
ENGROSSED SUBSTITUTE SENATE BILL 5169

State of Washington

54th Legislature

1995 Regular Session

By Senate Committee on Education (originally sponsored by Senators McAuliffe, Cantu, Pelz, Hochstatter, Drew, A. Anderson, Rasmussen and Kohl; by request of Joint Select Committee on Education Restructuring)

Read first time 1/26/95.

1 AN ACT Relating to the recommendations of the joint select
2 committee on education restructuring; amending RCW 28A.150.360,
3 28A.150.370, 28A.150.380, 28A.215.010, 28A.215.040, 28A.625.010,
4 28A.625.050, 28A.630.868, 28A.630.870, 28A.630.874, 28A.630.880,
5 28A.205.050, 28A.630.400, 28A.170.075, 28A.170.090, 28A.610.010,
6 28A.610.020, 28A.610.030, 28A.215.020, 28A.215.030, 28A.215.050,
7 28A.405.120, 28A.415.105, 28B.90.005, 28A.215.170, 28A.320.200,
8 28A.330.100, 28A.400.306, 28A.630.885, 28A.630.952, 28A.650.015,
9 28A.180.080, 28A.225.220, 28A.225.250, 28A.335.160, and 28A.405.460;
10 reenacting and amending RCW 28A.315.680; adding new sections to chapter
11 28A.410 RCW; adding a new chapter to Title 28B RCW; creating new
12 sections; recodifying RCW 28A.405.010, 28A.405.025, 28A.610.010,
13 28A.610.020, 28A.610.030, 28A.610.040, and 28A.610.050; repealing RCW
14 28A.310.380, 28A.170.010, 28A.170.020, 28A.170.030, 28A.170.040,
15 28A.170.060, 28A.170.070, 28A.175.060, 28A.210.050, 28A.225.190,
16 28A.405.150, 28A.405.160, 28A.415.290, 28A.630.090, 28A.630.091,
17 28A.630.750, 28A.630.753, 28A.630.756, 28A.630.759, 28A.630.762,
18 28A.630.765, 28A.630.768, 28A.630.771, 28A.630.774, 28A.630.777,
19 28A.630.780, 28A.630.783, 28A.630.786, 28A.630.789, 28A.630.800,
20 28A.175.070, 28A.210.005, 28A.215.300, 28A.215.310, 28A.215.320,
21 28A.215.330, 28A.234.010, 28A.175.020, 28A.175.030, 28A.175.040,

1 28A.175.050, 28A.240.010, 28A.240.020, 28A.240.030, 28A.300.110,
2 28A.300.180, 28A.300.200, 28A.415.110, 28A.415.115, 28A.415.220,
3 28A.600.425, 28A.600.430, 28A.600.435, 28A.600.440, 28A.600.445,
4 28A.600.450, 28A.615.060, 28A.625.300, 28A.630.070, 28A.630.075,
5 28A.630.300, 28A.630.320, 28A.630.330, 28A.630.390, 28A.415.120,
6 28A.205.060, 28A.225.180, 28A.225.320, 28A.300.210, 28A.335.310,
7 28A.340.050, 28A.170.100, 28A.175.080, 28A.180.050, 28A.180.070,
8 28A.415.050, and 28A.400.150; and providing expiration dates.

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

10

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PART I - OBSOLETE REFERENCES

20 **Sec. 101.** RCW 28A.150.360 and 1990 c 33 s 113 are each amended to
21 read as follows:

22 In the event of an unforeseen emergency, in the nature of either an
23 unavoidable cost to a district or unexpected variation in anticipated
24 revenues to a district, the state superintendent is authorized, for not
25 to exceed two years, to make such an adjustment in the allocation of
26 funds as is consistent with the intent of ((RCW 28A.150.100 through
27 28A.150.430)) this chapter, RCW 28A.160.150 through ((28A.160.220))
28 28A.160.210, 28A.300.170, and 28A.500.010 in providing an equal
29 educational opportunity for the children of such district or districts.

1 **Sec. 102.** RCW 28A.150.370 and 1990 c 33 s 114 are each amended to
2 read as follows:

3 In addition to those state funds provided to school districts for
4 basic education, the legislature shall appropriate funds for pupil
5 transportation, in accordance with ((RCW—28A.150.100—through
6 28A.150.430)) this chapter, RCW 28A.160.150 through ((28A.160.220))
7 28A.160.210, 28A.300.170, and 28A.500.010, and for programs for
8 handicapped students, in accordance with RCW 28A.155.010 through
9 28A.155.100. The legislature may appropriate funds to be distributed
10 to school districts for population factors such as urban costs,
11 enrollment fluctuations and for special programs, including but not
12 limited to, vocational-technical institutes, compensatory programs,
13 bilingual education, urban, rural, racial and disadvantaged programs,
14 programs for gifted students, and other special programs.

15 **Sec. 103.** RCW 28A.150.380 and 1990 c 33 s 115 are each amended to
16 read as follows:

17 The state legislature shall, at each regular session in an odd-
18 numbered year, appropriate from the state general fund for the current
19 use of the common schools such amounts as needed for state support to
20 the common schools during the ensuing biennium as provided in ((RCW
21 28A.150.100 through 28A.150.430)) this chapter, RCW 28A.160.150 through
22 ((28A.160.220)) 28A.160.210, 28A.300.170, and 28A.500.010.

23 **Sec. 104.** RCW 28A.215.010 and 1969 ex.s. c 223 s 28A.34.010 are
24 each amended to read as follows:

25 The board of directors of any school district shall have the power
26 to establish and maintain ((nursery schools)) preschools and to provide
27 before-and-after-school and vacation care in connection with the common
28 schools of said district located at such points as the board shall deem
29 most suitable for the convenience of the public, for the care and
30 instruction of infants and children residing in said district. The
31 board shall establish such courses, activities, rules, and regulations
32 governing ((nursery schools)) preschools and before-and-after-school
33 care as it may deem best: PROVIDED, That these courses and activities
34 shall meet the minimum standard for such ((nursery schools)) preschools
35 as established by the United States Department of Health, Education and
36 Welfare, or its successor agency, and the state board of education.
37 Except as otherwise provided by state or federal law, the board of

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

6 **Sec. 105.** RCW 28A.215.040 and 1973 1st ex.s. c 154 s 45 are each
7 amended to read as follows:

8 Every board of directors shall have power to establish, equip and
9 maintain ((nursery schools)) preschools and/or provide before-and-
10 after-school care for children of working parents, in cooperation with
11 the federal government or any of its agencies, when in their judgment
12 the best interests of their district will be subserved thereby.

13 **Sec. 106.** RCW 28A.315.680 and 1991 c 363 s 29 and 1991 c 288 ss 7
14 and 8 are each reenacted and amended to read as follows:

15 The school boards of any school district of the first class having
16 within its boundaries a city with a population of four hundred thousand
17 people or more shall establish the director district boundaries.
18 Appointment of a board member to fill any vacancy existing for a new
19 director district prior to the next regular school election shall be by
20 the school board. Prior to the next regular election in the school
21 district and the filing of declarations of candidacy therefor, the
22 incumbent school board shall designate said director districts by
23 number. Directors appointed to fill vacancies as above provided shall
24 be subject to election, one for a six-year term, and one for a two-year
25 term and thereafter the term of their respective successors shall be
26 for four years. The term of office of incumbent members of the board
27 of such district shall not be affected by RCW 28A.315.450, 28A.315.460,
28 28A.315.570, 28A.315.670, and 28A.315.680((, and 29.21.180)).

29 **Sec. 107.** RCW 28A.625.010 and 1990 c 33 s 513 are each amended to
30 read as follows:

31 RCW 28A.625.020 through ((28A.625.070 and 28B.15.547)) 28A.625.065
32 may be known and cited as the Washington award for excellence in
33 education program act.

34 **Sec. 108.** RCW 28A.625.050 and 1991 c 255 s 8 are each amended to
35 read as follows:

1 The superintendent of public instruction shall adopt rules under
2 chapter 34.05 RCW to carry out the purposes of RCW 28A.625.010 through
3 (~~28A.625.070~~) 28A.625.065. These rules shall include establishing
4 the selection criteria for the Washington award for excellence in
5 education program. The superintendent is encouraged to consult with
6 teachers, educational staff associates, principals, administrators,
7 classified employees, superintendents, and school board members in
8 developing the selection criteria. Notwithstanding the provisions of
9 RCW 28A.625.020 (1) and (2), such rules may allow for the selection of
10 individuals whose teaching or administrative duties, or both, may
11 encompass multiple grade level or building assignments, or both.

12 **Sec. 109.** RCW 28A.630.868 and 1993 c 335 s 5 are each amended to
13 read as follows:

14 (1) The superintendent of public instruction shall administer RCW
15 (~~28A.630.860~~) 28A.630.861 through 28A.630.880.

16 (2) The school-to-work transitions projects may be conducted for up
17 to six years, if funds are provided.

18 **Sec. 110.** RCW 28A.630.870 and 1993 c 335 s 6 are each amended to
19 read as follows:

20 (1) The superintendent of public instruction may accept, receive,
21 and administer for the purposes of RCW (~~28A.630.860~~) 28A.630.861
22 through 28A.630.880 such gifts, grants, and contributions as may be
23 provided from public and private sources for the purposes of RCW
24 (~~28A.630.860~~) 28A.630.861 through 28A.630.880.

25 (2) The school-to-work transitions program account is hereby
26 established in the custody of the state treasurer. The superintendent
27 of public instruction shall deposit in the account all moneys received
28 under this section. Moneys in the account may be spent only for the
29 purposes of (~~28A.630.860~~) RCW 28A.630.861 through 28A.630.880.
30 Disbursements from this account shall be on the authorization of the
31 superintendent of public instruction or the superintendent's designee.
32 The account is subject to the allotment procedure provided under
33 chapter 43.88 RCW, but no appropriation is required for disbursements.

34 **Sec. 111.** RCW 28A.630.874 and 1993 c 335 s 7 are each amended to
35 read as follows:

1 (1) The superintendent of public instruction, in coordination with
2 the state board of education, the state board for community and
3 technical colleges, the work force training and education coordinating
4 board, and the higher education coordinating board, shall provide
5 technical assistance to selected schools and shall develop a process
6 that coordinates and facilitates linkages among participating school
7 districts, secondary schools, junior high schools, middle schools,
8 technical colleges, and colleges and universities.

9 (2) The superintendent of public instruction and the state board of
10 education may adopt rules under chapter 34.05 RCW as necessary to
11 implement its duties under RCW (~~(28A.630.860)~~) 28A.630.861 through
12 28A.630.880.

13 **Sec. 112.** RCW 28A.630.880 and 1993 c 335 s 10 are each amended to
14 read as follows:

15 RCW (~~(28A.630.860)~~) 28A.630.861 through 28A.630.880 may be known
16 and cited as the school-to-work transitions program.

17 NEW SECTION. **Sec. 113.** RCW 28A.310.380 and 1975 1st ex.s. c 275
18 s 32, 1971 ex.s. c 282 s 23, & 1969 ex.s. c 176 s 16 are each repealed.

19 **PART II - OBSOLETE SECTIONS**

20 **Sec. 201.** RCW 28A.205.050 and 1993 c 211 s 4 are each amended to
21 read as follows:

22 In accordance with chapter 34.05 RCW, the administrative procedure
23 act, the state board of education with respect to the matter of
24 certification, and the superintendent of public instruction with
25 respect to all other matters, shall have the power and duty to make the
26 necessary rules (~~(and regulations)~~) to carry out the purpose and intent
27 of this chapter.

28 (~~(Criteria as promulgated by the state board of education or
29 superintendent of public instruction for determining if any education
30 center is providing adequate instruction in basic academic skills or
31 demonstrating superior performance in student educational gains for
32 funding under RCW 28A.205.040 shall be subject to review by four
33 members of the legislature, one from each caucus of each house,
34 including the chairs of the respective education committees.)~~)

1 **Sec. 202.** RCW 28A.630.400 and 1991 c 285 s 2 are each amended to
2 read as follows:

3 (1) The state board of education and the state board for community
4 and technical colleges (~~(education)~~), in consultation with the
5 superintendent of public instruction, the higher education coordinating
6 board, the state apprenticeship training council, and community
7 colleges, shall (~~(work cooperatively to develop by September 1, 1992,~~
8 ~~an educational paraprofessional)~~) adopt rules as necessary under
9 chapter 34.05 RCW to implement the paraeducator associate of arts
10 degree.

11 (2) As used in this section, (~~(an "educational paraprofessional")~~)
12 a "paraeducator" is an individual who has completed an associate of
13 arts degree for (~~(an educational paraprofessional)~~) a paraeducator.
14 The (~~(educational paraprofessional)~~) paraeducator may be hired by a
15 school district to assist certificated instructional staff in the
16 direct instruction of children in small and large groups,
17 individualized instruction, testing of children, recordkeeping, and
18 preparation of materials. The (~~(educational paraprofessional)~~)
19 paraeducator shall work under the direction of instructional
20 certificated staff.

21 (3) The training program for (~~(an educational paraprofessional)~~) a
22 paraeducator associate of arts degree shall include, but is not limited
23 to, the general requirements for receipt of an associate of arts degree
24 and training in the areas of introduction to childhood education,
25 orientation to handicapped children, fundamentals of childhood
26 education, creative activities for children, instructional materials
27 for children, fine art experiences for children, the psychology of
28 learning, introduction to education, child health and safety, child
29 development and guidance, first aid, and a practicum in a school
30 setting.

31 (4) (~~(In developing the program,)~~) Consideration shall be given to
32 transferability of credit earned in this program to teacher preparation
33 programs at colleges and universities.

34 (~~(5) The agencies identified under subsection (1) of this section~~
35 ~~shall adopt rules as necessary under chapter 34.05 RCW to implement~~
36 ~~this section.))~~

37 NEW SECTION. **Sec. 203.** The following acts or parts of acts are
38 each repealed:

- 1 (1) RCW 28A.170.010 and 1987 c 518 s 205;
- 2 (2) RCW 28A.170.020 and 1990 c 33 s 153, 1989 c 233 s 5, & 1987 c
- 3 518 s 206;
- 4 (3) RCW 28A.170.030 and 1987 c 518 s 207;
- 5 (4) RCW 28A.170.040 and 1990 c 33 s 154 & 1987 c 518 s 208;
- 6 (5) RCW 28A.170.060 and 1994 c 245 s 5, 1989 c 271 s 113, & 1987 c
- 7 518 s 210;
- 8 (6) RCW 28A.170.070 and 1990 c 33 s 155 & 1987 c 518 s 211;
- 9 (7) RCW 28A.175.060 and 1987 c 518 s 218;
- 10 (8) RCW 28A.210.050 and 1969 ex.s. c 223 s 28A.31.060;
- 11 (9) RCW 28A.225.190 and 1969 ex.s. c 223 s 28A.58.220;
- 12 (10) RCW 28A.405.150 and 1990 c 33 s 388, 1988 c 241 s 1, 1986 c 73
- 13 s 1, & 1985 c 420 s 7;
- 14 (11) RCW 28A.405.160 and 1990 c 33 s 389 & 1985 c 420 s 8;
- 15 (12) RCW 28A.415.290 and 1993 c 336 s 406;
- 16 (13) RCW 28A.630.090 and 1990 c 33 s 524 & 1987 c 401 s 11;
- 17 (14) RCW 28A.630.091 and 1987 c 401 s 13;
- 18 (15) RCW 28A.630.750 and 1991 c 346 s 1;
- 19 (16) RCW 28A.630.753 and 1991 c 346 s 2;
- 20 (17) RCW 28A.630.756 and 1991 c 346 s 3;
- 21 (18) RCW 28A.630.759 and 1991 c 346 s 4;
- 22 (19) RCW 28A.630.762 and 1991 c 346 s 5;
- 23 (20) RCW 28A.630.765 and 1991 c 346 s 6;
- 24 (21) RCW 28A.630.768 and 1991 c 346 s 7;
- 25 (22) RCW 28A.630.771 and 1991 c 346 s 8;
- 26 (23) RCW 28A.630.774 and 1991 c 346 s 9;
- 27 (24) RCW 28A.630.777 and 1991 c 346 s 10;
- 28 (25) RCW 28A.630.780 and 1991 c 346 s 11;
- 29 (26) RCW 28A.630.783 and 1991 c 346 s 12;
- 30 (27) RCW 28A.630.786 and 1991 c 346 s 13;
- 31 (28) RCW 28A.630.789 and 1991 c 346 s 14; and
- 32 (29) RCW 28A.630.800 and 1985 c 349 s 3.

33 **Sec. 204.** RCW 28A.170.075 and 1990 c 33 s 156 are each amended to
34 read as follows:

- 35 (1) The legislature finds that the provision of drug and alcohol
- 36 counseling and related prevention and intervention services in schools
- 37 will enhance the classroom environment for students and teachers, and

1 better enable students to realize their academic and personal
2 potentials.

3 (2) The legislature finds that it is essential that resources be
4 made available to school districts to provide early drug and alcohol
5 prevention and intervention services to students and their families; to
6 assist in referrals to treatment providers; and to strengthen the
7 transition back to school for students who have had problems of drug
8 and alcohol abuse.

9 (3) (~~(New and existing)~~) Substance abuse awareness programs funded
10 (~~(pursuant to RCW 28A.170.010 through 28A.170.070)~~) under this chapter
11 do not fall within the definition of basic education for purposes of
12 Article IX of the state Constitution and the state's funding duty
13 thereunder.

14 (4) The legislature intends to provide grants for drug and alcohol
15 abuse prevention and intervention in schools, targeted to those schools
16 with the highest concentrations of students at risk.

17 **Sec. 205.** RCW 28A.170.090 and 1990 c 33 s 158 are each amended to
18 read as follows:

19 (1) The superintendent of public instruction shall select school
20 districts and cooperatives of school districts to receive grants for
21 drug and alcohol abuse prevention and intervention programs for
22 students in kindergarten through twelfth grade, from funds appropriated
23 by the legislature for this purpose. The minimum annual grant amount
24 per district or cooperative of districts shall be twenty thousand
25 dollars. Factors to be used in selecting proposals for funding and in
26 determining grant awards shall be developed in consultation with the
27 substance abuse advisory committee appointed under RCW 28A.170.050,
28 with the intent of targeting funding to districts with high-risk
29 populations. These factors may include:

30 (a) Characteristics of the school attendance areas to be served,
31 such as the number of students from low-income families, truancy rates,
32 juvenile justice referrals, and social services caseloads;

33 (b) The total number of students who would have access to services;
34 and

35 (c) Participation of community groups and law enforcement agencies
36 in drug and alcohol abuse prevention and intervention activities.

37 (2) The application procedures for grants under this section shall
38 (~~(be consistent with the application procedures for other grants for~~

1 ~~substance abuse awareness programs under RCW 28A.170.020, including~~)
2 include provisions for comprehensive planning, establishment of a
3 school and community substance abuse advisory committee, and
4 documentation of the district's needs assessment. Planning and
5 application for grants under this section may be integrated with the
6 development of other substance abuse awareness programs by school
7 districts(~~(, and other grants under RCW 28A.170.010 through 28A.170.040~~
8 ~~shall not require a separate application~~)). School districts shall, to
9 the maximum extent feasible, coordinate the use of grants provided
10 under this section with other funding available for substance abuse
11 awareness programs. School districts should allocate resources giving
12 emphasis to drug and alcohol abuse intervention services for students
13 in grades five through nine. Grants may be used to provide services
14 for students who are enrolled in approved private schools.

15 (3) School districts receiving grants under this section shall be
16 required to establish a means of accessing formal assessment services
17 for determining treatment needs of students with drug and alcohol
18 problems. The grant applications submitted by districts shall identify
19 the districts' plan for meeting this requirement.

20 (4) School districts receiving grants under this section shall be
21 required to perform biennial evaluations of their drug and alcohol
22 abuse prevention and intervention programs, and to report on the
23 results of these evaluations to the superintendent of public
24 instruction.

25 (5) The superintendent of public instruction may adopt rules to
26 implement RCW 28A.170.080 (~~(through 28A.170.100)~~) and 28A.170.090.

27 **PART III - RECODIFICATIONS OR TECHNICAL CHANGES**

28 **Sec. 301.** RCW 28A.610.010 and 1990 c 33 s 505 are each amended to
29 read as follows:

30 (1) Parents can be the most effective teachers for their children.
31 Providing illiterate or semiliterate parents with opportunities to
32 acquire basic skills and child development knowledge will enhance their
33 ability to assist and support their children in the learning process,
34 and will enhance children's learning experiences in the formal
35 education environment by providing children with the motivation and
36 positive home environment which contribute to enhanced academic
37 performance.

1 (2) (~~RCW 28A.610.020 through 28A.610.060~~) This chapter may be
2 known and cited as project even start.

3 **Sec. 302.** RCW 28A.610.020 and 1990 c 33 s 506 are each amended to
4 read as follows:

5 Unless the context clearly requires otherwise, the definition in
6 this section shall apply throughout (~~RCW 28A.610.030 through~~
7 ~~28A.610.060~~) this chapter.

8 "Parent" or "parents" means a parent who has less than an eighth
9 grade ability in one or more of the basic skill areas of reading,
10 language arts, or mathematics, as measured by a standardized test, and
11 who has a child or children enrolled in: (1) The state early childhood
12 education and assistance program; (2) a federal head start program; (3)
13 a state or federally funded elementary school basic skills program
14 serving students who have scored below the national average on a
15 standardized test in one or more of the basic skill areas of reading,
16 language arts, or mathematics; or (4) a cooperative (~~nursery school~~)
17 preschool at a community or technical college (~~or vocational technical~~
18 ~~institute~~)).

19 **Sec. 303.** RCW 28A.610.030 and 1990 c 33 s 507 are each amended to
20 read as follows:

21 (1) The (~~superintendent of public instruction~~) state board for
22 community and technical colleges, in consultation with the department
23 of community, trade, and economic development, the department of social
24 and health services, the (~~state board for community education~~)
25 superintendent of public instruction, and community-based, nonprofit
26 providers of adult literacy services, shall develop an adult literacy
27 program to serve eligible parents as defined under RCW 28A.610.020.
28 The program shall give priority to serving parents with children who
29 have not yet enrolled in school or are in grades kindergarten through
30 three.

31 (2) In addition to providing basic skills instruction to eligible
32 parents, the program may include other program components which may
33 include transportation, child care, and such other directly necessary
34 activities as may be necessary to accomplish the purposes of (~~RCW~~
35 ~~28A.610.020 through 28A.610.060~~) this chapter.

36 (3) Parents who elect to participate in training or work programs,
37 as a condition of receiving public assistance, shall have the hours

1 spent in parent participation programs, conducted as part of a federal
2 head start program, or the state early childhood education and
3 assistance program under RCW 28A.215.100 through 28A.215.200 and
4 28A.215.900 through 28A.215.908, or parent literacy programs under
5 ((~~RCW 28A.610.020 through 28A.610.060~~)) this chapter, counted toward
6 the fulfillment of their work and training obligation for the receipt
7 of public assistance.

8 (4) State funds as may be appropriated for project even start shall
9 be used solely to expand and complement, but not supplant, federal
10 funds for adult literary programs.

11 (5) The ((~~superintendent of public instruction~~)) state board for
12 community and technical colleges shall adopt rules as necessary to
13 carry out the purposes of ((~~RCW 28A.610.020 through 28A.610.060~~)) this
14 chapter.

15 NEW SECTION. Sec. 304. The following sections are each recodified
16 as new sections in chapter 28A.410 RCW:

17 RCW 28A.405.010

18 RCW 28A.405.025

19 NEW SECTION. Sec. 305. The following sections are recodified as
20 a new chapter in Title 28B RCW:

21 RCW 28A.610.010

22 RCW 28A.610.020

23 RCW 28A.610.030

24 RCW 28A.610.040

25 RCW 28A.610.050

26 NEW SECTION. Sec. 306. The following acts or parts of acts are
27 each repealed:

28 (1) RCW 28A.175.070 and 1994 c 245 s 6 & 1987 c 518 s 219;

29 (2) RCW 28A.210.005 and 1989 1st ex.s. c 9 s 239;

30 (3) RCW 28A.215.300 and 1986 c 150 s 1;

31 (4) RCW 28A.215.310 and 1990 c 33 s 216 & 1986 c 150 s 2;

32 (5) RCW 28A.215.320 and 1986 c 150 s 3;

33 (6) RCW 28A.215.330 and 1990 c 33 s 217 & 1986 c 150 s 4; and

34 (7) RCW 28A.234.010 and 1993 sp.s. c 4 s 15.

1 **Sec. 307.** RCW 28A.215.020 and 1990 c 33 s 210 are each amended to
2 read as follows:

3 Expenditures under federal funds and/or state appropriations made
4 to carry out the purposes of RCW 28A.215.010 through 28A.215.050 ((and
5 ~~28A.215.300 through 28A.215.330~~)) shall be made by warrants issued by
6 the state treasurer upon order of the superintendent of public
7 instruction. The state board of education shall make necessary rules
8 and regulations to carry out the purpose of RCW 28A.215.010.

9 **Sec. 308.** RCW 28A.215.030 and 1990 c 33 s 211 are each amended to
10 read as follows:

11 In the event the legislature appropriates any moneys to carry out
12 the purposes of RCW 28A.215.010 through 28A.215.050 ((and ~~28A.215.300~~
13 ~~through 28A.215.330~~)), allocations therefrom may be made to school
14 districts for the purpose of underwriting allocations made or requested
15 from federal funds until such federal funds are available. Any school
16 district may allocate a portion of its funds for the purpose of
17 carrying out the provisions of RCW 28A.215.010 through 28A.215.050
18 ((and ~~28A.215.300 through 28A.215.330~~)) pending the receipt of
19 reimbursement from funds made available by acts of congress.

20 **Sec. 309.** RCW 28A.215.050 and 1990 c 33 s 212 are each amended to
21 read as follows:

22 As a supplement to the authority otherwise granted by RCW
23 28A.215.010 through 28A.215.050 ((and ~~28A.215.300 through 28A.215.330~~))
24 respecting the care or instruction, or both, of children in general,
25 the board of directors of any school district may only utilize funds
26 outside the state basic education appropriation and the state school
27 transportation appropriation to:

28 (1) Contract with public and private entities to conduct all or any
29 portion of the management and operation of a child care program at a
30 school district site or elsewhere;

31 (2) Establish charges based upon costs incurred under this section
32 and provide for the reduction or waiver of charges in individual cases
33 based upon the financial ability of the parents or legal guardians of
34 enrolled children to pay the charges, or upon their provision of other
35 valuable consideration to the school district; and

36 (3) Transport children enrolled in a child care program to the
37 program and to related sites using district-owned school buses and

1 other motor vehicles, or by contracting for such transportation and
2 related services: PROVIDED, That no child three years of age or
3 younger shall be transported under the provisions of this section
4 unless accompanied by a parent or guardian.

5

PART IV - UNFUNDED PROGRAMS

6 **Sec. 401.** RCW 28A.405.120 and 1985 c 420 s 3 are each amended to
7 read as follows:

8 School districts shall require each administrator, each principal,
9 or other supervisory personnel who has responsibility for evaluating
10 classroom teachers to have training in evaluation procedures. ((The
11 superintendent of public instruction shall provide technical assistance
12 to the local school districts and to the educational service districts
13 in providing training to evaluators.))

14 NEW SECTION. **Sec. 402.** The following acts or parts of acts are
15 each repealed:

16 (1) RCW 28A.175.020 and 1987 c 518 s 213;

17 (2) RCW 28A.175.030 and 1990 c 33 s 160, 1989 c 209 s 1, & 1987 c
18 518 s 214;

19 (3) RCW 28A.175.040 and 1990 c 33 s 161, 1989 c 209 s 2, & 1987 c
20 518 s 215;

21 (4) RCW 28A.175.050 and 1990 c 33 s 162 & 1987 c 518 s 217;

22 (5) RCW 28A.240.010 and 1990 c 33 s 248 & 1985 c 422 s 2;

23 (6) RCW 28A.240.020 and 1985 c 422 s 1;

24 (7) RCW 28A.240.030 and 1990 c 33 s 249 & 1985 c 422 s 3;

25 (8) RCW 28A.300.110 and 1990 c 33 s 255, 1987 1st ex.s. c 2 s 208,
26 1987 c 197 s 1, & 1984 c 278 s 5;

27 (9) RCW 28A.300.180 and 1989 c 146 s 3;

28 (10) RCW 28A.300.200 and 1991 c 128 s 13 & 1990 c 243 s 9;

29 (11) RCW 28A.415.110 and 1991 c 258 s 3;

30 (12) RCW 28A.415.115 and 1991 c 258 s 4;

31 (13) RCW 28A.415.220 and 1993 c 217 s 1 & 1991 c 252 s 1;

32 (14) RCW 28A.600.425 and 1992 c 196 s 2;

33 (15) RCW 28A.600.430 and 1992 c 196 s 3;

34 (16) RCW 28A.600.435 and 1992 c 196 s 4;

35 (17) RCW 28A.600.440 and 1992 c 196 s 5;

36 (18) RCW 28A.600.445 and 1992 c 196 s 6;

- 1 (19) RCW 28A.600.450 and 1992 c 196 s 7;
- 2 (20) RCW 28A.615.060 and 1989 c 310 s 1;
- 3 (21) RCW 28A.625.300 and 1985 c 349 s 4;
- 4 (22) RCW 28A.630.070 and 1990 c 148 s 2;
- 5 (23) RCW 28A.630.075 and 1990 c 148 s 3;
- 6 (24) RCW 28A.630.300 and 1987 c 349 s 1;
- 7 (25) RCW 28A.630.320 and 1990 c 33 s 534 & 1987 c 349 s 3;
- 8 (26) RCW 28A.630.330 and 1990 c 33 s 535 & 1987 c 349 s 4; and
- 9 (27) RCW 28A.630.390 and 1987 c 349 s 7.

10 **Sec. 403.** RCW 28A.415.105 and 1991 c 258 s 2 are each amended to
11 read as follows:

12 Unless the context clearly requires otherwise, the definitions in
13 this section apply throughout RCW (~~(28A.415.110)~~) 28A.415.125 through
14 28A.415.140.

15 (1) "Cooperating organizations" means that at least one school
16 district, one college or university, and one educational service
17 district are involved jointly with the development of a student
18 teaching center.

19 (2) "Cooperating teacher" means a teacher who holds a continuing
20 certificate and supervises and coaches a student teacher.

21 (3) "Field experience" means opportunities for observation,
22 tutoring, microteaching, extended practicums, and clinical and
23 laboratory experiences which do not fall within the meaning of student
24 teaching.

25 (4) "School setting" means a classroom in a public, common school
26 in the state of Washington.

27 (5) "Student teacher" means a candidate for initial teacher
28 certification who is in a state board of education-approved, or
29 regionally or nationally accredited teacher preparation program in a
30 school setting as part of the field-based component of their
31 preparation program.

32 (6) "Student teaching" means the full quarter or semester in a
33 school setting during which the student teacher observes the
34 cooperating teacher, participates in instructional activities, and
35 assumes both part-time and full-time teaching responsibilities under
36 the supervision of the cooperating teacher.

37 (7) "Student teaching center" means the program established to
38 provide student teachers in a geographic region of the state with

1 special support and training as part of their teacher preparation
2 program.

3 (8) "Supervisor or university supervisor" means the regular or
4 adjunct faculty member, or college or university-approved designee, who
5 assists and supervises the work of cooperating teachers and student
6 teachers.

7 **Sec. 404.** RCW 28B.90.005 and 1993 c 181 s 1 are each amended to
8 read as follows:

9 The legislature finds that it has previously declared in RCW
10 28B.107.005 that it is important to the economic future of the state to
11 promote international awareness and understanding, and in RCW 1.20.100
12 (~~and 28A.630.300~~), that the state's economy and economic well-being
13 depends heavily on foreign trade and international exchange.

14 The legislature finds that it is appropriate that such policies
15 should be implemented by encouraging universities and colleges
16 domiciled in foreign countries to establish branch campuses in
17 Washington and that it is also important to those foreign colleges and
18 universities that their status as authorized foreign degree-granting
19 institutions be recognized by this state to facilitate the
20 establishment and operation of such branch campuses.

21 In the furtherance of such policy, the legislature adopts the
22 foreign degree-granting institution approved branch campus act.

23 NEW SECTION. **Sec. 405.** RCW 28A.415.120 and 1991 c 258 s 5 are
24 each repealed.

25 **PART V - REPORTS**

26 **Sec. 501.** RCW 28A.215.170 and 1994 c 166 s 9 are each amended to
27 read as follows:

28 (~~The governor shall report to the legislature before each regular
29 session of the legislature convening in an odd-numbered year, on the
30 current status of the program, the state-wide need for early childhood
31 program services, and the plans to address these needs. The department
32 shall consult with the office of the superintendent of public
33 instruction in the preparation of the biennial report and on all issues
34 of mutual concern addressed in the report.~~)

1 ~~The governor's report shall include specific recommendations on at~~
2 ~~least the following issues:~~

3 ~~(1) The desired relationships of a state-funded early childhood~~
4 ~~education and assistance program with the common school system;~~

5 ~~(2) The types of children and their needs that the program should~~
6 ~~serve;~~

7 ~~(3) The appropriate level of state support for implementing a~~
8 ~~comprehensive early childhood education and assistance program for all~~
9 ~~eligible children, including related programs to prepare instructors~~
10 ~~and provide facilities, equipment, and transportation;~~

11 ~~(4) The state administrative structure necessary to implement the~~
12 ~~program; and~~

13 ~~(5) The establishment of a system))~~ The department shall annually
14 report to the governor and the legislature on the findings of the
15 longitudinal study undertaken to examine and monitor the effectiveness
16 of early childhood educational and assistance services for eligible
17 children to measure, among other elements, if possible, how the average
18 level of performance of children completing this program compare to the
19 average level of performance of all state students in their grade
20 level, and to the average level of performance of those eligible
21 students who did not have access to this program. The evaluation
22 system shall examine how the percentage of these children needing
23 access to special education or remedial programs compares to the
24 overall percentage of children needing such services and compares to
25 the percentage of eligible students who did not have access to this
26 program needing such services.

27 **Sec. 502.** RCW 28A.320.200 and 1990 c 33 s 333 are each amended to
28 read as follows:

29 (1) Each school district board of directors shall develop a
30 schedule and process by which each public school within its
31 jurisdiction shall undertake self-study procedures on a regular basis:
32 PROVIDED, That districts may allow two or more elementary school
33 buildings in the district to undertake jointly the self-study process.
34 Each school may follow the accreditation process developed by the state
35 board of education under RCW 28A.305.130(6), although no school is
36 required to file for actual accreditation, or the school may follow a
37 self-study process developed locally. The initial self-study process
38 within each district shall begin by September 1, 1986, and should be

1 completed for all schools within a district by the end of the 1990-91
2 school year.

3 (2) Any self-study process must include the participation of staff,
4 parents, members of the community, and students, where appropriate to
5 their age.

6 (3) The self-study process that is used must focus upon the quality
7 and appropriateness of the school's educational program and the results
8 of its operational effort. The primary emphasis throughout the process
9 shall be placed upon:

10 (a) Achieving educational excellence and equity;

11 (b) Building stronger links with the community; and

12 (c) Reaching consensus upon educational expectations through
13 community involvement and corresponding school management.

14 (4) The state board of education shall adopt rules governing
15 procedural criteria. Such rules should be flexible so as to
16 accommodate local goals and circumstances. The rules may allow for
17 waiver of the self-study for economic reasons and may also allow for
18 waiver of the initial self-study if a district or its schools have
19 participated successfully in an official accreditation process or in a
20 similar assessment of educational programs within the last three years.
21 The self-study process shall be conducted on a cyclical basis every
22 seven years following the initial 1990-91 period.

23 (5) The superintendent of public instruction shall provide training
24 to assist districts in their self-studies.

25 ~~((6) Each district shall report every two years to the
26 superintendent of public instruction on the scheduling and
27 implementation of their self study activities. The report shall
28 include information about how the district and each school within the
29 district have addressed the issue of class size and staffing
30 patterns.))~~

31 **Sec. 503.** RCW 28A.330.100 and 1991 c 116 s 17 are each amended to
32 read as follows:

33 Every board of directors of a school district of the first class,
34 in addition to the general powers for directors enumerated in this
35 title, shall have the power:

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

- 1 (2) To employ, and for cause dismiss one or more assistant
2 superintendents and to define their duties and fix their compensation.
- 3 (3) To employ a business manager, attorneys, architects, inspectors
4 of construction, superintendents of buildings and a superintendent of
5 supplies, all of whom shall serve at the board's pleasure, and to
6 prescribe their duties and fix their compensation.
- 7 (4) To employ, and for cause dismiss, supervisors of instruction
8 and to define their duties and fix their compensation.
- 9 (5) To prescribe a course of study and a program of exercises which
10 shall be consistent with the course of study prepared by the state
11 board of education for the use of the common schools of this state.
- 12 (6) To, in addition to the minimum requirements imposed by this
13 title establish and maintain such grades and departments, including
14 night, high, kindergarten, vocational training and, except as otherwise
15 provided by law, industrial schools, and schools and departments for
16 the education and training of any class or classes of handicapped
17 youth, as in the judgment of the board, best shall promote the
18 interests of education in the district.
- 19 (7) To determine the length of time over and above one hundred
20 eighty days that school shall be maintained: PROVIDED, That for
21 purposes of apportionment no district shall be credited with more than
22 one hundred and eighty-three days' attendance in any school year; and
23 to fix the time for annual opening and closing of schools and for the
24 daily dismissal of pupils before the regular time for closing schools.
- 25 (8) To maintain a shop and repair department, and to employ, and
26 for cause dismiss, a foreman and the necessary help for the maintenance
27 and conduct thereof.
- 28 (9) To provide free textbooks and supplies for all children
29 attending school.
- 30 (10) To require of the officers or employees of the district to
31 give a bond for the honest performance of their duties in such penal
32 sum as may be fixed by the board with good and sufficient surety, and
33 to cause the premium for all bonds required of all such officers or
34 employees to be paid by the district: PROVIDED, That the board may, by
35 written policy, allow that such bonds may include a deductible proviso
36 not to exceed two percent of the officer's or employee's annual salary.
- 37 (11) To prohibit all secret fraternities and sororities among the
38 students in any of the schools of the said districts.

1 (12) To appoint a practicing physician, resident of the school
2 district, who shall be known as the school district medical inspector,
3 and whose duty it shall be to decide for the board of directors all
4 questions of sanitation and health affecting the safety and welfare of
5 the public schools of the district who shall serve at the board's
6 pleasure(~~(; the school district medical inspector or authorized~~
7 ~~deputies shall make monthly inspections of each school in the district~~
8 ~~and report the condition of the same to the board of education and~~
9 ~~board of health))): PROVIDED, That children shall not be required to
10 submit to vaccination against the will of their parents or guardian.~~

11 **Sec. 504.** RCW 28A.400.306 and 1992 c 159 s 9 are each amended to
12 read as follows:

13 The state patrol shall accept fingerprints obtained under this
14 chapter only if it can ensure that the patrol will not retain a record
15 of the fingerprints after the check is complete. It shall not forward
16 fingerprints obtained under this chapter to the federal bureau of
17 investigation unless it can ensure that the federal bureau of
18 investigation will not retain a record of the fingerprints after the
19 check is complete. (~~(The state patrol shall report to the house of~~
20 ~~representatives appropriations committee and the senate ways and means~~
21 ~~committee on measures taken to implement this section before accepting~~
22 ~~any fingerprints obtained under this chapter.))~~)

23 **Sec. 505.** RCW 28A.630.885 and 1994 c 245 s 13 are each amended to
24 read as follows:

25 (1) The Washington commission on student learning is hereby
26 established. The primary purposes of the commission are to identify
27 the knowledge and skills all public school students need to know and be
28 able to do based on the student learning goals in RCW 28A.150.210, to
29 develop student assessment and school accountability systems, to review
30 current school district data reporting requirements and make
31 recommendations on what data is necessary for the purposes of
32 accountability and meeting state information needs, and to take other
33 steps necessary to develop a performance-based education system. The
34 commission shall include three members of the state board of education,
35 three members appointed by the governor before July 1, 1992, and five
36 members appointed no later than June 1, 1993, by the governor elected
37 in the November 1992 election. The governor shall appoint a chair from

1 the commission members, and fill any vacancies in gubernatorial
2 appointments that may occur. The state board of education shall fill
3 any vacancies of state board of education appointments that may occur.
4 In making the appointments, educators, business leaders, and parents
5 shall be represented, and nominations from state-wide education,
6 business, and parent organizations shall be requested. Efforts shall
7 be made to ensure that the commission reflects the racial and ethnic
8 diversity of the state's K-12 student population and that the major
9 geographic regions in the state are represented. Appointees shall be
10 qualified individuals who are supportive of educational restructuring,
11 who have a positive record of service, and who will devote sufficient
12 time to the responsibilities of the commission to ensure that the
13 objectives of the commission are achieved.

14 (2) The commission shall establish advisory committees. Membership
15 of the advisory committees shall include, but not necessarily be
16 limited to, professionals from the office of the superintendent of
17 public instruction and the state board of education, and other state
18 and local educational practitioners and student assessment specialists.

19 (3) The commission, with the assistance of the advisory committees,
20 shall:

21 (a) Develop essential academic learning requirements based on the
22 student learning goals in RCW 28A.150.210. Essential academic learning
23 requirements shall be developed, to the extent possible, for each of
24 the student learning goals in RCW 28A.150.210. Goals one and two shall
25 be considered primary. Essential academic learning requirements for
26 RCW 28A.150.210(1), goal one, and the mathematics component of RCW
27 28A.150.210(2), goal two, shall be completed no later than March 1,
28 1995. Essential academic learning requirements that incorporate the
29 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and
30 four, shall be completed no later than March 1, 1996. To the maximum
31 extent possible, the commission shall integrate goal four and the
32 knowledge and skill areas in the other goals in the development of the
33 essential academic learning requirements;

34 (b)(i) The commission shall present to the state board of education
35 and superintendent of public instruction a state-wide academic
36 assessment system for use in the elementary, middle, and high school
37 years designed to determine if each student has mastered the essential
38 academic learning requirements identified in (a) of this subsection.
39 The academic assessment system shall include a variety of assessment

1 methods, including performance-based measures that are criterion-
2 referenced. Performance standards for determining if a student has
3 successfully completed an assessment shall be initially determined by
4 the commission in consultation with the advisory committees required in
5 subsection (2) of this section.

6 (ii) The assessment system shall be designed so that the results
7 under the assessment system are used by educators as tools to evaluate
8 instructional practices, and to initiate appropriate educational
9 support for students who have not mastered the essential academic
10 learning requirements at the appropriate periods in the student's
11 educational development.

12 (iii) Assessments measuring the essential academic learning
13 requirements developed for RCW 28A.150.210(1), goal one, and the
14 mathematics component of RCW 28A.150.210(2), goal two, shall be
15 initially implemented by the state board of education and
16 superintendent of public instruction no later than the 1996-97 school
17 year, unless the legislature takes action to delay or prevent
18 implementation of the assessment system and essential academic learning
19 requirements. Assessments measuring the essential academic learning
20 requirements developed for RCW 28A.150.210 (2), (3), and (4), goals
21 two, three, and four, shall be initially implemented by the state board
22 of education and superintendent of public instruction no later than the
23 1997-98 school year, unless the legislature takes action to delay or
24 prevent implementation of the assessment system and essential academic
25 learning requirements. To the maximum extent possible, the commission
26 shall integrate knowledge and skill areas in development of the
27 assessments.

28 (iv) Before the 2000-2001 school year, participation by school
29 districts in the assessment system shall be optional. School districts
30 that desire to participate before the 2000-2001 school year shall
31 notify the superintendent of public instruction in a manner determined
32 by the superintendent. Beginning in the 2000-2001 school year, all
33 school districts shall be required to participate in the assessment
34 system.

35 (v) The state board of education and superintendent of public
36 instruction may modify the essential academic learning requirements and
37 academic assessment system, as needed, in subsequent school years.

38 (vi) The commission shall develop assessments that are directly
39 related to the essential academic learning requirements, and are not

1 biased toward persons with different learning styles, racial or ethnic
2 backgrounds, or on the basis of gender;

3 (c) After a determination is made by the state board of education
4 that the high school assessment system has been implemented and that it
5 is sufficiently reliable and valid, successful completion of the high
6 school assessment shall lead to a certificate of mastery. The
7 certificate of mastery shall be obtained by most students at about the
8 age of sixteen, and is evidence that the student has successfully
9 mastered the essential academic learning requirements during his or her
10 educational career. The certificate of mastery shall be required for
11 graduation but shall not be the only requirement for graduation. The
12 commission shall make recommendations to the state board of education
13 regarding the relationship between the certificate of mastery and high
14 school graduation requirements. Upon achieving the certificate of
15 mastery, schools shall provide students with the opportunity to
16 continue to pursue career and educational objectives through
17 educational pathways that emphasize integration of academic and
18 vocational education. Educational pathways may include, but are not
19 limited to, programs such as work-based learning, school-to-work
20 transition, tech prep, vocational-technical education, running start,
21 and preparation for technical college, community college, or university
22 education;

23 (d) Consider methods to address the unique needs of special
24 education students when developing the assessments in (b) and (c) of
25 this subsection;

26 (e) Consider methods to address the unique needs of highly capable
27 students when developing the assessments in (b) and (c) of this
28 subsection;

29 (f) Develop recommendations on the time, support, and resources,
30 including technical assistance, needed by schools and school districts
31 to help students achieve the essential academic learning requirements.
32 These recommendations shall include an estimate for the legislature,
33 superintendent of public instruction, and governor on the expected cost
34 of implementing the academic assessment system;

35 (g) Develop recommendations for consideration by the higher
36 education coordinating board for adopting college and university
37 entrance requirements for public school students that are consistent
38 with the essential academic learning requirements and the certificate
39 of mastery;

1 (h) Review current school district data reporting requirements for
2 the purposes of accountability and meeting state information needs.
3 The commission on student learning shall report recommendations to the
4 joint select committee on education restructuring by September 15,
5 1996, on:

6 (i) What data is necessary to compare how school districts are
7 performing before the essential academic learning requirements and the
8 assessment system are implemented with how school districts are
9 performing after the essential academic learning requirements and the
10 assessment system are implemented; and

11 (ii) What data is necessary pertaining to school district reports
12 under the accountability systems developed by the commission on student
13 learning under this section;

14 (i) By December 1, 1998, recommend to the legislature, governor,
15 state board of education, and superintendent of public instruction:

16 (i) A state-wide accountability system to monitor and evaluate
17 accurately and fairly the level of learning occurring in individual
18 schools and school districts. The accountability system shall be
19 designed to recognize the characteristics of the student population of
20 schools and school districts such as gender, race, ethnicity,
21 socioeconomic status, and other factors. The system shall include
22 school-site, school district, and state-level accountability reports;

23 (ii) A school assistance program to help schools and school
24 districts that are having difficulty helping students meet the
25 essential academic learning requirements;

26 (iii) A system to intervene in schools and school districts in
27 which significant numbers of students persistently fail to learn the
28 essential academic learning requirements; and

29 (iv) An awards program to provide incentives to school staff to
30 help their students learn the essential academic learning requirements,
31 with each school being assessed individually against its own baseline.
32 Incentives shall be based on the rate of percentage change of students
33 achieving the essential academic learning requirements. School staff
34 shall determine how the awards will be spent.

35 It is the intent of the legislature to begin implementation of
36 programs in this subsection (3)((h)) (i) on September 1, 2000;

37 ((i)) (j) Report annually by December 1st to the legislature, the
38 governor, the superintendent of public instruction, and the state board

1 of education on the progress, findings, and recommendations of the
2 commission; and

3 ~~((j))~~ (k) Make recommendations to the legislature and take other
4 actions necessary or desirable to help students meet the student
5 learning goals.

6 (4) The commission shall coordinate its activities with the state
7 board of education and the office of the superintendent of public
8 instruction.

9 (5) The commission shall seek advice broadly from the public and
10 all interested educational organizations in the conduct of its work,
11 including holding periodic regional public hearings.

12 (6) The commission shall select an entity to provide staff support
13 and the office of the superintendent of public instruction shall
14 provide administrative oversight and be the fiscal agent for the
15 commission. The commission may direct the office of the superintendent
16 of public instruction to enter into subcontracts, within the
17 commission's resources, with school districts, teachers, higher
18 education faculty, state agencies, business organizations, and other
19 individuals and organizations to assist the commission in its
20 deliberations.

21 (7) Members of the commission shall be reimbursed for travel
22 expenses as provided in RCW 43.03.050 and 43.03.060.

23 **Sec. 506.** RCW 28A.630.952 and 1994 c 245 s 4 are each amended to
24 read as follows:

25 (1) In addition to the duties in RCW 28A.630.951, the joint select
26 committee on education restructuring shall review all laws pertaining
27 to K-12 public education and to educator preparation and certification
28 with the intent of identifying laws that inhibit the achievement of the
29 new system of performance-based education. The select committee shall
30 report to the legislature by November 15, 1994. The laws pertaining to
31 home schooling and private schools shall not be reviewed in this study.

32 (2) The joint select committee on education restructuring shall
33 review ~~((current))~~ the school district data reporting requirements for
34 the purposes of accountability and meeting state information needs
35 reported by the commission on student learning under RCW 28A.630.885.
36 The joint select committee shall report its recommendations to the
37 legislature by January 1996 ~~((on:~~

1 ~~(a) What data is necessary to compare how school districts are~~
2 ~~performing before the essential academic learning requirements and the~~
3 ~~assessment system are implemented with how school districts are~~
4 ~~performing after the essential academic learning requirements and the~~
5 ~~assessment system are implemented; and~~

6 ~~(b) What data is necessary pertaining to school district reports~~
7 ~~under the accountability systems developed by the commission on student~~
8 ~~learning under RCW 28A.630.885(3)(h)).~~

9 **Sec. 507.** RCW 28A.650.015 and 1994 c 245 s 2 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction, to the extent funds
12 are appropriated, shall develop and implement a Washington state K-12
13 education technology plan. The technology plan(~~(, which)~~) shall be
14 (~~completed by September 1, 1994, and~~) updated on at least a biennial
15 basis, shall be developed to coordinate and expand the use of education
16 technology in the common schools of the state. The plan shall be
17 consistent with applicable provisions of chapter 43.105 RCW. The plan,
18 at a minimum, shall address:

19 (a) The provision of technical assistance to schools and school
20 districts for the planning, implementation, and training of staff in
21 the use of technology in curricular and administrative functions;

22 (b) The continued development of a network to connect school
23 districts, institutions of higher learning, and other sources of on-
24 line information; and

25 (c) Methods to equitably increase the use of education technology
26 by students and school personnel throughout the state.

27 (2) The superintendent of public instruction shall appoint an
28 educational technology advisory committee to assist in the development
29 and implementation of the technology plan in subsection (1) of this
30 section. The committee shall include, but is not limited to, persons
31 representing: The state board of education, the commission on student
32 learning, the department of information services, educational service
33 districts, school directors, school administrators, school principals,
34 teachers, classified staff, higher education faculty, parents,
35 students, business, labor, scientists and mathematicians, the higher
36 education coordinating board, the work force training and education
37 coordinating board, and the state library.

1 ~~reasonable tuition charge, fixed by the state superintendent of public~~
2 ~~instruction, shall be paid by such students as best may be accommodated~~
3 ~~therein)), and may charge the adults reasonable tuition.~~

4 (2) A district is strongly encouraged to honor the request of a
5 parent or guardian for his or her child to attend a school in another
6 district.

7 (3) A district shall release a student to a nonresident district
8 that agrees to accept the student if:

9 (a) A financial, educational, safety, or health condition affecting
10 the student would likely be reasonably improved as a result of the
11 transfer; or

12 (b) Attendance at the school in the nonresident district is more
13 accessible to the parent's place of work or to the location of child
14 care; or

15 (c) There is a special hardship or detrimental condition.

16 (4) A district may deny the request of a resident student to
17 transfer to a nonresident district if the release of the student would
18 adversely affect the district's existing desegregation plan.

19 (5) For the purpose of helping a district assess the quality of its
20 education program, a resident school district may request an optional
21 exit interview or questionnaire with the parents or guardians of a
22 child transferring to another district. No parent or guardian may be
23 forced to attend such an interview or complete the questionnaire.

24 (6) Beginning with the 1993-94 school year, school districts may
25 not charge transfer fees or tuition for nonresident students enrolled
26 under subsection (3) of this section and RCW 28A.225.225.
27 Reimbursement of a high school district for cost of educating high
28 school pupils of a nonhigh school district shall not be deemed a
29 transfer fee as affecting the apportionment of current state school
30 funds.

31 **Sec. 603.** RCW 28A.225.250 and 1969 c 130 s 11 are each amended to
32 read as follows:

33 (~~Notwithstanding any other provision of law,~~) (1) The state
34 superintendent of public instruction is directed and authorized to
35 develop and adopt rules (and regulations to implement such voluntary,
36 tuition free attendance programs among school districts that he)
37 governing cooperative programs between and among school districts and

1 educational service districts that the superintendent deems necessary
2 ((for the expressed purpose of)) to assure:

3 ~~((1) Providing educational opportunities, including vocational~~
4 ~~skills programs, not otherwise provided;~~

5 ~~(2) Avoiding unnecessary duplication of specialized or unusually~~
6 ~~expensive educational programs and facilities; or~~

7 ~~(3) Improving racial balance within and among school districts:~~
8 ~~PROVIDED, That no voluntary, tuition free attendance program among~~
9 ~~school districts developed by the superintendent of public instruction~~
10 ~~shall be instituted unless such program receives the approval of the~~
11 ~~boards of directors of the districts))~~

12 (a) Correct calculation of state apportionment payments;

13 (b) Proper budgeting and accounting for interdistrict cooperative
14 program revenues and expenditures;

15 (c) Reporting of student, personnel, and fiscal data to meet state
16 needs; and

17 (d) Protection of the right of residents of Washington under
18 twenty-one years of age to a tuition-free program of basic education.

19 (2) Unless specifically authorized in law, interdistrict
20 cooperative programs shall not be designed to systematically increase
21 state allocation above amounts required if services were provided by
22 the resident school district.

23 **Sec. 604.** RCW 28A.335.160 and 1990 c 33 s 359 are each amended to
24 read as follows:

25 Any school district may cooperate with one or more school districts
26 in the ~~((following:~~

27 ~~(1) The)) joint financing, planning, construction, equipping and~~
28 ~~operating of any educational facility otherwise authorized by law:~~
29 ~~PROVIDED, That any cooperative financing plan involving the~~
30 ~~construction of school plant facilities must be approved by the state~~
31 ~~board of education pursuant to such rules as may now or hereafter be~~
32 ~~promulgated relating to state approval of school construction.~~

33 ~~((2) The joint maintenance and operation of educational programs~~
34 ~~or services (a) either as a part of the operation of a joint facility~~
35 ~~or otherwise, (b) either on a full or part time attendance basis, and~~
36 ~~(c) either on a regular one hundred eighty day school year or extended~~
37 ~~school year: PROVIDED, That any such joint program or service must be~~
38 ~~operated pursuant to a written agreement approved by the superintendent~~

1 of public instruction pursuant to rules and regulations promulgated
2 therefor. In establishing rules and regulations the state
3 superintendent shall consider, among such other factors as the
4 superintendent deems appropriate, the economic feasibility of said
5 services and programs, the educational and administrative scope of said
6 agreement and the need for said programs or services.

7 Notwithstanding any other provision of the law, the state
8 superintendent of public instruction shall establish rules and
9 regulations for the apportionment of attendance credits for such
10 students as are enrolled in a jointly operated facility or program,
11 including apportionment for approved part time and extended school year
12 attendance.)

13 NEW SECTION. **Sec. 605.** The following acts or parts of acts are
14 each repealed:

- 15 (1) RCW 28A.170.100 and 1991 c 116 s 24, 1990 c 33 s 159, & 1989 c
16 271 s 313;
17 (2) RCW 28A.175.080 and 1989 c 233 s 7;
18 (3) RCW 28A.180.050 and 1984 c 124 s 4, & 1979 c 95 s 4;
19 (4) RCW 28A.180.070 and 1990 c 33 s 166 & 1984 c 124 s 6; and
20 (5) RCW 28A.415.050 and 1985 c 419 s 2.

21 **PART VII - MANDATES ON SCHOOL DISTRICT OPERATIONS**

22 **Sec. 701.** RCW 28A.405.460 and 1991 c 116 s 15 are each amended to
23 read as follows:

24 All certificated employees of school districts shall be allowed a
25 reasonable lunch period of not less than thirty continuous minutes per
26 day during the regular school lunch periods and during which they shall
27 have no assigned duties: PROVIDED, That local districts may work out
28 other arrangements with the consent of all affected parties.

29 NEW SECTION. **Sec. 702.** RCW 28A.400.150 and 1990 c 33 s 380 & 1969
30 ex.s. c 223 s 28A.58.170 are each repealed.

31 **PART VIII - MISCELLANEOUS**

1 NEW SECTION. **Sec. 801.** The repeal of any programs that are not
2 funded as of the effective date of this section is not intended to
3 comment on the value of the services provided by the programs. The
4 repeal of statutes in chapter . . . , Laws of 1995 (this act) does not
5 affect the general authority of school districts to provide services to
6 accomplish the purposes of these programs. The deletion or repeal of
7 language that permitted school districts to carry out specific
8 activities that would be within their general authority is not intended
9 to affect the general authority of school districts to continue to
10 carry out those activities.

11 NEW SECTION. **Sec. 802.** Sections 109 through 112 of this act shall
12 expire June 30, 1999.

13 NEW SECTION. **Sec. 803.** Section 505 of this act shall expire
14 September 1, 1998.

15 NEW SECTION. **Sec. 804.** Section 506 of this act shall expire
16 December 1, 2001.

17 NEW SECTION. **Sec. 805.** Part headings and the table of contents as
18 used in this act do not constitute any part of the law.

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