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ENGROSSED SUBSTITUTE HOUSE BILL 2311

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State of Washington

65th Legislature

2018 Regular Session

By House Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Tarleton, Slatter, Haler, Reeves, Doglio, Muri, Graves, and Young)

READ FIRST TIME 01/22/18.

1 AN ACT Relating to reducing barriers to student participation in  
2 extracurricular activities; amending RCW 28A.195.010; adding new  
3 sections to chapter 28A.600 RCW; adding a new section to chapter  
4 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and  
5 creating a new section.

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

7 NEW SECTION. **Sec. 1.** INTENT. (1)(a) According to the Washington  
8 interscholastic activities association, interscholastic athletics and  
9 activities are a vital part of enriching students' educational  
10 experiences and developing students into responsible adults. The  
11 legislature finds that research compiled by the association  
12 demonstrates that students who participate in extracurricular  
13 activities have:

14 (i) Better grades and higher standardized test scores;

15 (ii) Increased school attendance; and

16 (iii) Improved health and wellness.

17 (b) In addition, the legislature finds that this research shows  
18 that participation in extracurricular activities develops lifelong  
19 skills and relationship building; has long-term economic benefits;  
20 increases the odds of attending and graduating from college;  
21 decreases the likelihood of juvenile crimes, drug, alcohol, and

1 cigarette use, and sexual activities; and positively enhances a  
2 student's educational experience.

3 (2) Thus, the legislature intends to reduce barriers to  
4 participation in extracurricular activities by:

5 (a) Capping fees for low-income students who participate in these  
6 activities, including career and technical student organizations, and  
7 sports and other activities governed by the Washington  
8 interscholastic activities association;

9 (b) Requiring that the process for charging and collecting fees  
10 be identical for all students; and

11 (c) Reducing the frequency of required physical examinations.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600  
13 RCW to read as follows:

14 FEE LIMITATIONS. (1)(a) The maximum fee charged to a public or  
15 private high school student eligible to participate in the federal  
16 free and reduced-price meals program for an associated student body  
17 or other student identification card is five dollars per school year.

18 (b) The maximum fee charged to a public or private high school  
19 student eligible to participate in the federal free and reduced-price  
20 meals program to participate in an extracurricular activity is five  
21 dollars per extracurricular activity per school year. This subsection  
22 (1)(b) applies only to high school students who are enrolled in a  
23 school district that is a member of the Washington interscholastic  
24 activities association.

25 (c) The maximum fee charged to a public or private high school  
26 student eligible to participate in the federal free and reduced-price  
27 meals program to participate in career and technical student  
28 organizations is five dollars per organization per year.

29 (2) The maximum fee limitations described in this section do not  
30 apply to admission fees for events, such as competition events,  
31 artistic exhibits or performances, or dances or other student  
32 gatherings, nor for the purchase of clothing, supplies, gear, or  
33 equipment required to participate in extracurricular activities or  
34 career and technical student organizations.

35 (3) The process for charging and collecting fees from public and  
36 private high school students eligible to participate in the federal  
37 free and reduced-price meals program, as required by subsection (1)  
38 of this section, must be identical to the process for charging and  
39 collecting fees from other students.

1 (4) The legislature recommends, but does not require, that the  
2 provisions of this section are made applicable to public and private  
3 junior and middle schools.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320  
5 RCW to read as follows:

6 COMMUNICATING FEE LIMITS. School districts must widely,  
7 effectively, and frequently communicate the fee limits on the  
8 purchase of student identification cards, participation in  
9 extracurricular activities, and participation in career and technical  
10 student organizations for students eligible to participate in the  
11 federal free and reduced-price meals program, described in section 2  
12 of this act. Information about the fee limits must be included on the  
13 high school's web site and the school district's web site,  
14 registration forms related to school enrollment and participation in  
15 extracurricular activities or career and technical student  
16 organizations, annual information packets to students and families,  
17 and newsletters.

18 **Sec. 4.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to  
19 read as follows:

20 (1) The legislature hereby recognizes that private schools should  
21 be subject only to those minimum state controls necessary to insure  
22 the health and safety of all the students in the state and to insure  
23 a sufficient basic education to meet usual graduation requirements.  
24 The state, any agency or official thereof, shall not restrict or  
25 dictate any specific educational or other programs for private  
26 schools except as hereinafter in this section provided.

27 (2) Principals of private schools or superintendents of private  
28 school districts shall file each year with the state superintendent  
29 of public instruction a statement certifying that the minimum  
30 requirements hereinafter set forth are being met, noting any  
31 deviations. After review of the statement, the state superintendent  
32 will notify schools or school districts of those deviations which  
33 must be corrected. In case of major deviations, the school or school  
34 district may request and the state board of education may grant  
35 provisional status for one year in order that the school or school  
36 district may take action to meet the requirements. The state board of  
37 education shall not require private school students to meet the  
38 student learning goals, obtain a certificate of academic achievement,

1 or a certificate of individual achievement to graduate from high  
2 school, to master the essential academic learning requirements, or to  
3 be assessed pursuant to RCW 28A.655.061. However, private schools may  
4 choose, on a voluntary basis, to have their students master these  
5 essential academic learning requirements, take the assessments, and  
6 obtain a certificate of academic achievement or a certificate of  
7 individual achievement. Minimum requirements shall be as follows:

8 ((+1)) (a) The minimum school year for instructional purposes  
9 shall consist of no less than one hundred eighty school days or the  
10 equivalent in annual minimum instructional hour offerings, with a  
11 school-wide annual average total instructional hour offering of one  
12 thousand hours for students enrolled in grades one through twelve,  
13 and at least four hundred fifty hours for students enrolled in  
14 kindergarten.

15 ((+2)) (b) The school day shall be the same as defined in RCW  
16 28A.150.203.

17 ((+3)) (c) All classroom teachers shall hold appropriate  
18 Washington state certification except as follows:

19 ((+a)) (i) Teachers for religious courses or courses for which  
20 no counterpart exists in public schools shall not be required to  
21 obtain a state certificate to teach those courses.

22 ((+b)) (ii) In exceptional cases, people of unusual competence  
23 but without certification may teach students so long as a certified  
24 person exercises general supervision. Annual written statements shall  
25 be submitted to the office of the superintendent of public  
26 instruction reporting and explaining such circumstances.

27 ((+4)) (d) An approved private school may operate an extension  
28 program for parents, guardians, or persons having legal custody of a  
29 child to teach children in their custody. The extension program shall  
30 require at a minimum that:

31 ((+a)) (i) The parent, guardian, or custodian be under the  
32 supervision of an employee of the approved private school who is  
33 certified under chapter 28A.410 RCW;

34 ((+b)) (ii) The planning by the certified person and the parent,  
35 guardian, or person having legal custody include objectives  
36 consistent with this subsection (2)(d) and ~~((subsections (1), (2),~~  
37 ~~(5), (6), and (7) of this section))~~ (a), (b), (e), (f), and (g) of  
38 this subsection;

39 ((+c)) (iii) The certified person spend a minimum average each  
40 month of one contact hour per week with each student under his or her

1 supervision who is enrolled in the approved private school extension  
2 program;

3 ~~((d))~~ (iv) Each student's progress be evaluated by the  
4 certified person; and

5 ~~((e))~~ (v) The certified employee shall not supervise more than  
6 thirty students enrolled in the approved private school's extension  
7 program.

8 ~~((5))~~ (e) Appropriate measures shall be taken to safeguard all  
9 permanent records against loss or damage.

10 ~~((6))~~ (f) The physical facilities of the school or district  
11 shall be adequate to meet the program offered by the school or  
12 district: PROVIDED, That each school building shall meet reasonable  
13 health and fire safety requirements. A residential dwelling of the  
14 parent, guardian, or custodian shall be deemed to be an adequate  
15 physical facility when a parent, guardian, or person having legal  
16 custody is instructing his or her child under (d) of this subsection  
17 ~~((4) of this section))~~.

18 ~~((7))~~ (g) Private school curriculum shall include instruction  
19 of the basic skills of occupational education, science, mathematics,  
20 language, social studies, history, health, reading, writing,  
21 spelling, and the development of appreciation of art and music, all  
22 in sufficient units for meeting state board of education graduation  
23 requirements.

24 ~~((8))~~ (h) Each school or school district shall be required to  
25 maintain up-to-date policy statements related to the administration  
26 and operation of the school or school district.

27 (3) All decisions of policy, philosophy, selection of books,  
28 teaching material, curriculum, except as in subsection ~~((7))~~ (2)(g)  
29 of this section provided, school rules and administration, or other  
30 matters not specifically referred to in this section, shall be the  
31 responsibility of the administration and administrators of the  
32 particular private school involved.

33 (4) Each school or school district shall comply with the  
34 requirements of sections 2 and 3 of this act relating to fee limits  
35 on the purchase of student identification cards, participation in  
36 extracurricular activities, and participation in career and technical  
37 student organizations for students eligible to participate in the  
38 federal free and reduced-price meals program.

1        NEW SECTION.    **Sec. 5.**    A new section is added to chapter 28A.300  
2    RCW to read as follows:

3        PROMOTING LIVELY ACTIVITIES FOR YOUTH (PLAY) GRANT PROGRAM.

4    (1)(a) The promoting lively activities for youth (PLAY) grant program  
5    is created to subsidize small school districts unduly impacted by  
6    section 2(1)(a) of this act, which limits the associated student body  
7    or other student identification card fee charged to public high  
8    school students eligible to participate in the federal free and  
9    reduced-price meals program.

10        (b) The office of financial management must contract with the  
11    Washington interscholastic activities association to administer the  
12    program.

13        (2)(a) Subject to the availability of amounts appropriated for  
14    this specific purpose and beginning in the 2018-19 school year, the  
15    Washington interscholastic activities association must allocate, on a  
16    first come basis, up to fifty thousand dollars per school year for  
17    the purposes of the PLAY grant program.

18        (b) The Washington interscholastic activities association may not  
19    retain any of the appropriated amounts for administrative purposes.

20        (3) To qualify for a PLAY grant, a school district must:

21        (a) Have fewer than two thousand students;

22        (b) Have fifty percent or more of their high school students  
23    eligible to participate in the federal free and reduced-price meals  
24    program; and

25        (c) Be impacted by the maximum student identification card fee  
26    limitations described in section 2(1)(a) of this act.

27        (4) Applications for a PLAY grant must include the number and  
28    overall percentage of high school students eligible to participate in  
29    the federal free and reduced-price meals program who purchased a  
30    student identification card in the prior school year, and an estimate  
31    of the number of student identification card fees subject to the  
32    maximum described in section 2(1)(a) of this act.

33        (5) The maximum grant award per school district is two thousand  
34    dollars per year.

35        (6) By November 1, 2019, and in compliance with RCW 43.01.036,  
36    and by November 1st annually thereafter, the Washington  
37    interscholastic activities association must report to the appropriate  
38    policy and fiscal committees of the legislature the following data:  
39    The number of applications, a summary of the information submitted

1 with applications as required under subsection (4) of this section,  
2 and the number and amount of PLAY grants awarded.

3 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.600  
4 RCW to read as follows:

5 PHYSICAL EXAMINATION FREQUENCY. Students may not be required to  
6 complete a physical examination to participate in extracurricular  
7 activities more often than every twenty-four months, unless  
8 recommended by a medical authority licensed to perform a physical  
9 examination.

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