

---

**SUBSTITUTE HOUSE BILL 1690**

---

**State of Washington**

**54th Legislature**

**1995 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives McMorris, Brumsickle, L. Thomas, Mulliken, Sherstad, Talcott, McMahan, Thompson, Elliot, Fuhrman, D. Schmidt, Clements and Benton)

Read first time 02/28/95.

1 AN ACT Relating to mandates on school districts; amending RCW  
2 28A.150.220, 28A.150.220, 28A.150.290, 28A.150.290, 28B.10.025,  
3 43.17.205, 43.17.210, 43.19.455, 74.09.5243, 43.09.260, and 70.24.290;  
4 creating a new section; repealing RCW 28A.335.210 and 28A.225.320; and  
5 providing a contingent effective date.

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

7 **Sec. 1.** RCW 28A.150.220 and 1993 c 371 s 1 are each amended to  
8 read as follows:

9 (1) For the purposes of this section and RCW 28A.150.250 and  
10 28A.150.260:

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

1 (b) "Instruction in work skills" shall include instruction in one  
2 or more of the following areas: Industrial arts, home and family life  
3 education, business and office education, distributive education,  
4 agricultural education, health occupations education, vocational  
5 education, trade and industrial education, technical education and  
6 career education.

7 (2) Satisfaction of the basic education goal identified in RCW  
8 28A.150.210 shall be considered to be implemented by the following  
9 program requirements:

10 (a) Each school district shall make available to students in  
11 kindergarten at least a total program offering of four hundred fifty  
12 hours. The program shall include reading, arithmetic, language skills  
13 and such other subjects and such activities as the school district  
14 shall determine to be appropriate for the education of the school  
15 district's students enrolled in such program;

16 (b) Each school district shall make available to students in grades  
17 one through three, at least a total program hour offering of two  
18 thousand seven hundred hours. A minimum of ninety-five percent of the  
19 total program hour offerings shall be in the basic skills areas of  
20 reading/language arts (which may include languages other than English,  
21 including American Indian languages), mathematics, social studies,  
22 science, music, art, health and physical education. The remaining five  
23 percent of the total program hour offerings may include such subjects  
24 and activities as the school district shall determine to be appropriate  
25 for the education of the school district's students in such grades;

26 (c) Each school district shall make available to students in grades  
27 four through six at least a total program hour offering of two thousand  
28 nine hundred seventy hours. A minimum of ninety percent of the total  
29 program hour offerings shall be in the basic skills areas of reading/  
30 language arts (which may include languages other than English,  
31 including American Indian languages), mathematics, social studies,  
32 science, music, art, health and physical education. The remaining ten  
33 percent of the total program hour offerings may include such subjects  
34 and activities as the school district shall determine to be appropriate  
35 for the education of the school district's students in such grades;

36 (d) Each school district shall make available to students in grades  
37 seven through eight, at least a total program hour offering of one  
38 thousand nine hundred eighty hours. A minimum of eighty-five percent  
39 of the total program hour offerings shall be in the basic skills areas

1 of reading/language arts (which may include languages other than  
2 English, including American Indian languages), mathematics, social  
3 studies, science, music, art, health and physical education. A minimum  
4 of ten percent of the total program hour offerings shall be in the area  
5 of work skills. The remaining five percent of the total program hour  
6 offerings may include such subjects and activities as the school  
7 district shall determine to be appropriate for the education of the  
8 school district's students in such grades;

9 (e) Each school district shall make available to students in grades  
10 nine through twelve at least a total program hour offering of four  
11 thousand three hundred twenty hours. A minimum of sixty percent of the  
12 total program hour offerings shall be in the basic skills areas of  
13 language arts, languages other than English, which may be American  
14 Indian languages, mathematics, social studies, science, music, art,  
15 health and physical education. A minimum of twenty percent of the  
16 total program hour offerings shall be in the area of work skills. The  
17 remaining twenty percent of the total program hour offerings may  
18 include traffic safety or such subjects and activities as the school  
19 district shall determine to be appropriate for the education of the  
20 school district's students in such grades, with not less than one-half  
21 thereof in basic skills and/or work skills: PROVIDED, That each school  
22 district shall have the option of including grade nine within the  
23 program hour offering requirements of grades seven and eight so long as  
24 such requirements for grades seven through nine are increased to two  
25 thousand nine hundred seventy hours and such requirements for grades  
26 ten through twelve are decreased to three thousand two hundred forty  
27 hours.

28 (3) In order to provide flexibility to the local school districts  
29 in the setting of their curricula, and in order to maintain the intent  
30 of this legislation, which is to stress the instruction of basic skills  
31 and work skills, any local school district may establish minimum course  
32 mix percentages that deviate by up to five percentage points above or  
33 below those minimums required by subsection (2) of this section, so  
34 long as the total program hour requirement is still met.

35 (4) Nothing contained in subsection (2) of this section shall be  
36 construed to require individual students to attend school for any  
37 particular number of hours per day or to take any particular courses.

38 (5) Each school district's kindergarten through twelfth grade basic  
39 educational program shall be accessible to all students who are five

1 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
2 years of age and shall consist of a minimum of one hundred eighty  
3 school days per school year in such grades as are conducted by a school  
4 district, and one hundred eighty half-days of instruction, or  
5 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a  
6 school district may schedule the last five school days of the one  
7 hundred and eighty day school year for noninstructional purposes in the  
8 case of students who are graduating from high school, including, but  
9 not limited to, the observance of graduation and early release from  
10 school upon the request of a student, and all such students may be  
11 claimed as a full time equivalent student to the extent they could  
12 otherwise have been so claimed for the purposes of RCW 28A.150.250 and  
13 28A.150.260.

14 (6) The state board of education shall adopt rules to implement  
15 (~~and ensure compliance with~~) the program requirements imposed by this  
16 section(~~(7)~~) and RCW 28A.150.250 and 28A.150.260(~~(7) and such related~~  
17 ~~supplemental program approval requirements as the state board may~~  
18 ~~establish~~): PROVIDED, That each school district board of directors  
19 shall establish the basis and means for determining and monitoring the  
20 district's compliance with the (~~basic skills and work skills~~  
21 ~~percentage and course requirements of this section. The certification~~  
22 ~~of the board of directors and the superintendent of a school district~~  
23 ~~that the district is in compliance with such basic skills and work~~  
24 ~~skills requirements may be accepted by the superintendent of public~~  
25 ~~instruction and the state board of education~~) program requirements in  
26 this section and in RCW 28A.150.250 and 28A.150.260.

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

34 (8) Any school district may petition the state board of education  
35 for a reduction in the total program hour offering requirements for one  
36 or more of the grade level groupings specified in this section. The  
37 state board of education shall grant all such petitions that are  
38 accompanied by an assurance that the minimum total program hour  
39 offering requirements in one or more other grade level groupings will

1 be exceeded concurrently by no less than the number of hours of the  
2 reduction.

3 **Sec. 2.** RCW 28A.150.220 and 1993 c 371 s 2 are each amended to  
4 read as follows:

5 (1) Satisfaction of the basic education program requirements  
6 identified in RCW 28A.150.210 shall be considered to be implemented by  
7 the following program:

8 (a) Each school district shall make available to students enrolled  
9 in kindergarten at least a total instructional offering of four hundred  
10 fifty hours. The program shall include instruction in the essential  
11 academic learning requirements under RCW 28A.630.885 and such other  
12 subjects and such activities as the school district shall determine to  
13 be appropriate for the education of the school district's students  
14 enrolled in such program;

15 (b) Each school district shall make available to students enrolled  
16 in grades one through twelve, at least a district-wide annual average  
17 total instructional hour offering of one thousand hours. The state  
18 board of education may define alternatives to classroom instructional  
19 time for students in grades nine through twelve enrolled in alternative  
20 learning experiences. The state board of education shall establish  
21 rules to determine annual average instructional hours for districts  
22 including fewer than twelve grades. The program shall include the  
23 essential academic learning requirements under RCW 28A.630.885 and such  
24 other subjects and such activities as the school district shall  
25 determine to be appropriate for the education of the school district's  
26 students enrolled in such group;

27 (c) If the essential academic learning requirements include a  
28 requirement of languages other than English, the requirement may be met  
29 by students receiving instruction in one or more American Indian  
30 languages.

31 (2) Nothing contained in subsection (1) of this section shall be  
32 construed to require individual students to attend school for any  
33 particular number of hours per day or to take any particular courses.

34 (3) Each school district's kindergarten through twelfth grade basic  
35 educational program shall be accessible to all students who are five  
36 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
37 years of age and shall consist of a minimum of one hundred eighty  
38 school days per school year in such grades as are conducted by a school

1 district, and one hundred eighty half-days of instruction, or  
2 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a  
3 school district may schedule the last five school days of the one  
4 hundred and eighty day school year for noninstructional purposes in the  
5 case of students who are graduating from high school, including, but  
6 not limited to, the observance of graduation and early release from  
7 school upon the request of a student, and all such students may be  
8 claimed as a full time equivalent student to the extent they could  
9 otherwise have been so claimed for the purposes of RCW 28A.150.250 and  
10 28A.150.260.

11 (4) The state board of education shall adopt rules to implement  
12 ~~((and ensure compliance with))~~ the program requirements imposed by this  
13 section~~((,))~~ and RCW 28A.150.250 and 28A.150.260~~((, and such related~~  
14 ~~supplemental program approval requirements as the state board may~~  
15 ~~establish))~~.

16 **Sec. 3.** RCW 28A.150.290 and 1990 c 33 s 111 are each amended to  
17 read as follows:

18 (1) The superintendent of public instruction shall have the power  
19 and duty to make such rules and regulations as are necessary for the  
20 proper administration of this chapter and RCW 28A.160.150 through  
21 ~~((28A.160.220))~~ 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010  
22 not inconsistent with the provisions thereof, and in addition to  
23 require such reports as may be necessary to carry out his or her duties  
24 under this chapter and RCW 28A.160.150 through ~~((28A.160.220))~~  
25 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010. However, the  
26 superintendent shall not request that school districts annually report  
27 information on the sources of revenue for specific state categorical  
28 programs in school districts.

29 (2) The superintendent of public instruction shall have the  
30 authority to make rules and regulations which establish the terms and  
31 conditions for allowing school districts to receive state basic  
32 education moneys as provided in RCW 28A.150.250 when said districts are  
33 unable to fulfill for one or more schools as officially scheduled the  
34 requirement of a full school year of one hundred eighty days or the  
35 total program hour offering, teacher contact hour, or course mix and  
36 percentage requirements imposed by RCW 28A.150.220 and 28A.150.260 due  
37 to one or more of the following conditions:

1 (a) An unforeseen natural event, including, but not necessarily  
2 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or  
3 volcanic eruption that has the direct or indirect effect of rendering  
4 one or more school district facilities unsafe, unhealthy, inaccessible,  
5 or inoperable; and

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

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

29 (3) The superintendent of public instruction shall make every  
30 effort to reduce the amount of paperwork required in administration of  
31 this chapter and RCW 28A.160.150 through ((28A.160.220)) 28A.160.210,  
32 28A.300.035, 28A.300.170, and 28A.500.010; to simplify the application,  
33 monitoring and evaluation processes used; to eliminate all duplicative  
34 requests for information from local school districts; and to make every  
35 effort to integrate and standardize information requests for other  
36 state education acts and federal aid to education acts administered by  
37 the superintendent of public instruction so as to reduce paperwork  
38 requirements and duplicative information requests.

1       **Sec. 4.** RCW 28A.150.290 and 1992 c 141 s 504 are each amended to  
2 read as follows:

3       (1) The superintendent of public instruction shall have the power  
4 and duty to make such rules and regulations as are necessary for the  
5 proper administration of this chapter and RCW 28A.160.150 through  
6 (~~28A.160.220~~) 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010  
7 not inconsistent with the provisions thereof, and in addition to  
8 require such reports as may be necessary to carry out his or her duties  
9 under this chapter and RCW 28A.160.150 through (~~28A.160.220~~)  
10 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010. However, the  
11 superintendent shall not request that school districts annually report  
12 information on the sources of revenue for specific state categorical  
13 programs in school districts.

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

23       (a) An unforeseen natural event, including, but not necessarily  
24 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or  
25 volcanic eruption that has the direct or indirect effect of rendering  
26 one or more school district facilities unsafe, unhealthy, inaccessible,  
27 or inoperable; and

28       (b) An unforeseen mechanical failure or an unforeseen action or  
29 inaction by one or more persons, including negligence and threats, that  
30 (i) is beyond the control of both a school district board of directors  
31 and its employees and (ii) has the direct or indirect effect of  
32 rendering one or more school district facilities unsafe, unhealthy,  
33 inaccessible, or inoperable. Such actions, inactions or mechanical  
34 failures may include, but are not necessarily limited to, arson,  
35 vandalism, riots, insurrections, bomb threats, bombings, delays in the  
36 scheduled completion of construction projects, and the discontinuance  
37 or disruption of utilities such as heating, lighting and water:  
38 PROVIDED, That an unforeseen action or inaction shall not include any



1 labor dispute between a school district board of directors and any  
2 employee of the school district.

3 A condition is foreseeable for the purposes of this subsection to  
4 the extent a reasonably prudent person would have anticipated prior to  
5 August first of the preceding school year that the condition probably  
6 would occur during the ensuing school year because of the occurrence of  
7 an event or a circumstance which existed during such preceding school  
8 year or a prior school year. A board of directors of a school district  
9 is deemed for the purposes of this subsection to have knowledge of  
10 events and circumstances which are a matter of common knowledge within  
11 the school district and of those events and circumstances which can be  
12 discovered upon prudent inquiry or inspection.

13 (3) The superintendent of public instruction shall make every  
14 effort to reduce the amount of paperwork required in administration of  
15 this chapter and RCW 28A.160.150 through ((28A.160.220)) 28A.160.210,  
16 28A.300.035, 28A.300.170, and 28A.500.010; to simplify the application,  
17 monitoring and evaluation processes used; to eliminate all duplicative  
18 requests for information from local school districts; and to make every  
19 effort to integrate and standardize information requests for other  
20 state education acts and federal aid to education acts administered by  
21 the superintendent of public instruction so as to reduce paperwork  
22 requirements and duplicative information requests.

23 NEW SECTION. **Sec. 5.** The office of the superintendent of public  
24 instruction shall report to the legislature before December 1, 1995, on  
25 specific actions it has taken in calendar year 1995 to meet paperwork  
26 reduction and other requirements in RCW 28A.150.290(3).

27 NEW SECTION. **Sec. 6.** RCW 28A.335.210 and 1983 c 204 s 7, 1982 c  
28 191 s 2, & 1974 ex.s. c 176 s 5 are each repealed.

29 **Sec. 7.** RCW 28B.10.025 and 1990 c 33 s 557 are each amended to  
30 read as follows:

31 The Washington state arts commission shall, in consultation with  
32 the boards of regents of the University of Washington and Washington  
33 State University and with the boards of trustees of the regional  
34 universities, The Evergreen State College, and the community college  
35 districts, determine the amount to be made available for the purchases  
36 of art under RCW 28B.10.027, and payment therefor shall be made in

1 accordance with law. The designation of projects and sites, the  
2 selection, contracting, purchase, commissioning, reviewing of design,  
3 execution and placement, acceptance, maintenance, and sale, exchange,  
4 or disposition of works of art shall be the responsibility of the  
5 Washington state arts commission in consultation with the board of  
6 regents or trustees. However, the costs to carry out the Washington  
7 state arts commission's responsibility for maintenance shall not be  
8 funded from the moneys referred to under this section, RCW 43.17.200,  
9 or 43.19.455, (~~(or 28A.335.210)~~) but shall be contingent upon adequate  
10 appropriations being made for that purpose.

11 **Sec. 8.** RCW 43.17.205 and 1990 c 33 s 574 are each amended to read  
12 as follows:

13 The funds allocated under RCW 43.17.200(~~(, 28A.335.210)~~) and  
14 28B.10.025 shall be subject to interagency reimbursement for  
15 expenditure by the visual arts program of the Washington state arts  
16 commission when the particular law providing for the appropriation  
17 becomes effective. For appropriations which are dependent upon the  
18 sale of bonds, the amount or proportionate amount of the moneys under  
19 RCW 43.17.200(~~(, 28A.335.210)~~) and 28B.10.025 shall be subject to  
20 interagency reimbursement for expenditure by the visual arts program of  
21 the Washington state arts commission thirty days after the sale of a  
22 bond or bonds.

23 **Sec. 9.** RCW 43.17.210 and 1990 c 33 s 575 are each amended to read  
24 as follows:

25 The Washington state arts commission shall determine the amount to  
26 be made available for the purchase of art in consultation with the  
27 agency, except where another person or agency is specified under RCW  
28 43.19.455(~~(, 28A.335.210)~~) or 28B.10.025, and payments therefor shall  
29 be made in accordance with law. The designation of projects and sites,  
30 selection, contracting, purchase, commissioning, reviewing of design,  
31 execution and placement, acceptance, maintenance, and sale, exchange,  
32 or disposition of works of art shall be the responsibility of the  
33 Washington state arts commission in consultation with the directors of  
34 the state agencies. However, the costs to carry out the Washington  
35 state arts commission's responsibility for maintenance shall not be  
36 funded from the moneys referred to in RCW 43.17.200, 43.19.455,

1 ((28A.335.210,)) or 28B.10.025, but shall be contingent upon adequate  
2 appropriations being made for that purpose.

3 **Sec. 10.** RCW 43.19.455 and 1990 c 33 s 576 are each amended to  
4 read as follows:

5 Except as provided under RCW 43.17.210, the Washington state arts  
6 commission shall determine the amount to be made available for the  
7 purchase of art under RCW 43.17.200 in consultation with the director  
8 of general administration, and payments therefor shall be made in  
9 accordance with law. The designation of projects and sites, selection,  
10 contracting, purchase, commissioning, reviewing of design, execution  
11 and placement, acceptance, maintenance, and sale, exchange, or  
12 disposition of works of art shall be the responsibility of the  
13 Washington state arts commission in consultation with the director of  
14 general administration. However, the costs to carry out the Washington  
15 state arts commission's responsibility for maintenance shall not be  
16 funded from the moneys referred to under this section, RCW 43.17.200,  
17 ((28A.335.210,)) or 28B.10.025, but shall be contingent upon adequate  
18 appropriations being made for that purpose.

19 **Sec. 11.** RCW 74.09.5243 and 1994 c 180 s 1 are each amended to  
20 read as follows:

21 Unless the context clearly requires otherwise, the following  
22 definitions apply throughout RCW 74.09.5241 through 74.09.5253 and  
23 74.09.5254 through 74.09.5256.

24 (1) "District" means a first class school district as defined in  
25 RCW 28A.315.230, educational service district, or educational  
26 cooperatives offering special education services under chapter 28A.155  
27 RCW.

28 (2) "Medical assistance" and "medicaid" means federal and state-  
29 funded programs under which medical services are provided under Title  
30 XIX of the federal social security act.

31 (3) "Medical services" means district services that qualify for  
32 medicaid funding.

33 **Sec. 12.** RCW 43.09.260 and 1991 sp.s. c 30 s 26 are each amended  
34 to read as follows:

35 The state auditor, the chief examiner, and every state examiner  
36 shall have power by himself or herself or by any person legally

1 appointed to perform the service, to examine into all financial affairs  
2 of every public office and officer.

3 The examination of the financial affairs of all taxing districts  
4 shall be made at such reasonable, periodic intervals as the state  
5 auditor shall determine. However, an examination of the financial  
6 affairs of all taxing districts shall be made at least once in every  
7 three years, and an examination of individual local government health  
8 and welfare benefit plans and local government self-insurance programs  
9 shall be made at least once every two years. Examinations of school  
10 districts shall be made every three years, unless a more frequent audit  
11 is required as a condition of a grant received, or a contract entered  
12 into, by a school district, or the state auditor has evidence that a  
13 more frequent audit of an individual school district is needed. The  
14 term "taxing districts" for purposes of RCW 43.09.190 through 43.09.285  
15 includes but is not limited to all counties, cities, and other  
16 political subdivisions, municipal corporations, and quasi-municipal  
17 corporations, however denominated.

18 The state auditor shall establish a schedule to govern the auditing  
19 of taxing districts which shall include: A designation of the various  
20 classifications of taxing districts; a designation of the frequency for  
21 auditing each type of taxing district; and a description of events  
22 which cause a more frequent audit to be conducted.

23 On every such examination, inquiry shall be made as to the  
24 financial condition and resources of the taxing district; whether the  
25 Constitution and laws of the state, the ordinances and orders of the  
26 taxing district, and the requirements of the division of municipal  
27 corporations have been properly complied with; and into the methods and  
28 accuracy of the accounts and reports.

29 The state auditor, his or her deputies, every state examiner and  
30 every person legally appointed to perform such service, may issue  
31 subpoenas and compulsory process and direct the service thereof by any  
32 constable or sheriff, compel the attendance of witnesses and the  
33 production of books and papers before him or her at any designated time  
34 and place, and may administer oaths.

35 When any person summoned to appear and give testimony neglects or  
36 refuses so to do, or neglects or refuses to answer any question that  
37 may be put to him or her touching any matter under examination, or to  
38 produce any books or papers required, the person making such  
39 examination shall apply to a superior court judge of the proper county

1 to issue a subpoena for the appearance of such person before him or  
2 her; and the judge shall order the issuance of a subpoena for the  
3 appearance of such person forthwith before him to give testimony; and  
4 if any person so summoned fails to appear, or appearing, refuses to  
5 testify, or to produce any books or papers required, he or she shall be  
6 subject to like proceedings and penalties for contempt as witnesses in  
7 the superior court. Willful false swearing in any such examination  
8 shall be perjury and punishable as such.

9 A report of such examination shall be made in triplicate, one copy  
10 to be filed in the office of the state auditor, one in the auditing  
11 department of the taxing district reported upon, and one in the office  
12 of the attorney general. If any such report discloses malfeasance,  
13 misfeasance, or nonfeasance in office on the part of any public officer  
14 or employee, within thirty days from the receipt of his copy of the  
15 report, the attorney general shall institute, in the proper county,  
16 such legal action as is proper in the premises by civil process and  
17 prosecute the same to final determination to carry into effect the  
18 findings of the examination.

19 It shall be unlawful for the county commissioners or any board or  
20 officer to make a settlement or compromise of any claim arising out of  
21 such malfeasance, misfeasance, or nonfeasance, or any action commenced  
22 therefor, or for any court to enter upon any compromise or settlement  
23 of such action, without the written approval and consent of the  
24 attorney general and the state auditor.

25 **Sec. 13.** RCW 70.24.290 and 1988 c 206 s 606 are each amended to  
26 read as follows:

27 The superintendent of public instruction shall (~~adopt rules that~~  
28 ~~require appropriate education and training, to be included as part of~~  
29 ~~their present continuing education requirements,)~~ make available to  
30 school districts information and training material developed for public  
31 school employees on the prevention, transmission, and treatment of  
32 AIDS. Neither the superintendent nor the department of health may  
33 require that school employees receive training in AIDS. The  
34 superintendent of public instruction shall work with the office on AIDS  
35 under RCW 70.24.250 to develop the educational and training material  
36 necessary for school employees.

1        NEW SECTION.    **Sec. 14.**    RCW 28A.225.320 and 1990 1st ex.s. c 9 s  
2    210 are each repealed.

3        NEW SECTION.    **Sec. 15.**    Sections 2 and 4 of this act shall take  
4    effect September 1, 2000.  However, sections 2 and 4 of this act shall  
5    not take effect if, by September 1, 2000, a law is enacted stating that  
6    a school accountability and academic assessment system is not in place.

--- END ---