

CERTIFICATION OF ENROLLMENT
ENGROSSED SUBSTITUTE SENATE BILL 5169

54th Legislature
1995 Regular Session

Passed by the Senate April 22, 1995
YEAS 44 NAYS 0

President of the Senate

Passed by the House April 21, 1995
YEAS 94 NAYS 2

**Speaker of the
House of Representatives**

Approved

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5169** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5169

AS AMENDED BY THE HOUSE

Passed Legislature - 1995 Regular Session

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.600.---, 28A.215.020, 28A.215.030,
7 28A.215.050, 28A.405.120, 28A.415.105, 28B.90.005, 28A.215.170,
8 28A.320.200, 28A.330.100, 28A.400.306, 28A.630.885, 28A.630.952,
9 28A.650.015, 28A.180.080, 28A.225.220, 28A.225.250, 28A.335.160,
10 28A.405.070, and 28A.405.460; reenacting and amending RCW 28A.315.680;
11 adding new sections to chapter 28A.410 RCW; adding a new chapter to
12 Title 28B RCW; creating new sections; recodifying RCW 28A.405.010,
13 28A.405.025, 28A.610.010, 28A.610.020, 28A.610.030, 28A.610.040, and
14 28A.610.050; repealing RCW 28A.310.380, 28A.170.010, 28A.170.020,
15 28A.170.030, 28A.170.040, 28A.170.060, 28A.170.070, 28A.175.060,
16 28A.210.050, 28A.225.190, 28A.405.150, 28A.405.160, 28A.415.290,
17 28A.630.090, 28A.630.091, 28A.630.750, 28A.630.753, 28A.630.756,
18 28A.630.759, 28A.630.762, 28A.630.765, 28A.630.768, 28A.630.771,
19 28A.630.774, 28A.630.777, 28A.630.780, 28A.630.783, 28A.630.786,
20 28A.630.789, 28A.630.800, 28A.175.070, 28A.210.005, 28A.215.300,
21 28A.215.310, 28A.215.320, 28A.215.330, 28A.234.010, 28A.175.020,

1 28A.175.030, 28A.175.040, 28A.175.050, 28A.240.010, 28A.240.020,
2 28A.240.030, 28A.300.110, 28A.300.180, 28A.300.200, 28A.415.110,
3 28A.415.115, 28A.415.220, 28A.600.425, 28A.600.430, 28A.600.435,
4 28A.600.440, 28A.600.445, 28A.600.450, 28A.615.060, 28A.625.300,
5 28A.630.070, 28A.630.075, 28A.630.300, 28A.630.320, 28A.630.330,
6 28A.630.390, 28A.415.120, 28A.205.060, 28A.225.180, 28A.225.320,
7 28A.300.210, 28A.335.310, 28A.340.050, 28A.170.100, 28A.175.080,
8 28A.180.050, 28A.180.070, 28A.415.050, and 28A.400.150; and providing
9 expiration dates.

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

11 TABLE OF CONTENTS

12 PART I - OBSOLETE REFERENCES 2
13 PART II - OBSOLETE SECTIONS 6
14 PART III - RECODIFICATIONS OR TECHNICAL CHANGES 10
15 PART IV - UNFUNDED PROGRAMS 14
16 PART V - REPORTS 17
17 PART VI - PERMISSIVE LANGUAGE 28
18 PART VII - MANDATES ON SCHOOL DISTRICT OPERATIONS 31
19 PART VIII - MISCELLANEOUS 31

20 PART I - OBSOLETE REFERENCES

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

23 In the event of an unforeseen emergency, in the nature of either an
24 unavoidable cost to a district or unexpected variation in anticipated
25 revenues to a district, the state superintendent is authorized, for not
26 to exceed two years, to make such an adjustment in the allocation of
27 funds as is consistent with the intent of ((RCW 28A.150.100 through
28 28A.150.430)) this chapter, RCW 28A.160.150 through ((28A.160.220))
29 28A.160.210, 28A.300.170, and 28A.500.010 in providing an equal
30 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 **Sec. 304.** RCW 28A.600.--- and 1995 c . . . (SSB 5440) s 2 are each
16 amended to read as follows:

17 (1) Any elementary or secondary school student who is determined to
18 have carried a firearm onto, or to have possessed a firearm on, public
19 elementary or secondary school premises, public school-provided
20 transportation, or areas of facilities while being used exclusively by
21 public schools, shall be expelled from school for not less than one
22 year under RCW 28A.600.010. The superintendent of the school district,
23 educational service district, state school for the deaf, or state
24 school for the blind may modify the expulsion of a student on a case-
25 by-case basis.

26 (2) For purposes of this section, "firearm" means a firearm as
27 defined in 18 U.S.C. Sec. 921, and a "firearm" as defined in RCW
28 9.41.010.

29 (3) This section shall be construed in a manner consistent with the
30 individuals with disabilities education act, 20 U.S.C. Sec. 1401 et
31 seq.

32 (4) Nothing in this section prevents a public school district,
33 educational service district, the state school for the deaf, or the
34 state school for the blind if it has expelled a student from such
35 student's regular school setting from providing educational services to
36 the student in an alternative setting.

37 (5) This section does not apply to:

- 1 (a) Any student while engaged in military education authorized by
2 school authorities in which rifles are used but not other firearms; or
3 (b) Any student while involved in a convention, showing,
4 demonstration, lecture, or firearms safety course authorized by school
5 authorities in which the rifles of collectors or instructors are
6 handled or displayed but not other firearms; or
7 (c) Any student while participating in a rifle competition
8 authorized by school authorities.

9 NEW SECTION. **Sec. 305.** The following sections are each recodified
10 as new sections in chapter 28A.410 RCW:

- 11 RCW 28A.405.010
12 RCW 28A.405.025

13 NEW SECTION. **Sec. 306.** The following sections are recodified as
14 a new chapter in Title 28B RCW:

- 15 RCW 28A.610.010
16 RCW 28A.610.020
17 RCW 28A.610.030
18 RCW 28A.610.040
19 RCW 28A.610.050

20 NEW SECTION. **Sec. 307.** The following acts or parts of acts are
21 each repealed:

- 22 (1) RCW 28A.175.070 and 1994 c 245 s 6 & 1987 c 518 s 219;
23 (2) RCW 28A.210.005 and 1989 1st ex.s. c 9 s 239;
24 (3) RCW 28A.215.300 and 1986 c 150 s 1;
25 (4) RCW 28A.215.310 and 1990 c 33 s 216 & 1986 c 150 s 2;
26 (5) RCW 28A.215.320 and 1986 c 150 s 3;
27 (6) RCW 28A.215.330 and 1990 c 33 s 217 & 1986 c 150 s 4; and
28 (7) RCW 28A.234.010 and 1993 sp.s. c 4 s 15.

29 **Sec. 308.** RCW 28A.215.020 and 1990 c 33 s 210 are each amended to
30 read as follows:

31 Expenditures under federal funds and/or state appropriations made
32 to carry out the purposes of RCW 28A.215.010 through 28A.215.050 (~~and~~
33 ~~28A.215.300 through 28A.215.330~~) shall be made by warrants issued by
34 the state treasurer upon order of the superintendent of public

1 instruction. The state board of education shall make necessary rules
2 and regulations to carry out the purpose of RCW 28A.215.010.

3 **Sec. 309.** RCW 28A.215.030 and 1990 c 33 s 211 are each amended to
4 read as follows:

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

14 **Sec. 310.** RCW 28A.215.050 and 1990 c 33 s 212 are each amended to
15 read as follows:

16 As a supplement to the authority otherwise granted by RCW
17 28A.215.010 through 28A.215.050 ((and ~~28A.215.300~~ through ~~28A.215.330~~))
18 respecting the care or instruction, or both, of children in general,
19 the board of directors of any school district may only utilize funds
20 outside the state basic education appropriation and the state school
21 transportation appropriation to:

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

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

30 (3) Transport children enrolled in a child care program to the
31 program and to related sites using district-owned school buses and
32 other motor vehicles, or by contracting for such transportation and
33 related services: PROVIDED, That no child three years of age or
34 younger shall be transported under the provisions of this section
35 unless accompanied by a parent or guardian.

36 **PART IV - UNFUNDED PROGRAMS**

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

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

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

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

12 (2) RCW 28A.175.030 and 1990 c 33 s 160, 1989 c 209 s 1, & 1987 c
13 518 s 214;

14 (3) RCW 28A.175.040 and 1990 c 33 s 161, 1989 c 209 s 2, & 1987 c
15 518 s 215;

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

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

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

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

20 (8) RCW 28A.300.110 and 1990 c 33 s 255, 1987 1st ex.s. c 2 s 208,
21 1987 c 197 s 1, & 1984 c 278 s 5;

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

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

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

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

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

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

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

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

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

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

32 (19) RCW 28A.600.450 and 1992 c 196 s 7;

33 (20) RCW 28A.615.060 and 1989 c 310 s 1;

34 (21) RCW 28A.625.300 and 1985 c 349 s 4;

35 (22) RCW 28A.630.070 and 1990 c 148 s 2;

36 (23) RCW 28A.630.075 and 1990 c 148 s 3;

37 (24) RCW 28A.630.300 and 1987 c 349 s 1;

38 (25) RCW 28A.630.320 and 1990 c 33 s 534 & 1987 c 349 s 3;

1 (26) RCW 28A.630.330 and 1990 c 33 s 535 & 1987 c 349 s 4; and
2 (27) RCW 28A.630.390 and 1987 c 349 s 7.

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

5 Unless the context clearly requires otherwise, the definitions in
6 this section apply throughout RCW ((~~28A.415.110~~) 28A.415.125 through
7 28A.415.140.

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

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

14 (3) "Field experience" means opportunities for observation,
15 tutoring, microteaching, extended practicums, and clinical and
16 laboratory experiences which do not fall within the meaning of student
17 teaching.

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

20 (5) "Student teacher" means a candidate for initial teacher
21 certification who is in a state board of education-approved, or
22 regionally or nationally accredited teacher preparation program in a
23 school setting as part of the field-based component of their
24 preparation program.

25 (6) "Student teaching" means the full quarter or semester in a
26 school setting during which the student teacher observes the
27 cooperating teacher, participates in instructional activities, and
28 assumes both part-time and full-time teaching responsibilities under
29 the supervision of the cooperating teacher.

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

34 (8) "Supervisor or university supervisor" means the regular or
35 adjunct faculty member, or college or university-approved designee, who
36 assists and supervises the work of cooperating teachers and student
37 teachers.

1 eligible children, including related programs to prepare instructors
2 and provide facilities, equipment, and transportation;

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

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

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

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

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

36 (3) The self-study process that is used must focus upon the quality
37 and appropriateness of the school's educational program and the results

1 of its operational effort. The primary emphasis throughout the process
2 shall be placed upon:

3 (a) Achieving educational excellence and equity;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 (9) To provide free textbooks and supplies for all children
23 attending school.

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

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

33 (12) To appoint a practicing physician, resident of the school
34 district, who shall be known as the school district medical inspector,
35 and whose duty it shall be to decide for the board of directors all
36 questions of sanitation and health affecting the safety and welfare of
37 the public schools of the district who shall serve at the board's
38 pleasure(~~(; the school district medical inspector or authorized~~
39 ~~deputies shall make monthly inspections of each school in the district~~

1 and report the condition of the same to the board of education and
2 board of health)): PROVIDED, That children shall not be required to
3 submit to vaccination against the will of their parents or guardian.

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

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

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

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

1 diversity of the state's K-12 student population and that the major
2 geographic regions in the state are represented. Appointees shall be
3 qualified individuals who are supportive of educational restructuring,
4 who have a positive record of service, and who will devote sufficient
5 time to the responsibilities of the commission to ensure that the
6 objectives of the commission are achieved.

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

12 (3) The commission, with the assistance of the advisory committees,
13 shall:

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

27 (b)(i) The commission shall present to the state board of education
28 and superintendent of public instruction a state-wide academic
29 assessment system for use in the elementary, middle, and high school
30 years designed to determine if each student has mastered the essential
31 academic learning requirements identified in (a) of this subsection.
32 The academic assessment system shall include a variety of assessment
33 methods, including performance-based measures that are criterion-
34 referenced. Performance standards for determining if a student has
35 successfully completed an assessment shall be initially determined by
36 the commission in consultation with the advisory committees required in
37 subsection (2) of this section.

38 (ii) The assessment system shall be designed so that the results
39 under the assessment system are used by educators as tools to evaluate

1 instructional practices, and to initiate appropriate educational
2 support for students who have not mastered the essential academic
3 learning requirements at the appropriate periods in the student's
4 educational development.

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

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

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

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

35 (c) After a determination is made by the state board of education
36 that the high school assessment system has been implemented and that it
37 is sufficiently reliable and valid, successful completion of the high
38 school assessment shall lead to a certificate of mastery. The
39 certificate of mastery shall be obtained by most students at about the

1 age of sixteen, and is evidence that the student has successfully
2 mastered the essential academic learning requirements during his or her
3 educational career. The certificate of mastery shall be required for
4 graduation but shall not be the only requirement for graduation. The
5 commission shall make recommendations to the state board of education
6 regarding the relationship between the certificate of mastery and high
7 school graduation requirements. Upon achieving the certificate of
8 mastery, schools shall provide students with the opportunity to
9 continue to pursue career and educational objectives through
10 educational pathways that emphasize integration of academic and
11 vocational education. Educational pathways may include, but are not
12 limited to, programs such as work-based learning, school-to-work
13 transition, tech prep, vocational-technical education, running start,
14 and preparation for technical college, community college, or university
15 education;

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

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

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

28 (g) Develop recommendations for consideration by the higher
29 education coordinating board for adopting college and university
30 entrance requirements for public school students that are consistent
31 with the essential academic learning requirements and the certificate
32 of mastery;

33 (h) Review current school district data reporting requirements for
34 the purposes of accountability and meeting state information needs.
35 The commission on student learning shall report recommendations to the
36 joint select committee on education restructuring by September 15,
37 1996, on:

38 (i) What data is necessary to compare how school districts are
39 performing before the essential academic learning requirements and the

1 assessment system are implemented with how school districts are
2 performing after the essential academic learning requirements and the
3 assessment system are implemented; and

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

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

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

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

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

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

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

30 ((i)) (j) Report annually by December 1st to the legislature, the
31 governor, the superintendent of public instruction, and the state board
32 of education on the progress, findings, and recommendations of the
33 commission; and

34 ((j)) (k) Make recommendations to the legislature and take other
35 actions necessary or desirable to help students meet the student
36 learning goals.

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

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

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

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

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

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

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

30 ~~((a) What data is necessary to compare how school districts are~~
31 ~~performing before the essential academic learning requirements and the~~
32 ~~assessment system are implemented with how school districts are~~
33 ~~performing after the essential academic learning requirements and the~~
34 ~~assessment system are implemented; and~~

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

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

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

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

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

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

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

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

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

33 (2) RCW 28A.225.180 and 1990 c 33 s 233 & 1969 ex.s. c 223 s
34 28A.58.215;

35 (3) RCW 28A.225.320 and 1990 1st ex.s. c 9 s 210;

36 (4) RCW 28A.300.210 and 1991 c 201 s 18;

37 (5) RCW 28A.335.310 and 1993 c 461 s 3; and

38 (6) RCW 28A.340.050 and 1990 c 33 s 370 & 1988 c 268 s 7.

PART VI - PERMISSIVE LANGUAGE

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

36 ~~(3) Improving racial balance within and among school districts;~~
37 ~~PROVIDED, That no voluntary, tuition free attendance program among~~
38 ~~school districts developed by the superintendent of public instruction~~

1 shall be instituted unless such program receives the approval of the
2 boards of directors of the districts))

3 (a) Correct calculation of state apportionment payments;

4 (b) Proper budgeting and accounting for interdistrict cooperative
5 program revenues and expenditures;

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

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

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

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

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

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

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

36 Notwithstanding any other provision of the law, the state
37 superintendent of public instruction shall establish rules and
38 regulations for the apportionment of attendance credits for such

1 ~~students as are enrolled in a jointly operated facility or program,~~
2 ~~including apportionment for approved part time and extended school year~~
3 ~~attendance.)~~)

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

6 (1) RCW 28A.170.100 and 1991 c 116 s 24, 1990 c 33 s 159, & 1989 c
7 271 s 313;

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

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

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

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

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

13 **Sec. 701.** RCW 28A.405.070 and 1989 c 206 s 1 are each amended to
14 read as follows:

15 ~~((In filling a position))~~ Effective December 31, 1995, school and
16 educational service districts shall ~~((consider applications from two~~
17 ~~individuals wishing to share a job. All announcements of job openings~~
18 ~~shall contain a statement indicating the district will accept~~
19 ~~applications from individuals wishing to share the position. Job~~
20 ~~sharing shall be available to certificated staff))~~ have a policy on the
21 sharing of jobs by district employees.

22 **Sec. 702.** 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. 703.** 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.

--- END ---