows:

37 (1) The superintendent of public instruction shall, to the extent

1 funding is available, contract with school districts, educational
2 service districts, and approved in-service providers to conduct
3 training sessions for school certificated and classified employees in
4 conflict resolution and other violence prevention topics. The training
5 shall be developmentally and culturally appropriate for the school
6 populations being served and be research based. The training shall not
7 be based solely on providing materials, but also shall include
8 techniques on imparting these skills to students. The training
9 sessions shall be developed in coordination with school districts, the
10 superintendent of public instruction, parents, law enforcement
11 agencies, human services providers, and other interested parties. The
12 training shall be offered to school districts and school staff
13 requesting the training, and shall be made available at locations
14 throughout the state.

15 (2) The office of the superintendent of public instruction shall
16 not require annual training sessions. The training may be offered
17 every four years.

18 **Sec. 14.** RCW 28A.300.405 and 2000 c 210 s 4 are each amended to
19 read as follows:

20 (1) Consistent with the legislative findings in RCW 28A.300.390,
21 the legislature shall establish the Washington civil liberties public
22 education program. The program provides grants for the purpose of
23 establishing a legacy of remembrance as part of a continuing process of
24 recovery from the World War II exclusion and detention of individuals
25 of Japanese ancestry. The program is created to do one or both of the
26 following:

27 ~~((+1))~~ (a) Educate the public regarding the history and the
28 lessons of the World War II exclusion, removal, and detention of
29 persons of Japanese ancestry through the development, coordination, and
30 distribution of new educational materials and the development of
31 curriculum materials to complement and augment resources currently
32 available on this subject matter; and

33 ~~((+2))~~ (b) Develop videos, plays, presentations, speaker bureaus,
34 and exhibitions for presentation to elementary schools, secondary
35 schools, community colleges, and to other interested parties.

36 (2) This section is suspended until July 1, 2013.

1 **Sec. 15.** RCW 28A.300.410 and 2000 c 210 s 5 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction shall allocate grants
4 under the program established in RCW 28A.300.390 through 28A.300.415
5 from private donations or within amounts appropriated for this specific
6 purpose. The grants shall be awarded on a competitive basis.

7 (2) The superintendent of public instruction may contract with
8 independent review panelists and establish an advisory panel to
9 evaluate and make recommendations to the superintendent of public
10 instruction based on grant applications.

11 (3) The superintendent of public instruction shall select grant
12 recipients from applicants who meet all of the following criteria:

13 (a) The capability to administer and complete the proposed project
14 within specified deadlines and within the specified budget;

15 (b) The experience, knowledge, and qualifications necessary to
16 conduct quality educational activities regarding the exclusion and
17 detention of Japanese-Americans during World War II;

18 (c) Projects that relate the Japanese-American exclusion and
19 detention experience with civil rights included in the Declaration of
20 Independence and the Constitution so that this event may be illuminated
21 and understood in order to prevent similar violations of civil rights
22 in the future;

23 (d) Projects that are designed to maximize the long-term
24 educational impact of this chapter;

25 (e) Projects that build upon, contribute to, and expand upon the
26 existing body of educational and research materials on the exclusion
27 and detention of Japanese-Americans during World War II; and

28 (f) Projects that include the variety of experiences regarding the
29 exclusion and detention of Japanese-Americans and its impact before,
30 during, and after World War II including those Japanese-Americans who
31 served in the military and those who were interned in department of
32 justice camps.

33 (4) Applicants for grants under the program are encouraged to do
34 each of the following:

35 (a) Involve former detainees, those excluded from the military
36 area, and their descendants in the development and implementation of
37 projects;

1 (b) Develop a strategy and plan for raising the level of awareness
2 and understanding among the American public regarding the exclusion and
3 detention of Japanese-Americans during World War II so that the causes
4 and circumstances of this and similar events may be illuminated and
5 understood;

6 (c) Develop a strategy and plan for reaching the broad,
7 multicultural population through project activities;

8 (d) Develop local and regional consortia of organizations and
9 individuals engaged in similar educational, research, and development
10 efforts;

11 (e) Coordinate and collaborate with organizations and individuals
12 engaging in similar educational, research, and development endeavors to
13 maximize the effect of grants;

14 (f) Utilize creative and innovative methods and approaches in the
15 research, development, and implementation of their projects;

16 (g) Seek matching funds, in-kind contributions, or other sources of
17 support to supplement their proposal;

18 (h) Use a variety of media, including new technology, and the arts
19 to creatively and strategically appeal to a broad audience while
20 enhancing and enriching community-based educational efforts;

21 (i) Include in the grant application, scholarly inquiry related to
22 the variety of experiences and impact of the exclusion and detention of
23 persons of Japanese ancestry during World War II; and

24 (j) Add relevant materials to or catalogue relevant materials in
25 libraries and other repositories for the creation, publication, and
26 distribution of bibliographies, curriculum guides, oral histories, and
27 other resource directories and supporting the continued development of
28 scholarly work on this subject by making a broad range of archival,
29 library, and research materials more accessible to the American public.

30 (5) The superintendent of public instruction may adopt other
31 criteria as it deems appropriate for its review of grant proposals. In
32 reviewing projects for funding, scoring shall be based on an evaluation
33 of all application materials including narratives, attachments, support
34 letters, supplementary materials, and other materials that may be
35 requested of applicants.

36 (6)(a) In the review process, the superintendent of public
37 instruction shall assign the following order of priority to the
38 criteria set forth in subsection (3) of this section:

1 (i) Subsection (3)(a) through (d) of this section, inclusive, shall
2 be given highest priority; and

3 (ii) Subsection (3)(e) (~~(through and))~~ and (f) of this section,
4 inclusive, shall be given second priority.

5 (b) The superintendent of public instruction shall consider the
6 overall breadth and variety of the field of applicants to determine the
7 projects that would best fulfill its program and mission. Final grant
8 awards may be for the full amount of the grant requests or for a
9 portion of the grant request.

10 (7) The superintendent of public instruction shall determine the
11 types of applicants eligible to apply for grants under this program.

12 (8) The office may accept gifts, grants, or endowments from public
13 or private sources for the program and may spend any gifts, grants, or
14 endowments or income from public or private sources according to their
15 terms.

16 (9) Except to the extent private funds are available, this section
17 is suspended until July 1, 2013.

18 **Sec. 16.** RCW 28A.300.450 and 2009 c 443 s 1 are each amended to
19 read as follows:

20 (1) A financial education public-private partnership is
21 established, composed of the following members:

22 (a) Four members of the legislature, with one member from each
23 caucus of the house of representatives appointed by the speaker of the
24 house of representatives, and one member from each caucus of the senate
25 appointed by the president of the senate;

26 (b) Four representatives from the private for-profit and nonprofit
27 financial services sector, including at least one representative from
28 the jumpstart coalition, to be appointed by the governor;

29 (c) Four teachers to be appointed by the superintendent of public
30 instruction, with one each representing the elementary, middle,
31 secondary, and postsecondary education sectors;

32 (d) A representative from the department of financial institutions
33 to be appointed by the director;

34 (e) Two representatives from the office of the superintendent of
35 public instruction, with one involved in curriculum development and one
36 involved in teacher professional development, to be appointed by the
37 superintendent.

1 (2) The chair of the partnership shall be selected by the members
2 of the partnership from among the legislative members.

3 (3) To the extent funds are appropriated or are available for this
4 purpose, the partnership may hire a staff person who shall reside in
5 the office of the superintendent of public instruction for
6 administrative purposes. Additional technical and logistical support
7 may be provided by the office of the superintendent of public
8 instruction, the department of financial institutions, the
9 organizations composing the partnership, and other participants in the
10 financial education public-private partnership.

11 (4) The members of the partnership shall be appointed by August 1,
12 2009.

13 (5) Legislative members of the partnership shall receive per diem
14 and travel under RCW 44.04.120.

15 (6) Travel and other expenses of members of the partnership shall
16 be provided by the agency, association, or organization that member
17 represents.

18 (7) This section shall be implemented to the extent funds are
19 available.

20 (8) This section is suspended until July 1, 2013.

21 **Sec. 17.** RCW 28A.300.490 and 2007 c 406 s 2 are each amended to
22 read as follows:

23 (1) A task force on gangs in schools is created to examine current
24 adult and youth gang activities that are affecting school safety. The
25 task force shall work under the guidance of the superintendent of
26 public instruction school safety center, the school safety center
27 advisory committee, and the Washington association of sheriffs and
28 police chiefs.

29 (2) The task force shall be comprised of representatives, selected
30 by the superintendent of public instruction, who possess expertise
31 relevant to gang activity in schools. The task force shall outline
32 methods for preventing new gangs, eliminating existing gangs, gathering
33 intelligence, and sharing information about gang activities.

34 (3) Beginning December 1, 2007, the task force shall annually
35 report its findings and recommendations to the education committees of
36 the legislature.

37 (4) This section is suspended until July 1, 2013.

1 **Sec. 18.** RCW 28A.300.520 and 2009 c 578 s 9 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction shall review current
4 policies and assess the adequacy and availability of programs targeted
5 at children who have a parent who is incarcerated in a department of
6 corrections facility. The superintendent of public instruction shall
7 adopt policies that support the children of incarcerated parents and
8 meet their needs with the goal of facilitating normal child
9 development, including maintaining adequate academic progress, while
10 reducing intergenerational incarceration.

11 (2) To the extent funds are available, the superintendent shall
12 conduct the following activities to assist in implementing the
13 requirements of subsection (1) of this section:

14 (a) Gather information and data on the students who are the
15 children of inmates incarcerated in department of corrections
16 facilities; and

17 (b) Participate in the children of incarcerated parents advisory
18 committee and report information obtained under this section to the
19 advisory committee.

20 (3) This section is suspended until July 1, 2013.

21 **Sec. 19.** RCW 28A.320.080 and 1995 c 77 s 21 are each amended to
22 read as follows:

23 Every board of directors, unless otherwise specifically provided by
24 law, shall:

25 (1) Provide for the expenditure of a reasonable amount for suitable
26 commencement exercises;

27 (2) ~~((In addition to providing))~~ To the extent funds are available,
28 provide free instruction in lip reading for children disabled by
29 defective hearing~~((7))~~ and make arrangements for free instruction in
30 lip reading to adults disabled by defective hearing whenever in its
31 judgment such instruction appears to be in the best interests of the
32 school district and adults concerned;

33 (3) Join with boards of directors of other school districts or an
34 educational service district pursuant to RCW 28A.310.180(3), or both
35 such school districts and educational service district in buying
36 supplies, equipment and services by establishing and maintaining a
37 joint purchasing agency, or otherwise, when deemed for the best

1 interests of the district, any joint agency formed hereunder being
2 herewith authorized and empowered to issue interest bearing warrants in
3 payment of any obligation owed: PROVIDED, HOWEVER, That those agencies
4 issuing interest bearing warrants shall assign accounts receivable in
5 an amount equal to the amount of the outstanding interest bearing
6 warrants to the county treasurer issuing such interest bearing
7 warrants: PROVIDED FURTHER, That the joint purchasing agency shall
8 consider the request of any one or more private schools requesting the
9 agency to jointly buy supplies, equipment, and services including but
10 not limited to school bus maintenance services, and, after considering
11 such request, may cooperate with and jointly make purchases with
12 private schools of supplies, equipment, and services, including but not
13 limited to school bus maintenance services, so long as such private
14 schools pay in advance their proportionate share of the costs or
15 provide a surety bond to cover their proportionate share of the costs
16 involved in such purchases;

17 (4) Consider the request of any one or more private schools
18 requesting the board to jointly buy supplies, equipment and services
19 including but not limited to school bus maintenance services, and,
20 after considering such request, may provide such joint purchasing
21 services: PROVIDED, That such private schools pay in advance their
22 proportionate share of the costs or provide a surety bond to cover
23 their proportionate share of the costs involved in such purchases; and

24 (5) Prepare budgets as provided for in chapter 28A.505 RCW.

25 **Sec. 20.** RCW 28A.320.128 and 2002 c 206 s 1 are each amended to
26 read as follows:

27 (1) (~~By September 1, 2003,~~) Each school district board of
28 directors shall (~~adopt a~~) have a policy that addresses (~~the~~
29 ~~following issues:~~

30 ~~(a))~~ procedures for providing notice of threats of violence or
31 harm to the student or school employee who is the subject of the
32 threat. The policy shall define "threats of violence or harm(~~"~~

33 ~~(b) Procedures for disclosing information that is provided to the~~
34 ~~school administrators about a student's conduct, including but not~~
35 ~~limited to the student's prior disciplinary records, official juvenile~~
36 ~~court records, and history of violence, to classroom teachers, school~~

1 ~~staff, and school security who, in the judgment of the principal,~~
2 ~~should be notified; and~~

3 ~~(c) Procedures for determining whether or not any threats or~~
4 ~~conduct established in the policy may be grounds for suspension or~~
5 ~~expulsion of the student))."~~

6 (2) The superintendent of public instruction, in consultation with
7 educators and representatives of law enforcement, classified staff, and
8 organizations with expertise in violence prevention and intervention,
9 shall adopt a model policy that includes the issues listed in
10 subsection (1) of this section by January 1, 2003. The model policy
11 shall be posted on the superintendent of public instruction's web site.
12 The school districts, in drafting their own policies, shall review the
13 model policy.

14 (3) School districts, school district boards of directors, school
15 officials, and school employees providing notice in good faith as
16 required and consistent with the board's policies adopted under this
17 section are immune from any liability arising out of such notification.

18 (4) A person who intentionally and in bad faith or maliciously,
19 knowingly makes a false notification of a threat under this section is
20 guilty of a misdemeanor punishable under RCW 9A.20.021.

21 **Sec. 21.** RCW 28A.320.160 and 2005 c 274 s 244 are each amended to
22 read as follows:

23 School districts must, at the first opportunity but in all cases
24 within forty-eight hours of receiving a report alleging sexual
25 misconduct by a school employee, notify the parents of a student
26 alleged to be the victim, target, or recipient of the misconduct.
27 School districts (~~shall~~) may provide parents with information
28 regarding their rights under the public records act, chapter 42.56 RCW,
29 to request the public records regarding school employee discipline.
30 This information shall be provided to (~~all~~) parents (~~on an annual~~
31 ~~basis~~) upon their request.

32 **Sec. 22.** RCW 28A.345.020 and 1969 ex.s. c 223 s 28A.61.020 are
33 each amended to read as follows:

34 The membership of the school directors' association (~~shall~~) may
35 comprise the members of the boards of directors of the school districts
36 of the state.

1 **Sec. 23.** RCW 28A.345.050 and 1983 c 187 s 2 are each amended to
2 read as follows:

3 The school directors' association may establish a graduated
4 schedule of dues for members of the association based upon the number
5 of certificated personnel in each district. Dues shall be established
6 for the directors of each district as a group. The total of all dues
7 assessed shall not exceed twenty-seven cents for each one thousand
8 dollars of the statewide total of all school districts' general fund
9 receipts. The board of directors of a school district shall make
10 provision for payment out of the general fund of the district of the
11 dues of association members resident in the district, which payment
12 shall be made in the manner provided by law for the payment of other
13 claims against the general fund of the district. The dues for each
14 member school district shall be due and payable on the first day of
15 January of each year.

16 **Sec. 24.** RCW 28A.640.020 and 1994 c 213 s 1 are each amended to
17 read as follows:

18 (1) The superintendent of public instruction shall develop
19 (~~regulations~~) rules and guidelines to eliminate sex discrimination as
20 it applies to public school employment, counseling and guidance
21 services to students, recreational and athletic activities for
22 students, access to course offerings, and in textbooks and
23 instructional materials used by students.

24 (a) Specifically with respect to public school employment, all
25 schools shall be required to:

26 (i) Maintain credential requirements for all personnel without
27 regard to sex;

28 (ii) Make no differentiation in pay scale on the basis of sex;

29 (iii) Assign school duties without regard to sex except where such
30 assignment would involve duty in areas or situations, such as but not
31 limited to a shower room, where persons might be disrobed;

32 (iv) Provide the same opportunities for advancement to males and
33 females; and

34 (v) Make no difference in conditions of employment including, but
35 not limited to, hiring practices, leaves of absence, hours of
36 employment, and assignment of, or pay for, instructional and
37 noninstructional duties, on the basis of sex.

1 (b) Specifically with respect to counseling and guidance services
2 for students, they shall be made available to all students equally.
3 All certificated personnel shall be required to stress access to all
4 career and vocational opportunities to students without regard to sex.

5 (c) Specifically with respect to recreational and athletic
6 activities, they shall be offered to all students without regard to
7 sex. Schools may provide separate teams for each sex. Schools which
8 provide the following shall do so with no disparities based on sex:
9 Equipment and supplies; medical care; services and insurance;
10 transportation and per diem allowances; opportunities to receive
11 coaching and instruction; laundry services; assignment of game
12 officials; opportunities for competition, publicity and awards;
13 scheduling of games and practice times including use of courts, gyms,
14 and pools: PROVIDED, That such scheduling of games and practice times
15 shall be determined by local administrative authorities after
16 consideration of the public and student interest in attending and
17 participating in various recreational and athletic activities. Each
18 school which provides showers, toilets, or training room facilities for
19 athletic purposes shall provide comparable facilities for both sexes.
20 Such facilities may be provided either as separate facilities or shall
21 be scheduled and used separately by each sex.

22 The superintendent of public instruction shall also be required to
23 develop a student survey to distribute every three years to each local
24 school district in the state to determine student interest for
25 male/female participation in specific sports.

26 (d) Specifically with respect to course offerings, all classes
27 shall be required to be available to all students without regard to
28 sex: PROVIDED, That separation is permitted within any class during
29 sessions on sex education or gym classes.

30 (e) Specifically with respect to textbooks and instructional
31 materials, which shall also include, but not be limited to, reference
32 books and audio-visual materials, they shall be required to adhere to
33 the guidelines developed by the superintendent of public instruction to
34 implement the intent of this chapter: PROVIDED, That this subsection
35 shall not be construed to prohibit the introduction of material deemed
36 appropriate by the instructor for educational purposes.

37 (2)(a) By December 31, 1994, the superintendent of public
38 instruction shall develop criteria for use by school districts in

1 developing sexual harassment policies as required under (b) of this
2 subsection. The criteria shall address the subjects of grievance
3 procedures, remedies to victims of sexual harassment, disciplinary
4 actions against violators of the policy, and other subjects at the
5 discretion of the superintendent of public instruction. Disciplinary
6 actions must conform with collective bargaining agreements and state
7 and federal laws. The superintendent of public instruction also shall
8 supply sample policies to school districts upon request.

9 (b) By June 30, 1995, every school district shall adopt and
10 implement a written policy concerning sexual harassment. The policy
11 shall apply to all school district employees, volunteers, parents, and
12 students, including, but not limited to, conduct between students.

13 (c) School district policies on sexual harassment shall be reviewed
14 by the superintendent of public instruction considering the criteria
15 established under (a) of this subsection as part of the monitoring
16 process established in RCW 28A.640.030.

17 (d) The school district's sexual harassment policy shall be
18 conspicuously posted throughout each school building, and provided to
19 each employee. Employees may be provided the policy online. A copy of
20 the policy shall appear in any publication of the school or school
21 district setting forth the rules, (~~regulations,~~) procedures, and
22 standards of conduct for the school or school district.

23 (e) Each school shall develop a process for discussing the
24 district's sexual harassment policy. The process shall ensure the
25 discussion addresses the definition of sexual harassment and issues
26 covered in the sexual harassment policy.

27 (f) The office of the superintendent of public instruction shall
28 not require annual training to address the policies of this section.
29 Beginning in 2013, training may be offered every four years, except for
30 new employees who shall receive training within the first year of their
31 hire date.

32 (g) "Sexual harassment" as used in this section means unwelcome
33 sexual advances, requests for sexual favors, sexually motivated
34 physical contact, or other verbal or physical conduct or communication
35 of a sexual nature if:

36 (i) Submission to that conduct or communication is made a term or
37 condition, either explicitly or implicitly, of obtaining an education
38 or employment;

1 (ii) Submission to or rejection of that conduct or communication by
2 an individual is used as a factor in decisions affecting that
3 individual's education or employment; or

4 (iii) That conduct or communication has the purpose or effect of
5 substantially interfering with an individual's educational or work
6 performance, or of creating an intimidating, hostile, or offensive
7 educational or work environment.

8 **Sec. 25.** RCW 28A.655.061 and 2009 c 524 s 5 are each amended to
9 read as follows:

10 (1) The high school assessment system shall include but need not be
11 limited to the Washington assessment of student learning, opportunities
12 for a student to retake the content areas of the assessment in which
13 the student was not successful, and if approved by the legislature
14 pursuant to subsection (10) of this section, one or more objective
15 alternative assessments for a student to demonstrate achievement of
16 state academic standards. The objective alternative assessments for
17 each content area shall be comparable in rigor to the skills and
18 knowledge that the student must demonstrate on the Washington
19 assessment of student learning for each content area.

20 (2) Subject to the conditions in this section, a certificate of
21 academic achievement shall be obtained by most students at about the
22 age of sixteen, and is evidence that the students have successfully met
23 the state standard in the content areas included in the certificate.
24 With the exception of students satisfying the provisions of RCW
25 28A.155.045 or 28A.655.0611, acquisition of the certificate is required
26 for graduation from a public high school but is not the only
27 requirement for graduation.

28 (3) Beginning with the graduating class of 2008, with the exception
29 of students satisfying the provisions of RCW 28A.155.045, a student who
30 meets the state standards on the reading, writing, and mathematics
31 content areas of the high school Washington assessment of student
32 learning shall earn a certificate of academic achievement. If a
33 student does not successfully meet the state standards in one or more
34 content areas required for the certificate of academic achievement,
35 then the student may retake the assessment in the content area up to
36 four times at no cost to the student. If the student successfully
37 meets the state standards on a retake of the assessment then the

1 student shall earn a certificate of academic achievement. Once
2 objective alternative assessments are authorized pursuant to subsection
3 (10) of this section, a student may use the objective alternative
4 assessments to demonstrate that the student successfully meets the
5 state standards for that content area if the student has taken the
6 Washington assessment of student learning at least once. If the
7 student successfully meets the state standards on the objective
8 alternative assessments then the student shall earn a certificate of
9 academic achievement.

10 (4) Beginning no later than with the graduating class of 2013, a
11 student must meet the state standards in science in addition to the
12 other content areas required under subsection (3) of this section on
13 the Washington assessment of student learning or the objective
14 alternative assessments in order to earn a certificate of academic
15 achievement. The state board of education may adopt a rule that
16 implements the requirements of this subsection (4) beginning with a
17 graduating class before the graduating class of 2013, if the state
18 board of education adopts the rule by September 1st of the freshman
19 school year of the graduating class to which the requirements of this
20 subsection (4) apply. The state board of education's authority under
21 this subsection (4) does not alter the requirement that any change in
22 performance standards for the tenth grade assessment must comply with
23 RCW 28A.305.130.

24 (5) The state board of education may not require the acquisition of
25 the certificate of academic achievement for students in home-based
26 instruction under chapter 28A.200 RCW, for students enrolled in private
27 schools under chapter 28A.195 RCW, or for students satisfying the
28 provisions of RCW 28A.155.045.

29 (6) A student may retain and use the highest result from each
30 successfully completed content area of the high school assessment.

31 (7) School districts must make available to students the following
32 options:

33 (a) To retake the Washington assessment of student learning up to
34 four times in the content areas in which the student did not meet the
35 state standards if the student is enrolled in a public school; or

36 (b) To retake the Washington assessment of student learning up to
37 four times in the content areas in which the student did not meet the
38 state standards if the student is enrolled in a high school completion

1 program at a community or technical college. The superintendent of
2 public instruction and the state board for community and technical
3 colleges shall jointly identify means by which students in these
4 programs can be assessed.

5 (8) Students who achieve the standard in a content area of the high
6 school assessment but who wish to improve their results shall pay for
7 retaking the assessment, using a uniform cost determined by the
8 superintendent of public instruction.

9 (9) Opportunities to retake the assessment at least twice a year
10 shall be available to each school district.

11 (10)(a) The office of the superintendent of public instruction
12 shall develop options for implementing objective alternative
13 assessments, which may include an appeals process for students' scores,
14 for students to demonstrate achievement of the state academic
15 standards. The objective alternative assessments shall be comparable
16 in rigor to the skills and knowledge that the student must demonstrate
17 on the Washington assessment of student learning and be objective in
18 its determination of student achievement of the state standards.
19 Before any objective alternative assessments in addition to those
20 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
21 student to demonstrate that the student has met the state standards in
22 a content area required to obtain a certificate, the legislature shall
23 formally approve the use of any objective alternative assessments
24 through the omnibus appropriations act or by statute or concurrent
25 resolution.

26 (b)(i) A student's score on the mathematics, reading or English, or
27 writing portion of the SAT or the ACT may be used as an objective
28 alternative assessment under this section for demonstrating that a
29 student has met or exceeded the state standards for the certificate of
30 academic achievement. The state board of education shall identify the
31 scores students must achieve on the relevant portion of the SAT or ACT
32 to meet or exceed the state standard in the relevant content area on
33 the Washington assessment of student learning. The state board of
34 education shall identify the first scores by December 1, 2007. After
35 the first scores are established, the state board may increase but not
36 decrease the scores required for students to meet or exceed the state
37 standards.

1 (ii) Until August 31, 2008, a student's score on the mathematics
2 portion of the PSAT may be used as an objective alternative assessment
3 under this section for demonstrating that a student has met or exceeded
4 the state standard for the certificate of academic achievement. The
5 state board of education shall identify the score students must achieve
6 on the mathematics portion of the PSAT to meet or exceed the state
7 standard in that content area on the Washington assessment of student
8 learning.

9 (iii) A student who scores at least a three on the grading scale of
10 one to five for selected AP examinations may use the score as an
11 objective alternative assessment under this section for demonstrating
12 that a student has met or exceeded state standards for the certificate
13 of academic achievement. A score of three on the AP examinations in
14 calculus or statistics may be used as an alternative assessment for the
15 mathematics portion of the Washington assessment of student learning.
16 A score of three on the AP examinations in English language and
17 composition may be used as an alternative assessment for the writing
18 portion of the Washington assessment of student learning. A score of
19 three on the AP examinations in English literature and composition,
20 macroeconomics, microeconomics, psychology, United States history,
21 world history, United States government and politics, or comparative
22 government and politics may be used as an alternative assessment for
23 the reading portion of the Washington assessment of student learning.

24 (11) By December 15, 2004, the house of representatives and senate
25 education committees shall obtain information and conclusions from
26 recognized, independent, national assessment experts regarding the
27 validity and reliability of the high school Washington assessment of
28 student learning for making individual student high school graduation
29 determinations.

30 ~~((12) To help assure continued progress in academic achievement as
31 a foundation for high school graduation and to assure that students are
32 on track for high school graduation, each school district shall prepare
33 plans for and notify students and their parents or legal guardians as
34 provided in this subsection (12).~~

35 ~~(a) Student learning plans are required for eighth through twelfth
36 grade students who were not successful on any or all of the content
37 areas of the Washington assessment for student learning during the
38 previous school year or who may not be on track to graduate due to~~

1 ~~credit deficiencies or absences. The parent or legal guardian shall be~~
2 ~~notified about the information in the student learning plan, preferably~~
3 ~~through a parent conference and at least annually. To the extent~~
4 ~~feasible, schools serving English language learner students and their~~
5 ~~parents shall translate the plan into the primary language of the~~
6 ~~family. The plan shall include the following information as~~
7 ~~applicable:~~

8 ~~(i) The student's results on the Washington assessment of student~~
9 ~~learning;~~

10 ~~(ii) If the student is in the transitional bilingual program, the~~
11 ~~score on his or her Washington language proficiency test II;~~

12 ~~(iii) Any credit deficiencies;~~

13 ~~(iv) The student's attendance rates over the previous two years;~~

14 ~~(v) The student's progress toward meeting state and local~~
15 ~~graduation requirements;~~

16 ~~(vi) The courses, competencies, and other steps needed to be taken~~
17 ~~by the student to meet state academic standards and stay on track for~~
18 ~~graduation;~~

19 ~~(vii) Remediation strategies and alternative education options~~
20 ~~available to students, including informing students of the option to~~
21 ~~continue to receive instructional services after grade twelve or until~~
22 ~~the age of twenty-one;~~

23 ~~(viii) The alternative assessment options available to students~~
24 ~~under this section and RCW 28A.655.065;~~

25 ~~(ix) School district programs, high school courses, and career and~~
26 ~~technical education options available for students to meet graduation~~
27 ~~requirements; and~~

28 ~~(x) Available programs offered through skill centers or community~~
29 ~~and technical colleges, including the college high school diploma~~
30 ~~options under RCW 28B.50.535.~~

31 ~~(b) All fifth grade students who were not successful in one or more~~
32 ~~of the content areas of the fourth grade Washington assessment of~~
33 ~~student learning shall have a student learning plan.~~

34 ~~(i) The parent or guardian of the student shall be notified,~~
35 ~~preferably through a parent conference, of the student's results on the~~
36 ~~Washington assessment of student learning, actions the school intends~~
37 ~~to take to improve the student's skills in any content area in which~~

1 ~~the student was unsuccessful, and provide strategies to help them~~
2 ~~improve their student's skills.~~

3 ~~(ii) Progress made on the student plan shall be reported to the~~
4 ~~student's parents or guardian at least annually and adjustments to the~~
5 ~~plan made as necessary.))~~

6 **Sec. 26.** RCW 39.35D.040 and 2006 c 263 s 331 are each amended to
7 read as follows:

8 (1) All major facility projects of public school districts
9 receiving any funding in a state capital budget must be designed and
10 constructed to at least the LEED silver standard or the Washington
11 sustainable school design protocol. To the extent appropriate LEED
12 silver or Washington sustainable school design protocol standards exist
13 for the type of building or facility, this subsection applies to major
14 facility projects that have not received project approval from the
15 superintendent of public instruction prior to: (a) July 1, 2006, for
16 volunteering school districts; (b) July 1, 2007, for class one school
17 districts; and (c) July 1, 2008, for class two school districts.

18 (2) Public school districts under this section shall: (a) Monitor
19 and document appropriate operating benefits and savings resulting from
20 major facility projects designed and constructed as required under this
21 section for a minimum of five years following local board acceptance of
22 a project receiving state funding; and (b) report annually to the
23 superintendent of public instruction. The form and content of each
24 report must be mutually developed by the office of the superintendent
25 of public instruction in consultation with school districts.

26 (3) The superintendent of public instruction shall consolidate the
27 reports required in subsection (2) of this section into one report and
28 report to the governor and legislature by September 1st of each even-
29 numbered year beginning in 2006 and ending in 2016. In its report, the
30 superintendent of public instruction shall also report on the
31 implementation of this chapter, including reasons why the LEED standard
32 or Washington sustainable school design protocol was not used as
33 required by RCW 39.35D.020(5)(b). The superintendent of public
34 instruction shall make recommendations regarding the ongoing
35 implementation of this chapter, including a discussion of incentives
36 and disincentives related to implementing this chapter.

1 (4) The superintendent of public instruction shall develop and
2 issue guidelines for administering this chapter for public school
3 districts. The purpose of the guidelines is to define a procedure and
4 method for employing and verifying compliance with the LEED silver
5 standard or the Washington sustainable school design protocol.

6 (5) The superintendent of public instruction shall utilize the
7 school facilities advisory board as a high-performance buildings
8 advisory committee comprised of affected public schools, the
9 superintendent of public instruction, the department, and others at the
10 superintendent of public instruction's discretion to provide advice on
11 implementing this chapter. Among other duties, the advisory committee
12 shall make recommendations regarding an education and training process
13 and an ongoing evaluation or feedback process to help the
14 superintendent of public instruction implement this chapter.

15 (6) School districts are required to comply with this section only
16 to the extent federal or state funds are available.

17 NEW SECTION. **Sec. 27.** The following acts or parts of acts are
18 each repealed:

19 (1) RCW 28A.210.130 (Immunization program--Superintendent of public
20 instruction to provide information) and 1990 c 33 s 197 & 1985 c 49 s
21 4;

22 (2) RCW 28A.210.360 (Model policy on access to nutritious foods and
23 developmentally appropriate exercise--School district policies) and
24 2004 c 138 s 2;

25 (3) RCW 28A.210.365 (Food choice, physical activity, childhood
26 fitness--Minimum standards--District waiver or exemption policy) and
27 2007 c 5 s 5;

28 (4) RCW 28A.220.050 (Information on proper use of left-hand lane)
29 and 1986 c 93 s 4;

30 (5) RCW 28A.220.080 (Information on motorcycle awareness) and 2007
31 c 97 s 4 & 2004 c 126 s 1;

32 (6) RCW 28A.220.085 (Information on driving safely among bicyclists
33 and pedestrians) and 2008 c 125 s 4;

34 (7) RCW 28A.230.150 (Temperance and Good Citizenship Day--Aids in
35 programming) and 1969 ex.s. c 223 s 28A.02.090;

36 (8) RCW 28A.300.280 (Conflict resolution program) and 1994 sp.s. c
37 7 s 611; and

1 (9) RCW 28A.320.185 (School gardens or farms) and 2008 c 215 s 7.

2 NEW SECTION. **Sec. 28.** Sections 3, 4, and 14 through 18 of this
3 act expire July 1, 2013.

4 NEW SECTION. **Sec. 29.** This act is necessary for the immediate
5 preservation of the public peace, health, or safety, or support of the
6 state government and its existing public institutions, and takes effect
7 immediately.

--- END ---