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HOUSE BILL 2736

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Radcliff, B. Thomas, Cole, Elliot, Linville, Hatfield, Poulsen, Veloria, Blanton, Conway, Regala, Scheuerman and Costa

Read first time 01/17/96. Referred to Committee on Education.

1 AN ACT Relating to recommendations of the joint select committee on  
2 education restructuring; amending RCW 28A.320.080, 28A.320.205,  
3 28A.330.010, 28A.330.060, and 28A.330.080; reenacting and amending RCW  
4 28A.330.100; and repealing RCW 28A.320.040, 28A.320.240, 28A.320.400,  
5 28A.320.420, 28A.320.430, 28A.320.440, 28A.330.020, 28A.330.030,  
6 28A.330.040, 28A.330.050, 28A.330.090, 28A.330.200, 28A.330.210,  
7 28A.330.220, 28A.330.230, and 28A.330.240.

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

9 **Sec. 1.** RCW 28A.320.080 and 1995 c 77 s 21 are each amended to  
10 read as follows:

11 Every board of directors, unless otherwise specifically provided by  
12 law, shall:

13 (1) ~~((Provide for the expenditure of a reasonable amount for~~  
14 ~~suitable commencement exercises;~~

15 (2) ~~In addition to providing free instruction in lip reading for~~  
16 ~~children disabled by defective hearing, make arrangements for free~~  
17 ~~instruction in lip reading to adults disabled by defective hearing~~  
18 ~~whenever in its judgment such instruction appears to be in the best~~  
19 ~~interests of the school district and adults concerned;~~

1       (3)) Join with boards of directors of other school districts or an  
2 educational service district pursuant to RCW 28A.310.180(3), or both  
3 such school districts and educational service district in buying  
4 supplies, equipment and services by establishing and maintaining a  
5 joint purchasing agency, or otherwise, when deemed for the best  
6 interests of the district, any joint agency formed hereunder being  
7 herewith authorized and empowered to issue interest bearing warrants in  
8 payment of any obligation owed: PROVIDED, HOWEVER, That those agencies  
9 issuing interest bearing warrants shall assign accounts receivable in  
10 an amount equal to the amount of the outstanding interest bearing  
11 warrants to the county treasurer issuing such interest bearing  
12 warrants: PROVIDED FURTHER, That the joint purchasing agency shall  
13 consider the request of any one or more private schools requesting the  
14 agency to jointly buy supplies, equipment, and services including but  
15 not limited to school bus maintenance services, and, after considering  
16 such request, may cooperate with and jointly make purchases with  
17 private schools of supplies, equipment, and services, including but not  
18 limited to school bus maintenance services, so long as such private  
19 schools pay in advance their proportionate share of the costs or  
20 provide a surety bond to cover their proportionate share of the costs  
21 involved in such purchases; and

22       ((4)) (2) Consider the request of any one or more private schools  
23 requesting the board to jointly buy supplies, equipment and services  
24 including but not limited to school bus maintenance services, and,  
25 after considering such request, may provide such joint purchasing  
26 services: PROVIDED, That such private schools pay in advance their  
27 proportionate share of the costs or provide a surety bond to cover  
28 their proportionate share of the costs involved in such purchases(~~+~~  
29 and

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

31       **Sec. 2.** RCW 28A.320.205 and 1993 c 336 s 1006 are each amended to  
32 read as follows:

33       (1) Beginning with the 1994-95 school year, to provide the local  
34 community and electorate with access to information on the educational  
35 programs in the schools in the district, each school shall publish  
36 annually a school performance report and deliver the report to each  
37 parent with children enrolled in the school and make the report  
38 available to the community served by the school. The annual

1 performance report shall be in a form that can be easily understood and  
2 be used by parents, guardians, and other members of the community who  
3 are not professional educators to make informed educational decisions.  
4 As data from the assessments in RCW 28A.630.885 becomes available, the  
5 annual performance report should enable parents, educators, and school  
6 board members to determine whether students in the district's schools  
7 are attaining mastery of the student learning goals under RCW  
8 28A.150.210, and other important facts about the schools' performance  
9 in assisting students to learn. The annual report shall make  
10 comparisons to a school's performance in preceding years and shall  
11 project goals in performance categories.

12 (2) The annual performance report shall include, but not be limited  
13 to: A brief statement of the mission of the school and the school  
14 district; enrollment statistics including student demographics;  
15 expenditures per pupil for the school year; a summary of student scores  
16 on all mandated tests; a concise annual budget report; student  
17 attendance, graduation, and dropout rates; information regarding the  
18 use and condition of the school building or buildings; a brief  
19 description of the restructuring plan for the school; and an invitation  
20 to all parents and citizens to participate in school activities.

21 ~~((3) The superintendent of public instruction shall develop by  
22 June 30, 1994, a model report form, which shall also be adapted for  
23 computers, that schools may use to meet the requirements of subsections  
24 (1) and (2) of this section.))~~

25 **Sec. 3.** RCW 28A.330.010 and 1990 c 33 s 341 are each amended to  
26 read as follows:

27 At the first meeting of the members of the board ~~((they))~~ of any  
28 school district, it shall elect a president and vice president from  
29 among ~~((their))~~ its number who shall serve for a term of one year or  
30 until their successors are elected. In the event of the temporary  
31 absence or disability of both the president and vice president, the  
32 board of directors may elect a president pro tempore who shall  
33 discharge all the duties of president during such temporary absence or  
34 disability.

35 The superintendent of such school district shall act as secretary  
36 to the board in accordance with the provisions of RCW 28A.400.030.

1       **Sec. 4.** RCW 28A.330.060 and 1990 c 33 s 345 are each amended to  
2 read as follows:

3       Before entering upon the discharge of the superintendent's duties,  
4 the superintendent as secretary of the board shall give bond in such  
5 sum as the board of directors may fix from time to time, but for not  
6 less than five thousand dollars, with good and sufficient sureties, and  
7 shall take and subscribe an oath or affirmation, before a proper  
8 officer that he or she will support the Constitution of the United  
9 States and of the state of Washington and faithfully perform the duties  
10 of the office(~~(, a copy of which oath or affirmation shall be filed~~  
11 ~~with the educational service district superintendent)~~).

12       **Sec. 5.** RCW 28A.330.080 and 1990 c 33 s 346 are each amended to  
13 read as follows:

14       Moneys of (~~(such)~~) any school districts shall be paid out only upon  
15 orders for warrants signed by the president, or a majority of the board  
16 of directors and countersigned by the secretary: PROVIDED, That when,  
17 in the judgment of the board of directors, the orders for warrants  
18 issued by the district monthly shall have reached such numbers that the  
19 signing of each warrant by the president personally imposes too great  
20 a task on the president, the board of directors, after auditing all  
21 payrolls and bills as provided by RCW 28A.330.090, may authorize the  
22 issuing of one general certificate to the county treasurer, to be  
23 signed by the president, authorizing said treasurer to pay all the  
24 warrants specified by date, number, name and amount, and the funds on  
25 which said warrants shall be drawn; thereupon the secretary of said  
26 board shall be authorized to draw and sign said orders for warrants.

27       **Sec. 6.** RCW 28A.330.100 and 1995 c 335 s 503 and 1995 c 77 s 22  
28 are each reenacted and amended to read as follows:

29       Every board of directors of a school district of the first class,  
30 in addition to the general powers for directors enumerated in this  
31 title(~~(, shall have the power:~~

32       ~~(1) To employ for a term of not exceeding three years a~~  
33 ~~superintendent of schools of the district, and for cause to dismiss him~~  
34 ~~or her; and to fix his or her duties and compensation.~~

35       ~~(2) To employ, and for cause dismiss one or more assistant~~  
36 ~~superintendents and to define their duties and fix their compensation.~~

1       ~~(3) To employ a business manager, attorneys, architects, inspectors~~  
2 ~~of construction, superintendents of buildings and a superintendent of~~  
3 ~~supplies, all of whom shall serve at the board's pleasure, and to~~  
4 ~~prescribe their duties and fix their compensation.~~

5       ~~(4) To employ, and for cause dismiss, supervisors of instruction~~  
6 ~~and to define their duties and fix their compensation.~~

7       ~~(5) To prescribe a course of study and a program of exercises which~~  
8 ~~shall be consistent with the course of study prepared by the state~~  
9 ~~board of education for the use of the common schools of this state.~~

10       ~~(6) To, in addition to the minimum requirements imposed by this~~  
11 ~~title establish and maintain such grades and departments, including~~  
12 ~~night, high, kindergarten, vocational training and, except as otherwise~~  
13 ~~provided by law, industrial schools, and schools and departments for~~  
14 ~~the education and training of any class or classes of youth with~~  
15 ~~disabilities, as in the judgment of the board, best shall promote the~~  
16 ~~interests of education in the district.~~

17       ~~(7) To~~) may determine the length of time over and above one  
18 hundred eighty days that school shall be maintained: PROVIDED, That  
19 for purposes of apportionment no district shall be credited with more  
20 than one hundred and eighty-three days' attendance in any school year;  
21 and to fix the time for annual opening and closing of schools and for  
22 the daily dismissal of pupils before the regular time for closing  
23 schools.

24       ~~((8) To maintain a shop and repair department, and to employ, and~~  
25 ~~for cause dismiss, a foreman and the necessary help for the maintenance~~  
26 ~~and conduct thereof.~~

27       ~~(9) To provide free textbooks and supplies for all children~~  
28 ~~attending school.~~

29       ~~(10) To require of the officers or employees of the district to~~  
30 ~~give a bond for the honest performance of their duties in such penal~~  
31 ~~sum as may be fixed by the board with good and sufficient surety, and~~  
32 ~~to cause the premium for all bonds required of all such officers or~~  
33 ~~employees to be paid by the district: PROVIDED, That the board may, by~~  
34 ~~written policy, allow that such bonds may include a deductible proviso~~  
35 ~~not to exceed two percent of the officer's or employee's annual salary.~~

36       ~~(11) To prohibit all secret fraternities and sororities among the~~  
37 ~~students in any of the schools of the said districts.~~

38       ~~(12) To appoint a practicing physician, resident of the school~~  
39 ~~district, who shall be known as the school district medical inspector,~~

1 ~~and whose duty it shall be to decide for the board of directors all~~  
2 ~~questions of sanitation and health affecting the safety and welfare of~~  
3 ~~the public schools of the district who shall serve at the board's~~  
4 ~~pleasure: PROVIDED, That children shall not be required to submit to~~  
5 ~~vaccination against the will of their parents or guardian.))~~

6 NEW SECTION. **Sec. 7.** The following acts or parts of acts are each  
7 repealed:

8 (1) RCW 28A.320.040 and 1969 ex.s. c 223 s 28A.58.110;

9 (2) RCW 28A.320.240 and 1969 ex.s. c 223 s 28A.58.104;

10 (3) RCW 28A.320.400 and 1969 ex.s. c 223 s 28A.58.520;

11 (4) RCW 28A.320.420 and 1982 c 158 s 4 & 1969 ex.s. c 223 s  
12 28A.58.370;

13 (5) RCW 28A.320.430 and 1990 c 33 s 338 & 1969 ex.s. c 223 s  
14 28A.58.380;

15 (6) RCW 28A.320.440 and 1969 ex.s. c 223 s 28A.58.390;

16 (7) RCW 28A.330.020 and 1990 c 33 s 342 & 1969 ex.s. c 223 s  
17 28A.59.040;

18 (8) RCW 28A.330.030 and 1969 ex.s. c 223 s 28A.59.050;

19 (9) RCW 28A.330.040 and 1990 c 33 s 343 & 1969 ex.s. c 223 s  
20 28A.59.060;

21 (10) RCW 28A.330.050 and 1990 c 33 s 344 & 1969 ex.s. c 223 s  
22 28A.59.070;

23 (11) RCW 28A.330.090 and 1990 c 33 s 347, 1983 c 56 s 9, 1975 1st  
24 ex.s. c 275 s 118, 1971 c 48 s 34, & 1969 ex.s. c 223 s 28A.59.150;

25 (12) RCW 28A.330.200 and 1990 c 33 s 349, 1988 c 187 s 2, 1975 c 43  
26 s 14, & 1969 ex.s. c 223 s 28A.60.010;

27 (13) RCW 28A.330.210 and 1990 c 33 s 350 & 1975-'76 2nd ex.s. c 15  
28 s 11;

29 (14) RCW 28A.330.220 and 1990 c 33 s 351, 1975 c 43 s 19, & 1971 c  
30 8 s 5;

31 (15) RCW 28A.330.230 and 1990 c 33 s 352, 1983 c 56 s 10, 1975 c 43  
32 s 21, & 1973 c 111 s 1; and

33 (16) RCW 28A.330.240 and 1989 c 263 s 2.

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