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**ENGROSSED SUBSTITUTE HOUSE BILL 2311**

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**State of Washington 65th Legislature 2018 Regular Session**

**By** House Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Tarleton, Slatter, Haler, Reeves, Doglio, Muri, Graves, and Young)

AN ACT Relating to reducing barriers to student participation in extracurricular activities; amending RCW 28A.195.010; adding new sections to chapter 28A.600 RCW; adding a new section to chapter 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and creating a new section.

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

NEW SECTION. **Sec.**  INTENT. (1)(a) According to the Washington interscholastic activities association, interscholastic athletics and activities are a vital part of enriching students' educational experiences and developing students into responsible adults. The legislature finds that research compiled by the association demonstrates that students who participate in extracurricular activities have:

(i) Better grades and higher standardized test scores;

(ii) Increased school attendance; and

(iii) Improved health and wellness.

(b) In addition, the legislature finds that this research shows that participation in extracurricular activities develops lifelong skills and relationship building; has long-term economic benefits; increases the odds of attending and graduating from college; decreases the likelihood of juvenile crimes, drug, alcohol, and cigarette use, and sexual activities; and positively enhances a student's educational experience.

(2) Thus, the legislature intends to reduce barriers to participation in extracurricular activities by:

(a) Capping fees for low-income students who participate in these activities, including career and technical student organizations, and sports and other activities governed by the Washington interscholastic activities association;

(b) Requiring that the process for charging and collecting fees be identical for all students; and

(c) Reducing the frequency of required physical examinations.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.600 RCW to read as follows:

FEE LIMITATIONS.

(1)(a) The maximum fee charged to a public or private high school student eligible to participate in the federal free and reduced-price meals program for an associated student body or other student identification card is five dollars per school year.

(b) The maximum fee charged to a public or private high school student eligible to participate in the federal free and reduced-price meals program to participate in an extracurricular activity is five dollars per extracurricular activity per school year. This subsection (1)(b) applies only to high school students who are enrolled in a school district that is a member of the Washington interscholastic activities association.

(c) The maximum fee charged to a public or private high school student eligible to participate in the federal free and reduced-price meals program to participate in career and technical student organizations is five dollars per organization per year.

(2) The maximum fee limitations described in this section do not apply to admission fees for events, such as competition events, artistic exhibits or performances, or dances or other student gatherings, nor for the purchase of clothing, supplies, gear, or equipment required to participate in extracurricular activities or career and technical student organizations.

(3) The process for charging and collecting fees from public and private high school students eligible to participate in the federal free and reduced-price meals program, as required by subsection (1) of this section, must be identical to the process for charging and collecting fees from other students.

(4) The legislature recommends, but does not require, that the provisions of this section are made applicable to public and private junior and middle schools.

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

COMMUNICATING FEE LIMITS.

School districts must widely, effectively, and frequently communicate the fee limits on the purchase of student identification cards, participation in extracurricular activities, and participation in career and technical student organizations for students eligible to participate in the federal free and reduced-price meals program, described in section 2 of this act. Information about the fee limits must be included on the high school's web site and the school district's web site, registration forms related to school enrollment and participation in extracurricular activities or career and technical student organizations, annual information packets to students and families, and newsletters.

**Sec.**  RCW 28A.195.010 and 2009 c 548 s 303 are each amended to read as follows:

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

(2) Principals of private schools or superintendents of private school districts shall file each year with the state superintendent of public instruction a statement certifying that the minimum requirements hereinafter set forth are being met, noting any deviations. After review of the statement, the state superintendent will notify schools or school districts of those deviations which must be corrected. In case of major deviations, the school or school district may request and the state board of education may grant provisional status for one year in order that the school or school district may take action to meet the requirements. The state board of education shall not require private school students to meet the student learning goals, obtain a certificate of academic achievement, or a certificate of individual achievement to graduate from high school, to master the essential academic learning requirements, or to be assessed pursuant to RCW 28A.655.061. However, private schools may choose, on a voluntary basis, to have their students master these essential academic learning requirements, take the assessments, and obtain a certificate of academic achievement or a certificate of individual achievement. Minimum requirements shall be as follows:

((~~(1)~~)) (a) The minimum school year for instructional purposes shall consist of no less than one hundred eighty school days or the equivalent in annual minimum instructional hour offerings, with a school-wide annual average total instructional hour offering of one thousand hours for students enrolled in grades one through twelve, and at least four hundred fifty hours for students enrolled in kindergarten.

((~~(2)~~)) (b) The school day shall be the same as defined in RCW 28A.150.203.

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

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

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

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

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

((~~(b)~~)) (ii) The planning by the certified person and the parent, guardian, or person having legal custody include objectives consistent with this subsection (2)(d) and ((~~subsections (1), (2), (5), (6), and (7) of this section~~)) (a), (b), (e), (f), and (g) of this subsection;

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

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

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

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

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

((~~(7)~~)) (g) Private school curriculum shall include instruction of the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of appreciation of art and music, all in sufficient units for meeting state board of education graduation requirements.

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

(3) All decisions of policy, philosophy, selection of books, teaching material, curriculum, except as in subsection ((~~(7)~~)) (2)(g) of this section provided, school rules and administration, or other matters not specifically referred to in this section, shall be the responsibility of the administration and administrators of the particular private school involved.

(4) Each school or school district shall comply with the requirements of sections 2 and 3 of this act relating to fee limits on the purchase of student identification cards, participation in extracurricular activities, and participation in career and technical student organizations for students eligible to participate in the federal free and reduced-price meals program.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.300 RCW to read as follows:

PROMOTING LIVELY ACTIVITIES FOR YOUTH (PLAY) GRANT PROGRAM.

(1)(a) The promoting lively activities for youth (PLAY) grant program is created to subsidize small school districts unduly impacted by section 2(1)(a) of this act, which limits the associated student body or other student identification card fee charged to public high school students eligible to participate in the federal free and reduced-price meals program.

(b) The office of financial management must contract with the Washington interscholastic activities association to administer the program.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose and beginning in the 2018-19 school year, the Washington interscholastic activities association must allocate, on a first come basis, up to fifty thousand dollars per school year for the purposes of the PLAY grant program.

(b) The Washington interscholastic activities association may not retain any of the appropriated amounts for administrative purposes.

(3) To qualify for a PLAY grant, a school district must:

(a) Have fewer than two thousand students;

(b) Have fifty percent or more of their high school students eligible to participate in the federal free and reduced-price meals program; and

(c) Be impacted by the maximum student identification card fee limitations described in section 2(1)(a) of this act.

(4) Applications for a PLAY grant must include the number and overall percentage of high school students eligible to participate in the federal free and reduced-price meals program who purchased a student identification card in the prior school year, and an estimate of the number of student identification card fees subject to the maximum described in section 2(1)(a) of this act.

(5) The maximum grant award per school district is two thousand dollars per year.

(6) By November 1, 2019, and in compliance with RCW 43.01.036, and by November 1st annually thereafter, the Washington interscholastic activities association must report to the appropriate policy and fiscal committees of the legislature the following data: The number of applications, a summary of the information submitted with applications as required under subsection (4) of this section, and the number and amount of PLAY grants awarded.

NEW SECTION. **Sec.**  A new section is added to chapter 28A.600 RCW to read as follows:

PHYSICAL EXAMINATION FREQUENCY.

Students may not be required to complete a physical examination to participate in extracurricular activities more often than every twenty-four months, unless recommended by a medical authority licensed to perform a physical examination.

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