
HOUSE BILL 1816

State of Washington 54th Legislature 1995 Regular Session

By Representatives Brumsickle, Radcliff, Elliot, Dickerson and Johnson

Read first time 02/09/95. Referred to Committee on Education.

1 AN ACT Relating to student records for students transferring
2 between private and public schools; and amending RCW 28A.195.010 and
3 28A.225.330.

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

5 **Sec. 1.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended to
6 read as follows:

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

14 Principals of private schools or superintendents of private school
15 districts shall file each year with the state superintendent of public
16 instruction a statement certifying that the minimum requirements
17 hereinafter set forth are being met, noting any deviations. After
18 review of the statement, the state superintendent will notify schools
19 or school districts of those deviations which must be corrected. In

1 case of major deviations, the school or school district may request and
2 the state board of education may grant provisional status for one year
3 in order that the school or school district may take action to meet the
4 requirements. Minimum requirements shall be as follows:

5 (1) The minimum school year for instructional purposes shall
6 consist of no less than one hundred eighty school days or the
7 equivalent in annual minimum program hour offerings as prescribed in
8 RCW 28A.150.220.

9 (2) The school day shall be the same as that required in RCW
10 28A.150.030 and 28A.150.220, except that the percentages of total
11 program hour offerings as prescribed in RCW 28A.150.220 for basic
12 skills, work skills, and optional subjects and activities shall not
13 apply to private schools or private sectarian schools.

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

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

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

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

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

31 (b) The planning by the certified person and the parent, guardian,
32 or person having legal custody include objectives consistent with this
33 subsection and subsections (1), (2), (5), (6), and (7) of this section;

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

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

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

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

5 (6) The physical facilities of the school or district shall be
6 adequate to meet the program offered by the school or district:
7 PROVIDED, That each school building shall meet reasonable health and
8 fire safety requirements. However, the state board shall not require
9 private school students to meet the student learning goals, obtain a
10 certificate of mastery to graduate from high school, to master the
11 essential academic learning requirements, or to be assessed pursuant to
12 RCW 28A.630.885. However, private schools may choose, on a voluntary
13 basis, to have their students master these essential academic learning
14 requirements, take these assessments, and obtain certificates of
15 mastery. A residential dwelling of the parent, guardian, or custodian
16 shall be deemed to be an adequate physical facility when a parent,
17 guardian, or person having legal custody is instructing his or her
18 child under subsection (4) of this section.

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

24 (8) Each school or school district shall be required to maintain
25 up-to-date policy statements related to the administration and
26 operation of the school or school district. Policies shall include but
27 not be limited to, requiring transmission of a student's academic
28 performance, special placement, and records of disciplinary action
29 within two school days after receiving a request when the student
30 transfers from the school. The school shall subsequently send the
31 records as soon as possible.

32 All decisions of policy, philosophy, selection of books, teaching
33 material, curriculum, except as in subsection (7) above provided,
34 school rules and administration, or other matters not specifically
35 referred to in this section, shall be the responsibility of the
36 administration and administrators of the particular private school
37 involved.

1 **Sec. 2.** RCW 28A.225.330 and 1994 c 304 s 2 are each amended to
2 read as follows:

3 (1) When enrolling a student who has attended school in another
4 school district, the school enrolling the student may request the
5 parent and the student to briefly indicate in writing whether or not
6 the student has:

7 (a) Any history of placement in special educational programs;

8 (b) Any past, current, or pending disciplinary action;

9 (c) Any history of violent behavior;

10 (d) Any unpaid fines or fees imposed by other schools; and

11 (e) Any health conditions affecting the student's educational
12 needs.

13 (2) The school enrolling the student shall request the school the
14 student previously attended to send the student's permanent record
15 including records of disciplinary action. If the student has not paid
16 a fine or fee under RCW 28A.635.060, the school may withhold the
17 student's official transcript, but shall transmit information about the
18 student's academic performance, special placement, and records of
19 disciplinary action. If the official transcript is not sent due to
20 unpaid fees or fines, the enrolling school shall notify both the
21 student and parent or guardian that the official transcript will not be
22 sent until the obligation is met, and failure to have an official
23 transcript may result in exclusion from extracurricular activities or
24 failure to graduate.

25 (3) If information is requested under subsection (2) of this
26 section, the information shall be transmitted within two school days
27 after receiving the request and the records shall be sent as soon as
28 possible.

29 (4) If a student transfers from a public school to a private school
30 that has been approved by the state board of education, the private
31 school enrolling the student may request the public school the student
32 previously attended to send the student's permanent record including
33 records of disciplinary action. If the student has not paid a fine or
34 fee under RCW 28A.635.060, the public school may withhold the student's
35 official transcript, but shall transmit information about the student's
36 academic performance, special placement, and records of disciplinary
37 action. The public school shall transmit the information within two

1 school days after receiving the request and shall send the records as
2 soon as possible.

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