
SUBSTITUTE HOUSE BILL 2635

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Education (originally sponsored by Representatives Haigh, Talcott, Appleton, P. Sullivan, Hunt, B. Sullivan, Ormsby, Cox, Quall, Nixon, Moeller, Newhouse, Hudgins, Upthegrove, Wallace, Green, Strow, Lantz, Kilmer, Hunter, Linville, Santos, Clements, McDermott, Fromhold, Tom, Kenney, O'Brien, Murray, Simpson, Conway, McIntire, Bailey, Hasegawa, Morrell, Ericks and Springer)

READ FIRST TIME 02/03/06.

1 AN ACT Relating to kindergarten; amending RCW 28A.150.220,
2 28A.150.250, and 28A.525.162; adding a new section to chapter 28A.150
3 RCW; and providing an effective date.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.150
6 RCW to read as follows:

7 Beginning with the 2008-09 school year, a school district may offer
8 either full-day or half-day kindergarten in one or more schools as part
9 of basic education. To ensure that the superintendent of public
10 instruction has sufficient time to allocate funds, the office of the
11 superintendent of public instruction shall adopt deadlines for a school
12 district to notify the agency that the district intends to operate a
13 full-day kindergarten program in one or more schools.

14 **Sec. 2.** RCW 28A.150.220 and 1993 c 371 s 2 are each amended to
15 read as follows:

16 (1) Satisfaction of the basic education program requirements
17 identified in RCW 28A.150.210 shall be considered to be implemented by
18 the following program:

1 (a) Each school district shall make available to students enrolled
2 in half-day kindergarten at least a total instructional offering of
3 four hundred fifty hours. Each school district shall make available to
4 students in a full-day kindergarten program at least a total
5 instructional offering of nine hundred hours. The program shall
6 include instruction in the essential academic learning requirements
7 (~~under RCW 28A.630.885~~) and such other subjects and such activities
8 as the school district shall determine to be appropriate for the
9 education of the school district's students enrolled in such program;

10 (b) Each school district shall make available to students enrolled
11 in grades one through twelve, at least a district-wide annual average
12 total instructional hour offering of one thousand hours. The state
13 board of education may define alternatives to classroom instructional
14 time for students in grades nine through twelve enrolled in alternative
15 learning experiences. The state board of education shall establish
16 rules to determine annual average instructional hours for districts
17 including fewer than twelve grades. The program shall include the
18 essential academic learning requirements (~~under RCW 28A.630.885~~) and
19 such other subjects and such activities as the school district shall
20 determine to be appropriate for the education of the school district's
21 students enrolled in such group;

22 (c) If the essential academic learning requirements include a
23 requirement of languages other than English, the requirement may be met
24 by students receiving instruction in one or more American Indian
25 languages.

26 (2) Nothing contained in subsection (1) of this section shall be
27 construed to require individual students to attend school for any
28 particular number of hours per day or to take any particular courses.

29 (3) Each school district's kindergarten through twelfth grade basic
30 educational program shall be accessible to all students who are five
31 years of age, as provided by RCW 28A.225.160, and less than twenty-one
32 years of age (~~and~~). The program shall consist of a minimum of one
33 hundred eighty school days per school year in such grades as are
34 conducted by a school district(~~, and~~). At the option of the school
35 district, the basic education program for students in kindergarten may
36 consist of either one hundred eighty (~~half-days~~) half days or one
37 hundred eighty full days of instruction(~~, or equivalent, in~~
38 ~~kindergarten: PROVIDED, That~~). Effective May 1, 1979, a school

1 district may schedule the last five school days of the one hundred and
2 eighty day school year for noninstructional purposes in the case of
3 students who are graduating from high school, including, but not
4 limited to, the observance of graduation and early release from school
5 upon the request of a student, and all such students may be claimed as
6 a full time equivalent student to the extent they could otherwise have
7 been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

8 (4) The state board of education shall adopt rules to implement and
9 ensure compliance with the program requirements imposed by this
10 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
11 program approval requirements as the state board may establish.

12 **Sec. 3.** RCW 28A.150.250 and 1990 c 33 s 107 are each amended to
13 read as follows:

14 From those funds made available by the legislature for the current
15 use of the common schools, the superintendent of public instruction
16 shall distribute annually as provided in RCW 28A.510.250 to each school
17 district of the state operating a program approved by the state board
18 of education an amount which, when combined with an appropriate portion
19 of such locally available revenues, other than receipts from federal
20 forest revenues distributed to school districts pursuant to RCW
21 28A.520.010 and 28A.520.020, as the superintendent of public
22 instruction may deem appropriate for consideration in computing state
23 equalization support, excluding excess property tax levies, will
24 constitute a basic education allocation in dollars for each annual
25 average full time equivalent student enrolled, based upon one full
26 school year of one hundred eighty days, except that for schools in
27 which a school district is operating half-day kindergartens, one full
28 school year shall be one hundred eighty half days of instruction, or
29 the equivalent as provided in RCW 28A.150.220.

30 Basic education shall be considered to be fully funded by those
31 amounts of dollars appropriated by the legislature pursuant to RCW
32 28A.150.250 and 28A.150.260 to fund those program requirements
33 identified in RCW 28A.150.220 in accordance with the formula and ratios
34 provided in RCW 28A.150.260 and those amounts of dollars appropriated
35 by the legislature to fund the salary requirements of RCW 28A.150.100
36 and 28A.150.410.

1 Operation of a program approved by the state board of education,
2 for the purposes of this section, shall include a finding that the
3 ratio of students per classroom teacher in grades kindergarten through
4 three is not greater than the ratio of students per classroom teacher
5 in grades four and above for such district: PROVIDED, That for the
6 purposes of this section, "classroom teacher" shall be defined as an
7 instructional employee possessing at least a provisional certificate,
8 but not necessarily employed as a certificated employee, whose primary
9 duty is the daily educational instruction of students: PROVIDED
10 FURTHER, That the state board of education shall adopt rules and
11 regulations to insure compliance with the student/teacher ratio
12 provisions of this section, and such rules and regulations shall allow
13 for exemptions for those special programs and/or school districts which
14 may be deemed unable to practicably meet the student/teacher ratio
15 requirements of this section by virtue of a small number of students.

16 If a school district's basic education program fails to meet the
17 basic education requirements enumerated in RCW 28A.150.250,
18 28A.150.260, and 28A.150.220, the state board of education shall
19 require the superintendent of public instruction to withhold state
20 funds in whole or in part for the basic education allocation until
21 program compliance is assured: PROVIDED, That the state board of
22 education may waive this requirement in the event of substantial lack
23 of classroom space.

24 **Sec. 4.** RCW 28A.525.162 and 1995 c 77 s 24 are each amended to
25 read as follows:

26 (1) Funds appropriated to the state board of education from the
27 common school construction fund shall be allotted by the state board of
28 education in accordance with student enrollment and the provisions of
29 RCW 28A.525.200.

30 (2) No allotment shall be made to a school district until such
31 district has provided matching funds equal to or greater than the
32 difference between the total approved project cost and the amount of
33 state assistance to the district for financing the project computed
34 pursuant to RCW 28A.525.166, with the following exceptions:

35 (a) The state board may waive the matching requirement for
36 districts which have provided funds for school building construction
37 purposes through the authorization of bonds or through the

1 authorization of excess tax levies or both in an amount equivalent to
2 two and one-half percent of the value of its taxable property, as
3 defined in RCW 39.36.015.

4 (b) No such matching funds shall be required as a condition to the
5 allotment of funds for the purpose of making major or minor structural
6 changes to existing school facilities in order to bring such facilities
7 into compliance with the barrier free access requirements of section
8 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and
9 rules implementing the act.

10 (3) For the purpose of computing the state matching percentage
11 under RCW 28A.525.166 when a school district is granted authority to
12 enter into contracts, adjusted valuation per pupil shall be calculated
13 using headcount student enrollments from the most recent October
14 enrollment reports submitted by districts to the superintendent of
15 public instruction, adjusted as follows:

16 (a) In the case of projects for which local bonds were approved
17 after May 11, 1989:

18 (i) For districts which have been designated as serving high school
19 districts under RCW 28A.540.110, students residing in the nonhigh
20 district so designating shall be excluded from the enrollment count if
21 the student is enrolled in any grade level not offered by the nonhigh
22 district;

23 (ii) The enrollment of nonhigh school districts shall be increased
24 by the number of students residing within the district who are enrolled
25 in a serving high school district so designated by the nonhigh school
26 district under RCW 28A.540.110, including only students who are
27 enrolled in grade levels not offered by the nonhigh school district;
28 and

29 (iii) The number of preschool students with disabilities included
30 in the enrollment count shall be multiplied by one-half;

31 (b) In the case of construction or modernization of high school
32 facilities in districts serving students from nonhigh school districts,
33 the adjusted valuation per pupil shall be computed using the combined
34 adjusted valuations and enrollments of each district, each weighted by
35 the percentage of the district's resident high school students served
36 by the high school district; and

37 (c) The number of kindergarten students included in the enrollment

1 count shall be multiplied by one-half in schools in which a school
2 district is operating or plans to operate a half-day kindergarten
3 program.

4 (4) The state board of education shall prescribe and make effective
5 such rules as are necessary to equate insofar as possible the efforts
6 made by school districts to provide capital funds by the means
7 aforesaid.

8 (5) For the purposes of this section, "preschool students with
9 disabilities" means developmentally disabled children of preschool age
10 who are entitled to services under RCW 28A.155.010 through 28A.155.100
11 and are not included in the kindergarten enrollment count of the
12 district.

13 NEW SECTION. **Sec. 5.** This act takes effect September 1, 2008.

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