
SENATE BILL 5982

State of Washington

63rd Legislature

2014 Regular Session

By Senator Ericksen

Read first time 01/13/14. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to preserving K-12 instructional time; amending RCW
2 28A.150.203, 28A.305.140, 28A.305.140, 28A.655.180, and 28A.655.180;
3 adding a new section to chapter 28A.150 RCW; creating a new section;
4 providing an effective date; and providing an expiration date.

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

6 NEW SECTION. **Sec. 1.** The legislature intends to preserve
7 instructional time offered to students in all grades kindergarten
8 through twelve by limiting the number of late start and early release
9 days within the required minimum one hundred eighty-day school
10 calendar.

11 **Sec. 2.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended to
12 read as follows:

13 The definitions in this section apply throughout this chapter
14 unless the context clearly requires otherwise.

15 (1) "Basic education goal" means the student learning goals and the
16 student knowledge and skills described under RCW 28A.150.210.

17 (2) "Certificated administrative staff" means all those persons who

1 are chief executive officers, chief administrative officers,
2 confidential employees, supervisors, principals, or assistant
3 principals within the meaning of RCW 41.59.020(4).

4 (3) "Certificated employee" as used in this chapter and RCW
5 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,
6 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those
7 persons who hold certificates as authorized by rule of the Washington
8 professional educator standards board.

9 (4) "Certificated instructional staff" means those persons employed
10 by a school district who are nonsupervisory certificated employees
11 within the meaning of RCW 41.59.020(8).

12 (5) "Class size" means an instructional grouping of students where,
13 on average, the ratio of students to teacher is the number specified.

14 (6) "Classified employee" means a person who does not hold a
15 professional education certificate or is employed in a position that
16 does not require such a certificate.

17 (7) "Classroom teacher" means a person who holds a professional
18 education certificate and is employed in a position for which such
19 certificate is required whose primary duty is the daily educational
20 instruction of students. In exceptional cases, people of unusual
21 competence but without certification may teach students so long as a
22 certificated person exercises general supervision, but the hiring of
23 such classified employees shall not occur during a labor dispute, and
24 such classified employees shall not be hired to replace certificated
25 employees during a labor dispute.

26 (8) "Instructional program of basic education" means the minimum
27 program required to be provided by school districts and includes
28 instructional hour requirements and other components under RCW
29 28A.150.220.

30 (9) "Program of basic education" means the overall program under
31 RCW 28A.150.200 and deemed by the legislature to comply with the
32 requirements of Article IX, section 1 of the state Constitution.

33 (10) "School day" means each day of the school year on which pupils
34 enrolled in the common schools of a school district are engaged in
35 academic and career and technical instruction planned by and under the
36 direction of the school.

37 (11) "School year" includes the minimum number of school days
38 required under RCW 28A.150.220 and limited under section 3 of this act.

1 and begins on the first day of September and ends with the last day of
2 August, except that any school district may elect to commence the
3 annual school term in the month of August of any calendar year and in
4 such case the operation of a school district for such period in August
5 shall be credited by the superintendent of public instruction to the
6 succeeding school year for the purpose of the allocation and
7 distribution of state funds for the support of such school district.

8 (12) "Teacher planning period" means a period of a school day as
9 determined by the administration and the board of (~~the~~) directors of
10 the district that may be used by teachers for instruction-related
11 activities including but not limited to preparing instructional
12 materials; reviewing student performance; recording student data;
13 consulting with other teachers, instructional assistants, mentors,
14 instructional coaches, administrators, and parents; or participating in
15 professional development.

16 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.150
17 RCW to read as follows:

18 Late start or early release of students resulting in partial days
19 of instruction shall be limited to no more than seven occurrences
20 during the required minimum one hundred eighty-day school year, except
21 as provided in RCW 28A.150.290 for unforeseen events. If a school
22 district chooses to seek a waiver from the office of the superintendent
23 of public instruction or the state board of education to implement more
24 than a total of seven late starts and early releases, then each
25 additional partial day shall count for no more than one-half day for
26 the purposes of the allocation and distribution of state funds.

27 **Sec. 4.** RCW 28A.305.140 and 2012 c 53 s 8 are each amended to read
28 as follows:

29 (1) In accordance with section 3 of this act, the state board of
30 education may grant waivers to school districts from the provisions of
31 RCW 28A.150.200 through 28A.150.220 on the basis that such waiver or
32 waivers are necessary to:

33 (a) Implement successfully a local plan to provide for all students
34 in the district an effective education system that is designed to
35 enhance the educational program for each student. The local plan may

1 include alternative ways to provide effective educational programs for
2 students who experience difficulty with the regular education program;

3 (b) Implement an innovation school or innovation zone designated
4 under RCW 28A.630.081; or

5 (c) Implement a collaborative schools for innovation and success
6 pilot project approved under RCW 28A.630.104.

7 (2) The state board shall adopt criteria to evaluate the need for
8 the waiver or waivers.

9 **Sec. 5.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended to
10 read as follows:

11 In accordance with section 3 of this act, the state board of
12 education may grant waivers to school districts from the provisions of
13 RCW 28A.150.200 through 28A.150.220 on the basis that such waiver or
14 waivers are necessary to implement successfully a local plan to provide
15 for all students in the district an effective education system that is
16 designed to enhance the educational program for each student. The
17 local plan may include alternative ways to provide effective
18 educational programs for students who experience difficulty with the
19 regular education program.

20 The state board shall adopt criteria to evaluate the need for the
21 waiver or waivers.

22 **Sec. 6.** RCW 28A.655.180 and 2012 c 53 s 9 are each amended to read
23 as follows:

24 (1) In accordance with section 3 of this act, the state board of
25 education, where appropriate, or the superintendent of public
26 instruction, where appropriate, may grant waivers to districts from the
27 provisions of statutes or rules relating to: The length of the school
28 year; student-to-teacher ratios; and other administrative rules that in
29 the opinion of the state board of education or the opinion of the
30 superintendent of public instruction may need to be waived in order for
31 a district to implement a plan for restructuring its educational
32 program or the educational program of individual schools within the
33 district or to implement an innovation school or innovation zone
34 designated under RCW 28A.630.081 or to implement a collaborative
35 schools for innovation and success pilot project approved under RCW
36 28A.630.104.

1 (2) School districts may use the application process in RCW
2 28A.305.140 to apply for the waivers under this section.

3 **Sec. 7.** RCW 28A.655.180 and 2009 c 543 s 3 are each amended to
4 read as follows:

5 (1) In accordance with section 3 of this act, the state board of
6 education, where appropriate, or the superintendent of public
7 instruction, where appropriate, may grant waivers to districts from the
8 provisions of statutes or rules relating to: The length of the school
9 year; student-to-teacher ratios; and other administrative rules that in
10 the opinion of the state board of education or the opinion of the
11 superintendent of public instruction may need to be waived in order for
12 a district to implement a plan for restructuring its educational
13 program or the educational program of individual schools within the
14 district.

15 (2) School districts may use the application process in RCW
16 28A.305.140 to apply for the waivers under this section.

17 NEW SECTION. **Sec. 8.** Sections 4 and 6 of this act expire June 30,
18 2019.

19 NEW SECTION. **Sec. 9.** Sections 5 and 7 of this act take effect
20 June 30, 2019.

--- END ---