
SENATE BILL 5740

State of Washington

65th Legislature

2017 Regular Session

By Senator King

Read first time 02/06/17. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to the one hundred eighty day school calendar;
2 amending RCW 28A.150.220, 28A.150.290, 28A.305.141, 28A.310.240,
3 28A.330.100, 28A.400.200, 28A.400.300, and 28A.410.080; adding a new
4 section to chapter 43.135 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that school children
7 in Washington state have a shorter school year and therefore receive
8 less academic instruction than students in most of the nations that
9 outperform Washington students in international comparisons. The
10 legislature further finds that the length of the school year is
11 virtually the same today as it was throughout the twentieth century.
12 The legislature acknowledges that education reform and increased
13 investments by the legislature in Washington schools creates the
14 expectation of profound improvement in student achievement and
15 obviously calls for new ways to use time to achieve powerful
16 learning.

17 The legislature intends to extend the minimum school year from
18 one hundred eighty days to two hundred twenty days. The legislature
19 further intends for this longer school year to provide additional
20 instructional time for students and more state-compensated time for
21 teachers so that supplemental contracts and "deemed done" payments by

1 school districts to teachers can end. The legislature further intends
2 to prioritize investments in K-12 schools to improve student
3 outcomes.

4 **Sec. 2.** RCW 28A.150.220 and 2014 c 217 s 201 are each amended to
5 read as follows:

6 (1) In order for students to have the opportunity to develop the
7 basic education knowledge and skills under RCW 28A.150.210, school
8 districts must provide instruction of sufficient quantity and quality
9 and give students the opportunity to complete graduation requirements
10 that are intended to prepare them for postsecondary education,
11 gainful employment, and citizenship. The program established under
12 this section shall be the minimum instructional program of basic
13 education offered by school districts.

14 (2) Each school district shall make available to students the
15 following minimum instructional offering each school year:

16 (a) For students enrolled in grades one through twelve, at least
17 a district-wide annual average of one thousand hours, which shall be
18 increased beginning in the 2015-16 school year to at least one
19 thousand eighty instructional hours for students enrolled in grades
20 nine through twelve and at least one thousand instructional hours for
21 students in grades one through eight, all of which may be calculated
22 by a school district using a district-wide annual average of
23 instructional hours over grades one through twelve; and

24 (b) For students enrolled in kindergarten, at least four hundred
25 fifty instructional hours, which shall be increased to at least one
26 thousand instructional hours according to the implementation schedule
27 under RCW 28A.150.315.

28 (3) The instructional program of basic education provided by each
29 school district shall include:

30 (a) Instruction in the essential academic learning requirements
31 under RCW 28A.655.070;

32 (b) Instruction that provides students the opportunity to
33 complete twenty-four credits for high school graduation, beginning
34 with the graduating class of 2019 or as otherwise provided in RCW
35 28A.230.090. Course distribution requirements may be established by
36 the state board of education under RCW 28A.230.090;

37 (c) If the essential academic learning requirements include a
38 requirement of languages other than English, the requirement may be

1 met by students receiving instruction in one or more American Indian
2 languages;

3 (d) Supplemental instruction and services for underachieving
4 students through the learning assistance program under RCW
5 28A.165.005 through 28A.165.065;

6 (e) Supplemental instruction and services for eligible and
7 enrolled students and exited students whose primary language is other
8 than English through the transitional bilingual instruction program
9 under RCW 28A.180.010 through 28A.180.080;

10 (f) The opportunity for an appropriate education at public
11 expense as defined by RCW 28A.155.020 for all eligible students with
12 disabilities as defined in RCW 28A.155.020; and

13 (g) Programs for highly capable students under RCW 28A.185.010
14 through 28A.185.030.

15 (4) Nothing contained in this section shall be construed to
16 require individual students to attend school for any particular
17 number of hours per day or to take any particular courses.

18 (5)(a) Each school district's kindergarten through twelfth grade
19 basic educational program shall be accessible to all students who are
20 five years of age, as provided by RCW 28A.225.160, and less than
21 twenty-one years of age and shall consist of a minimum of one hundred
22 eighty school days per school year in such grades as are conducted by
23 a school district, (~~and one hundred eighty half days of instruction,~~
24 ~~or equivalent, in kindergarten, to be increased to a minimum of one~~
25 ~~hundred eighty school days per school year according to the~~
26 ~~implementation schedule under RCW 28A.150.315)) which shall be
27 increased to two hundred twenty days in accordance with section 10 of
28 this act.~~

29 (b) Each school district board of directors shall adopt a school
30 calendar in which breaks in scheduled instructional days for students
31 are limited to a maximum of two weeks at a time during the school
32 year.

33 (c) Schools administering the Washington kindergarten inventory
34 of developing skills may use up to three school days at the beginning
35 of the school year to meet with parents and families as required in
36 the parent involvement component of the inventory.

37 ((+e)) (d) In the case of students who are graduating from high
38 school, a school district may schedule the last five school days of
39 the (~~one hundred eighty day~~) school year for noninstructional
40 purposes including, but not limited to, the observance of graduation

1 and early release from school upon the request of a student. All such
2 students may be claimed as a full-time equivalent student to the
3 extent they could otherwise have been so claimed for the purposes of
4 RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a school
5 district for noninstructional purposes during the last five school
6 days for such students shall count toward the instructional hours
7 requirement in subsection (2)(a) of this section.

8 (6) Nothing in this section precludes a school district from
9 enriching the instructional program of basic education, such as
10 offering additional instruction or providing additional services,
11 programs, or activities that the school district determines to be
12 appropriate for the education of the school district's students.

13 (7) The state board of education shall adopt rules to implement
14 and ensure compliance with the program requirements imposed by this
15 section, RCW 28A.150.250 and 28A.150.260, and such related
16 supplemental program approval requirements as the state board may
17 establish.

18 **Sec. 3.** RCW 28A.150.290 and 1992 c 141 s 504 are each amended to
19 read as follows:

20 (1) The superintendent of public instruction shall have the power
21 and duty to make such rules and regulations as are necessary for the
22 proper administration of this chapter and RCW 28A.160.150 through
23 (~~28A.160.220~~) 28A.160.210, 28A.300.035, 28A.300.170, and
24 28A.500.010 not inconsistent with the provisions thereof, and in
25 addition to require such reports as may be necessary to carry out his
26 or her duties under this chapter and RCW 28A.160.150 through
27 (~~28A.160.220~~) 28A.160.210, 28A.300.035, 28A.300.170, and
28 28A.500.010.

29 (2) The superintendent of public instruction shall have the
30 authority to make rules and regulations which establish the terms and
31 conditions for allowing school districts to receive state basic
32 education moneys as provided in RCW 28A.150.250 when said districts
33 are unable to fulfill for one or more schools as officially scheduled
34 the requirement of a full school year of one hundred eighty days,
35 which shall be increased to two hundred twenty days in accordance
36 with section 10 of this act, or the annual average total
37 instructional hour offering imposed by RCW 28A.150.220 and
38 28A.150.260 due to one or more of the following conditions:

1 (a) An unforeseen natural event, including, but not necessarily
2 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or
3 volcanic eruption that has the direct or indirect effect of rendering
4 one or more school district facilities unsafe, unhealthy,
5 inaccessible, or inoperable; and

6 (b) An unforeseen mechanical failure or an unforeseen action or
7 inaction by one or more persons, including negligence and threats,
8 that (i) is beyond the control of both a school district board of
9 directors and its employees and (ii) has the direct or indirect
10 effect of rendering one or more school district facilities unsafe,
11 unhealthy, inaccessible, or inoperable. Such actions, inactions or
12 mechanical failures may include, but are not necessarily limited to,
13 arson, vandalism, riots, insurrections, bomb threats, bombings,
14 delays in the scheduled completion of construction projects, and the
15 discontinuance or disruption of utilities such as heating, lighting
16 and water: PROVIDED, That an unforeseen action or inaction shall not
17 include any labor dispute between a school district board of
18 directors and any employee of the school district.

19 A condition is foreseeable for the purposes of this subsection to
20 the extent a reasonably prudent person would have anticipated prior
21 to August first of the preceding school year that the condition
22 probably would occur during the ensuing school year because of the
23 occurrence of an event or a circumstance which existed during such
24 preceding school year or a prior school year. A board of directors of
25 a school district is deemed for the purposes of this subsection to
26 have knowledge of events and circumstances which are a matter of
27 common knowledge within the school district and of those events and
28 circumstances which can be discovered upon prudent inquiry or
29 inspection.

30 (3) The superintendent of public instruction shall make every
31 effort to reduce the amount of paperwork required in administration
32 of this chapter and RCW 28A.160.150 through ~~((28A.160.220))~~
33 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010; to simplify
34 the application, monitoring and evaluation processes used; to
35 eliminate all duplicative requests for information from local school
36 districts; and to make every effort to integrate and standardize
37 information requests for other state education acts and federal aid
38 to education acts administered by the superintendent of public
39 instruction so as to reduce paperwork requirements and duplicative
40 information requests.

1 **Sec. 4.** RCW 28A.305.141 and 2016 c 99 s 1 are each amended to
2 read as follows:

3 (1) In addition to waivers authorized under RCW 28A.305.140 and
4 28A.655.180, the state board of education may grant waivers from the
5 requirement for a one hundred eighty day school year under RCW
6 28A.150.220, which shall be increased to two hundred twenty days in
7 accordance with section 10 of this act, to school districts that
8 propose to operate one or more schools on a flexible calendar for
9 purposes of economy and efficiency as provided in this section. The
10 requirement under RCW 28A.150.220 that school districts offer minimum
11 instructional hours may not be waived.

12 (2) A school district seeking a waiver under this section must
13 submit an application that includes:

14 (a) A proposed calendar for the school day and school year that
15 demonstrates how the instructional hour requirement will be
16 maintained;

17 (b) An explanation and estimate of the economies and efficiencies
18 to be gained from compressing the instructional hours into fewer than
19 one hundred eighty days, which shall be increased to two hundred
20 twenty days in accordance with section 10 of this act;

21 (c) An explanation of how monetary savings from the proposal will
22 be redirected to support student learning;

23 (d) A summary of comments received at one or more public hearings
24 on the proposal and how concerns will be addressed;

25 (e) An explanation of the impact on students who rely upon free
26 and reduced-price school child nutrition services and the impact on
27 the ability of the child nutrition program to operate an economically
28 independent program;

29 (f) An explanation of the impact on employees in education
30 support positions and the ability to recruit and retain employees in
31 education support positions;

32 (g) An explanation of the impact on students whose parents work
33 during the missed school day; and

34 (h) Other information that the state board of education may
35 request to assure that the proposed flexible calendar will not
36 adversely affect student learning.

37 (3) The state board of education shall adopt criteria to evaluate
38 waiver requests under this section. A waiver may be effective for up
39 to three years and may be renewed for subsequent periods of three or
40 fewer years. After each school year in which a waiver has been

1 granted under this section, the state board of education must analyze
2 empirical evidence to determine whether the reduction is affecting
3 student learning. If the state board of education determines that
4 student learning is adversely affected, the school district must
5 discontinue the flexible calendar as soon as possible but not later
6 than the beginning of the next school year after the determination
7 has been made.

8 (4) The state board of education may grant waivers authorized
9 under this section to five or fewer school districts. Of the five
10 waivers that may be granted, two must be reserved for districts with
11 student populations of less than one hundred fifty students, and
12 three must be reserved for districts with student populations of
13 between one hundred fifty-one and five hundred students.

14 **Sec. 5.** RCW 28A.310.240 and 2009 c 47 s 1 are each amended to
15 read as follows:

16 (1) Every educational service district board shall adopt written
17 policies granting leaves to persons under contracts of employment
18 with the district in positions requiring either certification or
19 classified qualifications, including but not limited to leaves for
20 attendance at official or private institutes and conferences and
21 sabbatical leaves for employees in positions requiring certification
22 qualification, and leaves for illness, injury, bereavement, and
23 emergencies for both certificated and classified employees, with such
24 compensation as the board prescribes. The board shall adopt written
25 policies granting annual leave with compensation for illness, injury,
26 and emergencies as follows:

27 (a) For persons under contract with the district for a full
28 fiscal year, at least ten days;

29 (b) For persons under contract with the district as part-time
30 employees, at least that portion of ten days as the total number of
31 days contracted for bears to one hundred eighty days, which shall be
32 increased to two hundred twenty days in accordance with section 10 of
33 this act;

34 (c) For certificated and classified employees, annual leave with
35 compensation for illness, injury, and emergencies shall be granted
36 and accrue at a rate not to exceed twelve days per fiscal year.
37 Provisions of any contract in force on July 23, 1989, which conflict
38 with requirements of this subsection shall continue in effect until

1 contract expiration; after expiration, any new contract executed
2 between the parties shall be consistent with this subsection;

3 (d) Compensation for leave for illness or injury actually taken
4 shall be the same as the compensation the person would have received
5 had the person not taken the leave provided in this section;

6 (e) Leave provided in this section not taken shall accumulate
7 from fiscal year to fiscal year up to a maximum of one hundred eighty
8 days for the purposes of RCW 28A.310.490, which shall be increased to
9 two hundred twenty days in accordance with section 10 of this act,
10 and for leave purposes up to a maximum of the number of contract days
11 agreed to in a given contract, but not greater than one fiscal year.
12 Such accumulated time may be taken at any time during the fiscal
13 year, or up to twelve days per year may be used for the purpose of
14 payments for unused sick leave; and

15 (f) Accumulated leave under this section shall be transferred to
16 educational service districts, school districts, the office of the
17 superintendent of public instruction, the state school for the blind,
18 the school for the deaf, institutions of higher education, and
19 community and technical colleges, and from any such district, school,
20 or office to another such district, school, office, institution of
21 higher education, or community or technical college. An intervening
22 customary summer break in employment or the performance of employment
23 duties shall not preclude such a transfer.

24 (2) Leave accumulated by a person in a district prior to leaving
25 the district may, under rules of the board, be granted to the person
26 when the person returns to the employment of the district.

27 (3) Leave for illness or injury accumulated before July 23, 1989,
28 under the administrative practices of an educational service
29 district, and such leave transferred before July 23, 1989, to or from
30 an educational service district, school district, or the office of
31 the superintendent of public instruction under the administrative
32 practices of the district or office, is declared valid and shall be
33 added to such leave for illness or injury accumulated after July 23,
34 1989.

35 **Sec. 6.** RCW 28A.330.100 and 2006 c 263 s 417 are each amended to
36 read as follows:

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

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

4 (2) To employ, and for cause dismiss one or more assistant
5 superintendents and to define their duties and fix their
6 compensation;

7 (3) To employ a business manager, attorneys, architects,
8 inspectors of construction, superintendents of buildings and a
9 superintendent of supplies, all of whom shall serve at the board's
10 pleasure, and to prescribe their duties and fix their compensation;

11 (4) To employ, and for cause dismiss, supervisors of instruction
12 and to define their duties and fix their compensation;

13 (5) To prescribe a course of study and a program of exercises
14 which shall be consistent with the course of study prepared by the
15 superintendent of public instruction for the use of the common
16 schools of this state;

17 (6) To, in addition to the minimum requirements imposed by this
18 title establish and maintain such grades and departments, including
19 night, high, kindergarten, vocational training and, except as
20 otherwise provided by law, industrial schools, and schools and
21 departments for the education and training of any class or classes of
22 youth with disabilities, as in the judgment of the board, best shall
23 promote the interests of education in the district;

24 (7) To determine the length of time over and above one hundred
25 eighty days, which shall be increased to two hundred twenty days in
26 accordance with section 10 of this act, that school shall be
27 maintained: PROVIDED, That for purposes of apportionment no district
28 shall be credited with more than one hundred (~~and~~) eighty-three
29 days' attendance in any school year, which shall be increased to two
30 hundred twenty days in accordance with section 10 of this act; and to
31 fix the time for annual opening and closing of schools and for the
32 daily dismissal of pupils before the regular time for closing
33 schools;

34 (8) To maintain a shop and repair department, and to employ, and
35 for cause dismiss, a foreman and the necessary help for the
36 maintenance and conduct thereof;

37 (9) To provide free textbooks and supplies for all children
38 attending school;

39 (10) To require of the officers or employees of the district to
40 give a bond for the honest performance of their duties in such penal

1 sum as may be fixed by the board with good and sufficient surety, and
2 to cause the premium for all bonds required of all such officers or
3 employees to be paid by the district: PROVIDED, That the board may,
4 by written policy, allow that such bonds may include a deductible
5 proviso not to exceed two percent of the officer's or employee's
6 annual salary;

7 (11) To prohibit all secret fraternities and sororities among the
8 students in any of the schools of the said districts; and

9 (12) To appoint a practicing physician, resident of the school
10 district, who shall be known as the school district medical
11 inspector, and whose duty it shall be to decide for the board of
12 directors all questions of sanitation and health affecting the safety
13 and welfare of the public schools of the district who shall serve at
14 the board's pleasure: PROVIDED, That children shall not be required
15 to submit to vaccination against the will of their parents or
16 guardian.

17 **Sec. 7.** RCW 28A.400.200 and 2010 c 235 s 401 are each amended to
18 read as follows:

19 (1) Every school district board of directors shall fix, alter,
20 allow, and order paid salaries and compensation for all district
21 employees in conformance with this section.

22 (2)(a) Salaries for certificated instructional staff shall not be
23 less than the salary provided in the appropriations act in the
24 statewide salary allocation schedule for an employee with a
25 baccalaureate degree and zero years of service; and

26 (b) Salaries for certificated instructional staff with a master's
27 degree shall not be less than the salary provided in the
28 appropriations act in the statewide salary allocation schedule for an
29 employee with a master's degree and zero years of service.

30 (3)(a) The actual average salary paid to certificated
31 instructional staff shall not exceed the district's average
32 certificated instructional staff salary used for the state basic
33 education allocations for that school year as determined pursuant to
34 RCW 28A.150.410.

35 (b) Fringe benefit contributions for certificated instructional
36 staff shall be included as salary under (a) of this subsection only
37 to the extent that the district's actual average benefit contribution
38 exceeds the amount of the insurance benefits allocation provided per
39 certificated instructional staff unit in the state operating

1 appropriations act in effect at the time the compensation is payable.
2 For purposes of this section, fringe benefits shall not include
3 payment for unused leave for illness or injury under RCW 28A.400.210;
4 employer contributions for old age survivors insurance, workers'
5 compensation, unemployment compensation, and retirement benefits
6 under the Washington state retirement system; or employer
7 contributions for health benefits in excess of the insurance benefits
8 allocation provided per certificated instructional staff unit in the
9 state operating appropriations act in effect at the time the
10 compensation is payable. A school district may not use state funds to
11 provide employer contributions for such excess health benefits.

12 (c) Salary and benefits for certificated instructional staff in
13 programs other than basic education shall be consistent with the
14 salary and benefits paid to certificated instructional staff in the
15 basic education program.

16 (4) ~~((Salaries and benefits for certificated instructional staff
17 may exceed the limitations in subsection (3) of this section only by
18 separate contract for additional time, for additional
19 responsibilities, for incentives, or for implementing specific
20 measurable innovative activities, including professional development,
21 specified by the school district to: (a) Close one or more
22 achievement gaps, (b) focus on development of science, technology,
23 engineering, and mathematics (STEM) learning opportunities, or (c)
24 provide arts education. Beginning September 1, 2011, school districts
25 shall annually provide a brief description of the innovative
26 activities included in any supplemental contract to the office of the
27 superintendent of public instruction. The office of the
28 superintendent of public instruction shall summarize the district
29 information and submit an annual report to the education committees
30 of the house of representatives and the senate. Supplemental
31 contracts shall not cause the state to incur any present or future
32 funding obligation. Supplemental contracts shall be subject to the
33 collective bargaining provisions of chapter 41.59 RCW and the
34 provisions of RCW 28A.405.240, shall not exceed one year, and if not
35 renewed shall not constitute adverse change in accordance with RCW
36 28A.405.300 through 28A.405.380. No district may enter into a
37 supplemental contract under this subsection for the provision of
38 services which are a part of the basic education program required by
39 Article IX, section 3 of the state Constitution.)) Salaries or any
40 additional supplemental pay for certificated administrative staff,~~

1 certificated instructional staff, and classified staff shall not be
2 provided for work deemed done. For the purposes of this subsection,
3 "deemed done" means work or items not associated with additional
4 time, responsibility, or incentive.

5 (5) Employee benefit plans offered by any district shall comply
6 with RCW 28A.400.350 (~~and~~), 28A.400.275, and 28A.400.280.

7 **Sec. 8.** RCW 28A.400.300 and 2012 c 186 s 20 are each amended to
8 read as follows:

9 (1) Every board of directors, unless otherwise specially provided
10 by law, shall:

11 (a) Except as provided in subsection (3) of this section, employ
12 for not more than one year, and for sufficient cause discharge all
13 certificated and classified employees;

14 (b) Adopt written policies granting leaves to persons under
15 contracts of employment with the school district(s) in positions
16 requiring either certification or classified qualifications,
17 including but not limited to leaves for attendance at official or
18 private institutes and conferences and sabbatical leaves for
19 employees in positions requiring certification qualification, and
20 leaves for illness, injury, bereavement and, emergencies for both
21 certificated and classified employees, and with such compensation as
22 the board of directors prescribe: PROVIDED, That the board of
23 directors shall adopt written policies granting to such persons
24 annual leave with compensation for illness, injury and emergencies as
25 follows:

26 (i) For such persons under contract with the school district for
27 a full year, at least ten days;

28 (ii) For such persons under contract with the school district as
29 part time employees, at least that portion of ten days as the total
30 number of days contracted for bears to one hundred eighty days, which
31 shall be increased to two hundred twenty days in accordance with
32 section 10 of this act;

33 (iii) For certificated and classified employees, annual leave
34 with compensation for illness, injury, and emergencies shall be
35 granted and accrue at a rate not to exceed twelve days per year;
36 provisions of any contract in force on June 12, 1980, which conflict
37 with requirements of this subsection shall continue in effect until
38 contract expiration; after expiration, any new contract executed
39 between the parties shall be consistent with this subsection;

1 (iv) Compensation for leave for illness or injury actually taken
2 shall be the same as the compensation such person would have received
3 had such person not taken the leave provided in this proviso;

4 (v) Leave provided in this proviso not taken shall accumulate
5 from year to year up to a maximum of one hundred eighty days which
6 shall be increased to two hundred twenty days in accordance with
7 section 10 of this act and for the purposes of RCW 28A.400.210 and
8 28A.400.220, and for leave purposes up to a maximum of the number of
9 contract days agreed to in a given contract, but not greater than one
10 year. Such accumulated time may be taken at any time during the
11 school year or up to twelve days per year may be used for the purpose
12 of payments for unused sick leave;

13 (vi) Sick leave heretofore accumulated under section 1, chapter
14 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated
15 under administrative practice of school districts prior to the
16 effective date of section 1, chapter 195, Laws of 1959 (former RCW
17 28.58.430) is hereby declared valid, and shall be added to leave for
18 illness or injury accumulated under this proviso;

19 (vii) Any leave for injury or illness accumulated up to a maximum
20 of forty-five days shall be creditable as service rendered for the
21 purpose of determining the time at which an employee is eligible to
22 retire, if such leave is taken it may not be compensated under the
23 provisions of RCW 28A.400.210 and 28A.310.490;

24 (viii) Accumulated leave under this proviso shall be transferred
25 to and from one district to another, the office of superintendent of
26 public instruction, offices of educational service district
27 superintendents and boards, the state school for the blind, the
28 Washington state center for childhood deafness and hearing loss,
29 institutions of higher education, and community and technical
30 colleges, to and from such districts, schools, offices, institutions
31 of higher education, and community and technical colleges;

32 (ix) Leave accumulated by a person in a district prior to leaving
33 said district may, under rules of the board, be granted to such
34 person when the person returns to the employment of the district.

35 (2) When any certificated or classified employee leaves one
36 school district within the state and commences employment with
37 another school district within the state, the employee shall retain
38 the same seniority, leave benefits and other benefits that the
39 employee had in his or her previous position: PROVIDED, That
40 classified employees who transfer between districts after July 28,

1 1985, shall not retain any seniority rights other than longevity when
2 leaving one school district and beginning employment with another. If
3 the school district to which the person transfers has a different
4 system for computing seniority, leave benefits, and other benefits,
5 then the employee shall be granted the same seniority, leave benefits
6 and other benefits as a person in that district who has similar
7 occupational status and total years of service.

8 (3) Notwithstanding subsection (1)(a) of this section, discharges
9 of certificated and classified employees in school districts that are
10 dissolved due to financial insolvency shall be conducted in
11 accordance with RCW 28A.315.229.

12 **Sec. 9.** RCW 28A.410.080 and 1969 ex.s. c 223 s 28A.01.025 are
13 each amended to read as follows:

14 The school year for all matters pertaining to teacher
15 certification or for computing experience in teaching shall consist
16 of not fewer than one hundred eighty school days, which shall be
17 increased to two hundred twenty days in accordance with section 10 of
18 this act.

19 NEW SECTION. **Sec. 10.** A new section is added to chapter 43.135
20 RCW to read as follows:

21 (1) Beginning July 1, 2017, and ending when each school district
22 has increased the minimum school year to two hundred twenty days,
23 when biennial revenues to the state general fund and related funds
24 exceed state general fund and related fund revenues for the prior
25 fiscal biennium, up to forty percent of the extraordinary growth
26 revenue shall be expended by the legislature to phase in a minimum
27 school year calendar of two hundred twenty days in each school
28 district, starting with the school districts with the lowest scores
29 on the statewide student assessments administered under RCW
30 28A.655.070.

31 (2) As used in this section:

32 (a) "Biennial revenues to the state general fund and related
33 funds" includes the unrestricted ending fund balance from the prior
34 fiscal biennium and includes the transfer or diversion of revenue or
35 money to or from another fund or account but excludes transfers to
36 the budget stabilization account under Article VII, section 12 of the
37 state Constitution.

1 (b) "Related funds" means the Washington opportunity pathways
2 account and the education legacy trust account.

3 (3) The calculations necessary to determine compliance with this
4 section shall be performed by the economic and revenue forecast
5 council.

--- END ---