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**SUBSTITUTE SENATE BILL 5169**

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**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, and 28A.335.160; reenacting and  
10 amending RCW 28A.315.680; adding new sections to chapter 28A.410 RCW;  
11 adding a new chapter to Title 28B RCW; creating new sections;  
12 recodifying RCW 28A.405.010, 28A.405.025, 28A.610.010, 28A.610.020,  
13 28A.610.030, 28A.610.040, and 28A.610.050; repealing RCW 28A.310.380,  
14 28A.170.010, 28A.170.020, 28A.170.030, 28A.170.040, 28A.170.060,  
15 28A.170.070, 28A.175.060, 28A.210.050, 28A.225.190, 28A.405.150,  
16 28A.405.160, 28A.415.290, 28A.630.090, 28A.630.091, 28A.630.750,  
17 28A.630.753, 28A.630.756, 28A.630.759, 28A.630.762, 28A.630.765,  
18 28A.630.768, 28A.630.771, 28A.630.774, 28A.630.777, 28A.630.780,  
19 28A.630.783, 28A.630.786, 28A.630.789, 28A.630.800, 28A.175.070,  
20 28A.210.005, 28A.215.300, 28A.215.310, 28A.215.320, 28A.215.330,  
21 28A.234.010, 28A.175.020, 28A.175.030, 28A.175.040, 28A.175.050,

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

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

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

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

35 (3) Parents who elect to participate in training or work programs,  
36 as a condition of receiving public assistance, shall have the hours  
37 spent in parent participation programs, conducted as part of a federal

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

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

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

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

16 RCW 28A.405.010

17 RCW 28A.405.025

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

20 RCW 28A.610.010

21 RCW 28A.610.020

22 RCW 28A.610.030

23 RCW 28A.610.040

24 RCW 28A.610.050

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

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

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

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

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

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

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

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

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

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

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

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

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

20 As a supplement to the authority otherwise granted by RCW  
21 28A.215.010 through 28A.215.050 ((and ~~28A.215.300 through 28A.215.330~~))  
22 respecting the care or instruction, or both, of children in general,  
23 the board of directors of any school district may only utilize funds  
24 outside the state basic education appropriation and the state school  
25 transportation appropriation to:

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

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

34 (3) Transport children enrolled in a child care program to the  
35 program and to related sites using district-owned school buses and  
36 other motor vehicles, or by contracting for such transportation and  
37 related services: PROVIDED, That no child three years of age or

1 younger shall be transported under the provisions of this section  
2 unless accompanied by a parent or guardian.

3 **PART IV - UNFUNDED PROGRAMS**

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

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

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

- 14 (1) RCW 28A.175.020 and 1987 c 518 s 213;
- 15 (2) RCW 28A.175.030 and 1990 c 33 s 160, 1989 c 209 s 1, & 1987 c  
16 518 s 214;
- 17 (3) RCW 28A.175.040 and 1990 c 33 s 161, 1989 c 209 s 2, & 1987 c  
18 518 s 215;
- 19 (4) RCW 28A.175.050 and 1990 c 33 s 162 & 1987 c 518 s 217;
- 20 (5) RCW 28A.240.010 and 1990 c 33 s 248 & 1985 c 422 s 2;
- 21 (6) RCW 28A.240.020 and 1985 c 422 s 1;
- 22 (7) RCW 28A.240.030 and 1990 c 33 s 249 & 1985 c 422 s 3;
- 23 (8) RCW 28A.300.110 and 1990 c 33 s 255, 1987 1st ex.s. c 2 s 208,  
24 1987 c 197 s 1, & 1984 c 278 s 5;
- 25 (9) RCW 28A.300.180 and 1989 c 146 s 3;
- 26 (10) RCW 28A.300.200 and 1991 c 128 s 13 & 1990 c 243 s 9;
- 27 (11) RCW 28A.415.110 and 1991 c 258 s 3;
- 28 (12) RCW 28A.415.115 and 1991 c 258 s 4;
- 29 (13) RCW 28A.415.220 and 1993 c 217 s 1 & 1991 c 252 s 1;
- 30 (14) RCW 28A.600.425 and 1992 c 196 s 2;
- 31 (15) RCW 28A.600.430 and 1992 c 196 s 3;
- 32 (16) RCW 28A.600.435 and 1992 c 196 s 4;
- 33 (17) RCW 28A.600.440 and 1992 c 196 s 5;
- 34 (18) RCW 28A.600.445 and 1992 c 196 s 6;
- 35 (19) RCW 28A.600.450 and 1992 c 196 s 7;
- 36 (20) RCW 28A.615.060 and 1989 c 310 s 1;

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

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

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

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

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

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

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

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

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

35 (7) "Student teaching center" means the program established to  
36 provide student teachers in a geographic region of the state with  
37 special support and training as part of their teacher preparation  
38 program.

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

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

7 The legislature finds that it has previously declared in RCW  
8 28B.107.005 that it is important to the economic future of the state to  
9 promote international awareness and understanding, and in RCW 1.20.100  
10 (~~and 28A.630.300~~), that the state's economy and economic well-being  
11 depends heavily on foreign trade and international exchange.

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

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

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

23 **PART V - REPORTS**

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

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

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

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

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

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

9       ~~(4) The state administrative structure necessary to implement the~~  
10 ~~program; and~~

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

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

27       (1) Each school district board of directors shall develop a  
28 schedule and process by which each public school within its  
29 jurisdiction shall undertake self-study procedures on a regular basis:  
30 PROVIDED, That districts may allow two or more elementary school  
31 buildings in the district to undertake jointly the self-study process.  
32 Each school may follow the accreditation process developed by the state  
33 board of education under RCW 28A.305.130(6), although no school is  
34 required to file for actual accreditation, or the school may follow a  
35 self-study process developed locally. The initial self-study process  
36 within each district shall begin by September 1, 1986, and should be  
37 completed for all schools within a district by the end of the 1990-91  
38 school year.

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

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

8 (a) Achieving educational excellence and equity;

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

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

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

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

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

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

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

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

37 (2) To employ, and for cause dismiss one or more assistant  
38 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 handicapped  
15 youth, as in the judgment of the board, best shall promote the  
16 interests of education in the district.

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

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

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

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

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

37 (12) To appoint a practicing physician, resident of the school  
38 district, who shall be known as the school district medical inspector,  
39 and whose duty it shall be to decide for the board of directors all

1 questions of sanitation and health affecting the safety and welfare of  
2 the public schools of the district who shall serve at the board's  
3 pleasure(~~(; the school district medical inspector or authorized~~  
4 ~~deputies shall make monthly inspections of each school in the district~~  
5 ~~and report the condition of the same to the board of education and~~  
6 ~~board of health))): PROVIDED, That children shall not be required to  
7 submit to vaccination against the will of their parents or guardian.~~

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

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

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

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

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

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

16 (3) The commission, with the assistance of the advisory committees,  
17 shall:

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

31 (b)(i) The commission shall present to the state board of education  
32 and superintendent of public instruction a state-wide academic  
33 assessment system for use in the elementary, middle, and high school  
34 years designed to determine if each student has mastered the essential  
35 academic learning requirements identified in (a) of this subsection.  
36 The academic assessment system shall include a variety of assessment  
37 methods, including performance-based measures that are criterion-  
38 referenced. Performance standards for determining if a student has  
39 successfully completed an assessment shall be initially determined by

1 the commission in consultation with the advisory committees required in  
2 subsection (2) of this section.

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

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

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

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

35 (vi) The commission shall develop assessments that are directly  
36 related to the essential academic learning requirements, and are not  
37 biased toward persons with different learning styles, racial or ethnic  
38 backgrounds, or on the basis of gender;

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

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

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

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

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

38 (h) Review current school district data reporting requirements for  
39 the purposes of accountability and meeting state information needs.

1 The commission on student learning shall report recommendations to the  
2 joint select committee on education restructuring by September 15,  
3 1996, on:

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

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

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

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

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

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

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

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

35 ((i)) (j) Report annually by December 1st to the legislature, the  
36 governor, the superintendent of public instruction, and the state board  
37 of education on the progress, findings, and recommendations of the  
38 commission; and

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

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

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

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

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

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

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

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

36 ~~(a) What data is necessary to compare how school districts are~~  
37 ~~performing before the essential academic learning requirements and the~~  
38 ~~assessment system are implemented with how school districts are~~

1 performing after the essential academic learning requirements and the  
2 assessment system are implemented; and

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

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

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

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

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

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

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

35 NEW SECTION. **Sec. 508.** The following acts or parts of acts are  
36 each repealed:

37 (1) RCW 28A.205.060 and 1993 c 211 s 5 & 1985 c 434 s 2;

- 1 (2) RCW 28A.225.180 and 1990 c 33 s 233 & 1969 ex.s. c 223 s  
2 28A.58.215;
- 3 (3) RCW 28A.225.320 and 1990 1st ex.s. c 9 s 210;
- 4 (4) RCW 28A.300.210 and 1991 c 201 s 18;
- 5 (5) RCW 28A.335.310 and 1993 c 461 s 3; and
- 6 (6) RCW 28A.340.050 and 1990 c 33 s 370 & 1988 c 268 s 7.

7 **PART VI - PERMISSIVE LANGUAGE**

8 **Sec. 601.** RCW 28A.180.080 and 1990 c 33 s 167 are each amended to  
9 read as follows:

10 The superintendent of public instruction shall prepare and submit  
11 biennially to the governor and the legislature a budget request for  
12 bilingual instruction programs. Moneys appropriated by the legislature  
13 for the purposes of RCW 28A.180.010 through 28A.180.080 shall be  
14 allocated by the superintendent of public instruction to school  
15 districts for the sole purpose of operating an approved bilingual  
16 instruction program; priorities for funding shall exist for the early  
17 elementary grades. No moneys shall be allocated pursuant to this  
18 section to fund more than three school years of bilingual instruction  
19 for each eligible pupil within a district: PROVIDED, That such moneys  
20 may be allocated to fund more than three school years of bilingual  
21 instruction for any pupil who fails to demonstrate improvement in  
22 English language skills adequate to remove impairment of learning when  
23 taught only in English. The superintendent of public instruction shall  
24 set standards and approve a test for the measurement of such English  
25 language skills. (~~(School districts are hereby empowered to accept~~  
26 ~~grants, gifts, donations, devices and other gratuities from private and~~  
27 ~~public sources to aid in accomplishing the purposes of RCW 28A.180.010~~  
28 ~~through 28A.180.080.))~~)

29 **Sec. 602.** RCW 28A.225.220 and 1993 c 336 s 1008 are each amended  
30 to read as follows:

31 (1) Any board of directors may make agreements with adults choosing  
32 to attend school(~~(:—PROVIDED, That unless such arrangements are~~  
33 ~~approved by the state superintendent of public instruction, a~~  
34 ~~reasonable tuition charge, fixed by the state superintendent of public~~  
35 ~~instruction, shall be paid by such students as best may be accommodated~~  
36 ~~therein)).~~)

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

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

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

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

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

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

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

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

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

30 (~~(Notwithstanding any other provision of law,)~~) (1) The state  
31 superintendent of public instruction is directed and authorized to  
32 develop and adopt rules ((and regulations to implement such voluntary,  
33 tuition free attendance programs among school districts that he))  
34 governing cooperative programs between and among school districts and  
35 educational service districts that the superintendent deems necessary  
36 ((for the expressed purpose of)) to assure:

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

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

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

8       (a) Correct calculation of state apportionment payments;

9       (b) Proper budgeting and accounting for interdistrict cooperative  
10 program revenues and expenditures;

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

13       (d) Protection of the right of residents of Washington under  
14 eighteen years of age to a tuition-free program of basic education.

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

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

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

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

29       ~~((2) The joint maintenance and operation of educational programs~~  
30 ~~or services (a) either as a part of the operation of a joint facility~~  
31 ~~or otherwise, (b) either on a full or part time attendance basis, and~~  
32 ~~(c) either on a regular one hundred eighty day school year or extended~~  
33 ~~school year: PROVIDED, That any such joint program or service must be~~  
34 ~~operated pursuant to a written agreement approved by the superintendent~~  
35 ~~of public instruction pursuant to rules and regulations promulgated~~  
36 ~~therefor. In establishing rules and regulations the state~~  
37 ~~superintendent shall consider, among such other factors as the~~  
38 ~~superintendent deems appropriate, the economic feasibility of said~~

1 ~~services and programs, the educational and administrative scope of said~~  
2 ~~agreement and the need for said programs or services.~~

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

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

11 (1) RCW 28A.170.100 and 1991 c 116 s 24, 1990 c 33 s 159, & 1989 c  
12 271 s 313;

13 (2) RCW 28A.175.080 and 1989 c 233 s 7;

14 (3) RCW 28A.180.050 and 1984 c 124 s 4, & 1979 c 95 s 4;

15 (4) RCW 28A.180.070 and 1990 c 33 s 166 & 1984 c 124 s 6; and

16 (5) RCW 28A.415.050 and 1985 c 419 s 2.

#### 17 **PART VII - MANDATES ON SCHOOL DISTRICT OPERATIONS**

18 NEW SECTION. **Sec. 701.** RCW 28A.400.150 and 1990 c 33 s 380 & 1969  
19 ex.s. c 223 s 28A.58.170 are each repealed.

#### 20 **PART VIII - MISCELLANEOUS**

21 NEW SECTION. **Sec. 801.** The repeal of any programs that are not  
22 funded as of the effective date of this section is not intended to  
23 comment on the value of the services provided by the programs. The  
24 repeal of statutes in chapter . . ., Laws of 1995 (this act) does not  
25 affect the general authority of school districts to provide services to  
26 accomplish the purposes of these programs. The deletion or repeal of  
27 language that permitted school districts to carry out specific  
28 activities that would be within their general authority is not intended  
29 to affect the general authority of school districts to continue to  
30 carry out those activities.

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

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

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

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

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