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HOUSE BILL 1911

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State of Washington

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1999 Regular Session

By Representatives Rockefeller, Haigh, Carlson, Keiser, Cox, Santos, Stensen, Quall, Schual-Berke, McIntire, Lantz and Kessler

Read first time 02/10/1999. Referred to Committee on Education.

1 AN ACT Relating to school attendance; amending RCW 28A.225.010; and  
2 creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the essential  
5 academic learning requirements are high academic standards. These  
6 standards are intended to be rigorous and challenging for students to  
7 attain. Successful performance on the first state-wide assessment of  
8 student progress toward achievement of the standards for the fourth  
9 grade represents the culmination of a great deal of effort on the part  
10 of students and teachers.

11 The legislature finds that students who are not enrolled in and  
12 attending school before the age of eight may be denied significant  
13 opportunities to learn the essential academic learning requirements,  
14 and that students not enrolled by the age of six may encounter  
15 extraordinary difficulties in their efforts to achieve the challenging  
16 performance standards set for the fourth grade Washington assessment of  
17 student learning. Therefore, the legislature intends to encourage  
18 parents to enroll children between the ages of six and eight years of

1 age in school, and keep them there once those children have been  
2 enrolled.

3 **Sec. 2.** RCW 28A.225.010 and 1998 c 244 s 14 are each amended to  
4 read as follows:

5 (1) All parents in this state of any child eight years of age and  
6 under eighteen years of age shall cause such child to attend the public  
7 school of the district in which the child resides and such child shall  
8 have the responsibility to and therefore shall attend for the full time  
9 when such school may be in session unless:

10 (a) The child is attending an approved private school for the same  
11 time or is enrolled in an extension program as provided in RCW  
12 28A.195.010(4);

13 (b) The child is receiving home-based instruction as provided in  
14 subsection ((4)) (5) of this section;

15 (c) The child is attending an education center as provided in  
16 chapter 28A.205 RCW;

17 (d) The school district superintendent of the district in which the  
18 child resides shall have excused such child from attendance because the  
19 child is physically or mentally unable to attend school, is attending  
20 a residential school operated by the department of social and health  
21 services, is incarcerated in an adult correctional facility, or has  
22 been temporarily excused upon the request of his or her parents for  
23 purposes agreed upon by the school authorities and the parent:  
24 PROVIDED, That such excused absences shall not be permitted if deemed  
25 to cause a serious adverse effect upon the student's educational  
26 progress: PROVIDED FURTHER, That students excused for such temporary  
27 absences may be claimed as full time equivalent students to the extent  
28 they would otherwise have been so claimed for the purposes of RCW  
29 28A.150.250 and 28A.150.260 and shall not affect school district  
30 compliance with the provisions of RCW 28A.150.220; or

31 (e) The child is sixteen years of age or older and:

32 (i) The child is regularly and lawfully employed and either the  
33 parent agrees that the child should not be required to attend school or  
34 the child is emancipated in accordance with chapter 13.64 RCW;

35 (ii) The child has already met graduation requirements in  
36 accordance with state board of education rules and regulations; or

1 (iii) The child has received a certificate of educational  
2 competence under rules and regulations established by the state board  
3 of education under RCW 28A.305.190.

4 (2) If a parent enrolls a child of six or seven years of age in the  
5 public school of the district in which the child resides, that parent  
6 has the responsibility to ensure the child attends for the full time  
7 when that school is in session, unless one of the exceptions in  
8 subsection (1) of this section is met. This subsection does not apply  
9 to a child enrolled in a public school part time for the purpose of  
10 receiving ancillary services.

11 (3) A parent for the purpose of this chapter means a parent,  
12 guardian, or person having legal custody of a child.

13 ~~((3))~~ (4) An approved private school for the purposes of this  
14 chapter and chapter 28A.200 RCW shall be one approved under regulations  
15 established by the state board of education pursuant to RCW  
16 28A.305.130.

17 ~~((4))~~ (5) For the purposes of this chapter and chapter 28A.200  
18 RCW, instruction shall be home-based if it consists of planned and  
19 supervised instructional and related educational activities, including  
20 a curriculum and instruction in the basic skills of occupational  
21 education, science, mathematics, language, social studies, history,  
22 health, reading, writing, spelling, and the development of an  
23 appreciation of art and music, provided for a number of hours  
24 equivalent to the total annual program hours per grade level  
25 established for approved private schools under RCW 28A.195.010 and  
26 28A.195.040 and if such activities are:

27 (a) Provided by a parent who is instructing his or her child only  
28 and are supervised by a certificated person. A certificated person for  
29 purposes of this chapter and chapter 28A.200 RCW shall be a person  
30 certified under chapter 28A.410 RCW. For purposes of this section,  
31 "supervised by a certificated person" means: The planning by the  
32 certificated person and the parent of objectives consistent with this  
33 subsection; a minimum each month of an average of one contact hour per  
34 week with the child being supervised by the certificated person; and  
35 evaluation of such child's progress by the certificated person. The  
36 number of children supervised by the certificated person shall not  
37 exceed thirty for purposes of this subsection; or

38 (b) Provided by a parent who is instructing his or her child only  
39 and who has either earned forty-five college level quarter credit hours

1 or its equivalent in semester hours or has completed a course in home-  
2 based instruction at a postsecondary institution or a vocational-  
3 technical institute; or

4 (c) Provided by a parent who is deemed sufficiently qualified to  
5 provide home-based instruction by the superintendent of the local  
6 school district in which the child resides.

7 (~~(+5)~~) (6) The legislature recognizes that home-based instruction  
8 is less structured and more experiential than the instruction normally  
9 provided in a classroom setting. Therefore, the provisions of  
10 subsection (~~(+4)~~) (5) of this section relating to the nature and  
11 quantity of instructional and related educational activities shall be  
12 liberally construed.

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