

2 **ESHB 1023** - S COMM AMD
3 By Committee on Education

4 Adopted as Amended 4/18/91 - Voice Vote
5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** (1) The legislature finds that:

8 (a) Academic achievement of Washington students can and should be
9 improved;

10 (b) Student success, in large part, depends on parents'
11 involvement, both at home and at school, in the education of their
12 child;

13 (c) Many school districts across the state are engaged in efforts
14 to reevaluate and restructure their local education programs;

15 (d) State support can help sustain and accelerate the momentum of
16 educational restructuring initiatives.

17 (2) The legislature recognizes that the public education system, as
18 the foundation of our society, faces critical issues that reflect the
19 public's increasing concern regarding the effectiveness and
20 accountability of our public schools. The legislature finds that these
21 issues can be addressed by:

22 (a) Establishing rights and responsibilities of parents to
23 knowledgeably participate in the education of their children;

24 (b) Increasing the broad powers of school boards;

25 (c) Measuring and reporting student achievement in a manner that
26 encourages accountability to and understanding by the public;

27 (d) Increasing public confidence in the professional preparation
28 and training of educators; and

1 (e) Providing funding support for initiatives to restructure
2 schools, meet the special needs of students, and enhance vocational
3 education."

4 "PART I
5 PARENTS' RIGHTS AND RESPONSIBILITIES"

6 "NEW SECTION. Sec. 101. The legislature finds that parents have
7 the primary responsibility for the welfare of their children and that
8 the successful education of children is the product of a responsive and
9 rigorous educational system that depends on the participation of
10 informed and concerned parents and citizens. To this end, RCW
11 28A.605.020 and sections 102 through 104 of this act are intended to
12 define certain rights of parents to be informed of, and participate in,
13 the education of their children.

14 "Parents" as used in this act, includes one or both parents and any
15 legal guardian."

16 "NEW SECTION. Sec. 102. A new section is added to chapter 28A.615
17 RCW to read as follows:

18 Parents have the right to know what their child is being taught and
19 are encouraged to exercise their responsibility to participate in their
20 child's education.

21 (1) School district boards of directors shall adopt policies to
22 ensure the implementation of the requirements that public records be
23 made available under RCW 42.17.250 through 42.17.340. The board of
24 directors of a school district shall develop specific policies
25 providing for the inspection and review of any type of materials used
26 in association with the district's educational program. The district
27 may charge a nominal cost to cover any costs of reproduction.

1 (2) Districts shall inform parents annually through the report
2 required under section 105 of this act of parents' right to inspect and
3 review any type of materials used in association with the district's
4 educational program.

5 (3) Innovation and educational reform should be encouraged in
6 public schools. To that end, parents and the community at large should
7 be encouraged to participate in the development and implementation of
8 experimental or pilot education programs. Before implementation of any
9 experimental or pilot education program, the school district shall
10 consult and communicate with parents regarding the proposed program.

11 (4) No child may be placed in an experimental or pilot program in
12 a school district without prior written notification to the parent.
13 The notification shall include a detailed description of the program.

14 (5) A site-based council established under section 202 of this act
15 may veto implementation of an experimental or pilot education program
16 adopted by the district's board of directors. At least three-fourths
17 of the members of the site-based council shall support the motion to
18 veto.

19 (6) A school district shall not perform psychological testing of a
20 student without the written permission of the parents."

21 "**Sec. 103.** RCW 28A.605.020 and 1979 ex.s. c 250 s 8 are each
22 amended to read as follows:

23 Every school district board of directors shall, (~~after following~~
24 ~~established procedure~~) in cooperation with teacher and parent
25 organizations, adopt a policy assuring parents access to their child's
26 classroom and/or school sponsored activities for purposes of observing
27 class procedure, teaching material, and class conduct: PROVIDED, That
28 such observation shall not disrupt the classroom procedure or learning
29 activity. The policy adopted under this section is not subject to

1 collective bargaining. The right of parents to visit their child's
2 classroom, as established under this section, is in addition to any
3 parent/teacher conferences offered by the school district."

4 "Sec. 104. RCW 28A.150.040 and 1990 c 33 s 101 are each amended to
5 read as follows:

6 (1) The school year shall begin on the first day of September and
7 end with the last day of August: PROVIDED, That any school district
8 may elect to commence the minimum annual school term as required under
9 RCW 28A.150.220 in the month of August of any calendar year and in such
10 case the operation of a school district for such period in August shall
11 be credited by the superintendent of public instruction to the
12 succeeding school year for the purpose of the allocation and
13 distribution of state funds for the support of such school district.

14 (2) By May 30 of each year, the board of directors of each school
15 district shall, following a public hearing, establish the schedule of
16 days for students to attend school during the succeeding school year.
17 The days so designated shall be employee work days and shall not be
18 subject to collective bargaining. However, employee work days beyond
19 those scheduled for student attendance may be a subject of collective
20 bargaining."

21 "NEW SECTION. Sec. 105. A new section is added to chapter 28A.320
22 RCW to read as follows:

23 (1) In keeping with the accountability purpose expressed in section
24 101, chapter ..., Laws of 1991 (section 101 of this act) and to ensure
25 that the local community and electorate have access to information on
26 the educational programs in the school districts, each school
27 district's board of directors shall publish annually a school district
28 accountability report. School districts shall have a copy of the

1 accountability report available for public inspection at each school in
2 the district, at the district office, and in public libraries.

3 (2) The accountability report shall include a brief statement of
4 the mission of the school district, enrollment statistics including
5 student demographics, expenditures per pupil for the school year, the
6 average compensation for teachers, a summary of student scores on all
7 mandated tests and college entrance examination scores, a concise
8 annual budget report, the student drop-out, absenteeism, and graduation
9 rates, an invitation to all citizens to participate in site-based
10 councils and other school planning activities. The published
11 accountability report shall compare district, state, and national data
12 whenever appropriate."

13 **"Sec. 106.** RCW 28A.150.230 and 1990 c 33 s 106 are each amended to
14 read as follows:

15 (1) It is the intent and purpose of this section to guarantee that
16 each common school district board of directors, whether or not acting
17 through its respective administrative staff, be held accountable for
18 the proper operation of their district to the local community and its
19 electorate. In accordance with the provisions of Title 28A RCW, as now
20 or hereafter amended, each common school district board of directors
21 shall be vested with the final responsibility for the setting of
22 policies ensuring quality in the content and extent of its educational
23 program and that such program provide students with the opportunity to
24 achieve those skills which are generally recognized as requisite to
25 learning.

26 (2) In conformance with the provisions of Title 28A RCW, as now or
27 hereafter amended, it shall be the responsibility of each common school
28 district board of directors, acting through its respective
29 administrative staff, to:

1 (a) Establish performance criteria and an evaluation process for
2 its certificated personnel, including administrative staff, and for all
3 programs constituting a part of such district's curriculum;

4 (b) Determine the final assignment of staff, certificated or
5 classified, according to board enumerated classroom and program needs;

6 (c) Determine the amount of instructional hours necessary for any
7 student to acquire a quality education in such district, in not less
8 than an amount otherwise required in RCW 28A.150.220, or rules and
9 regulations of the state board of education;

10 (d) Determine the allocation of staff time, whether certificated or
11 classified;

12 (e) Establish final curriculum standards consistent with law and
13 rules and regulations of the state board of education, relevant to the
14 particular needs of district students or the unusual characteristics of
15 the district, and ensuring a quality education for each student in the
16 district; and

17 (f) Evaluate teaching materials, including text books, teaching
18 aids, handouts, or other printed material, in public hearing upon
19 complaint by parents, guardians or custodians of students who consider
20 dissemination of such material to students objectionable.

21 ~~((3) In keeping with the accountability purpose expressed in this~~
22 ~~section and to insure that the local community and electorate have~~
23 ~~access to information on the educational programs in the school~~
24 ~~districts, each school district's board of directors shall annually~~
25 ~~publish a descriptive guide to the district's common schools. This~~
26 ~~guide shall be made available at each school in the district for~~
27 ~~examination by the public. The guide shall include, but not be limited~~
28 ~~to, the following:~~

29 (a) ~~Criteria used for written evaluations of staff members pursuant~~
30 ~~to RCW 28A.405.100;~~

1 ~~(b) A summary of program objectives pursuant to RCW 28A.320.210;~~
2 ~~(c) Results of comparable testing for all schools within the~~
3 ~~district; and~~
4 ~~(d) Budget information which will include the following:~~
5 ~~(i) Student enrollment;~~
6 ~~(ii) Number of full time equivalent personnel per school in the~~
7 ~~district itemized according to classroom teachers, instructional~~
8 ~~support, and building administration and support services, including~~
9 ~~itemization of such personnel by program;~~
10 ~~(iii) Number of full time equivalent personnel assigned in the~~
11 ~~district to central administrative offices, itemized according to~~
12 ~~instructional support, building and central administration, and support~~
13 ~~services, including itemization of such personnel by program;~~
14 ~~(iv) Total number of full time equivalent personnel itemized by~~
15 ~~classroom teachers, instructional support, building and central~~
16 ~~administration, and support services, including itemization of such~~
17 ~~personnel by program; and~~
18 ~~(v) Special levy budget request presented by program and~~
19 ~~expenditure for purposes over and above those requirements identified~~
20 ~~in RCW 28A.150.220.))"~~

21 "**Sec. 107.** RCW 28A.225.220 and 1990 1st ex.s. c 9 s 201 are each
22 amended to read as follows:

23 (1) Any board of directors may make agreements with adults choosing
24 to attend school: PROVIDED, That unless such arrangements are approved
25 by the state superintendent of public instruction, a reasonable tuition
26 charge, fixed by the state superintendent of public instruction, shall
27 be paid by such students as best may be accommodated therein.

1 (2) A district is strongly encouraged to honor the request of a
2 parent or guardian for his or her child to attend a school in another
3 district.

4 (3) A district shall release a student to a nonresident district
5 that agrees to accept the student if:

6 (a) A financial, educational, safety, or health condition affecting
7 the student would likely be reasonably improved as a result of the
8 transfer; or

9 (b) Attendance at the school in the nonresident district is more
10 accessible to the parent's place of work or to the location of child
11 care; or

12 (c) There is a special hardship or detrimental condition.

13 (4) A district may deny the request of a resident student to
14 transfer to a nonresident district if the release of the student would
15 adversely affect the district's existing desegregation plan.

16 (5) For the purpose of helping a district assess the quality of its
17 education program, a resident school district may request an optional
18 exit interview or questionnaire with the parents or guardians of a
19 child transferring to another district. No parent or guardian may be
20 forced to attend such an interview or complete the questionnaire.

21 (6) School districts may establish annual transfer fees for
22 nonresident students enrolled under subsection (3) of this section and
23 RCW 28A.225.225. However, the school district may not charge tuition
24 if the student is attending a nonresident school district because of
25 the location of child care. Until rules are adopted under section 202,
26 chapter 9, Laws of 1990 1st ex. sess. for the calculation of the
27 transfer fee, the transfer fee shall be calculated by the same formula
28 as the fees authorized under section 10, chapter 130, Laws of 1969.
29 These fees, if applied, shall be applied uniformly for all such
30 nonresident students except as provided in this section. The

1 superintendent of public instruction, from available funds, shall pay
2 any transfer fees for low-income students assessed by districts under
3 this section. All transfer fees must be paid over to the county
4 treasurer within thirty days of its collection for the credit of the
5 district in which such students attend. Reimbursement of a high school
6 district for cost of educating high school pupils of a nonhigh school
7 district shall not be deemed a transfer fee as affecting the
8 apportionment of current state school funds."

9 "PART II

10 SCHOOL SITE-BASED COUNCILS"

11 "NEW SECTION. Sec. 201. The legislature finds that in order to
12 achieve the goal of reforming the public schools, each citizen of the
13 state must accept the commitment of developing our most important
14 resource, our children. The legislature further finds that part of
15 building this commitment includes having persons in the field of
16 education form partnerships with other persons in the community. To
17 build a learning community, and develop this commitment, the
18 legislature intends:

19 (1) That school boards of directors, school administrators,
20 teachers, employee unions, and members of the community find new ways
21 of working collaboratively, changing existing policies and agreements
22 where appropriate;

23 (2) To encourage the creation of site-based councils, where
24 parents, teachers, and citizens will join to make decisions for our
25 schools; and

26 (3) To give school districts and schools broad discretion in
27 establishing their site-based councils but consistent with the
28 limitations under section 202 of this act."

1 "NEW SECTION. Sec. 202. (1) A site-based council may be
2 established at one or more schools if the school district board of
3 directors has adopted a policy authorizing site-based councils. The
4 policy is not subject to collective bargaining. The school district
5 board of directors has final authority in establishing the parameters
6 and areas of involvement accorded to school site-based councils.

7 (2) The policy adopted by a school district board of directors may
8 include but is not limited to:

9 (a) Procedures for forming a site-based council and official
10 recognition of the council by the district;

11 (b) Membership of the site-based council including the principal,
12 certificated and classified staff, students in secondary schools,
13 parents, and persons in the community. A majority of the site-based
14 council shall be parents. Existing organizations may be used to form
15 the site-based council;

16 (c) Designation of activities with which site-based councils may
17 become involved, such as: Student assessment, parent involvement, and
18 developing community schools; and

19 (d) Delegation of authority to site-based councils to adopt their
20 own bylaws and charter.

21 (3) School district boards of directors shall not delegate to site-
22 based councils the authority to make personnel decisions regarding
23 either instructional, administrative or classified staff.

24 (4) A school board shall only delegate authority over budget
25 decisions to a site-based council if the authority is clearly defined
26 in writing, if the authority is limited to a one-year period but may be
27 renewed annually with the approval of the board, and if the authority
28 of the site-based council is limited to decisions at the building
29 level.

1 (5) Each school district board of directors deciding to adopt a
2 policy authorizing site-based councils shall provide, by resolution,
3 plans for attendance policies that are consistent with the requirements
4 of any desegregation plan in order to promote stability for schools
5 with site-based councils."

6 "NEW SECTION. Sec. 203. If modifications to existing local
7 bargaining agreements are necessary to implement school site-based
8 councils, those modifications shall be clearly stated in the written
9 agreement between the school district board of directors and the
10 exclusive bargaining representative for district certificated
11 instructional staff."

12 "NEW SECTION. Sec. 204. (1) Schools with site-based councils may
13 receive funds to provide resources for restructuring their educational
14 programs. The superintendent of public instruction shall allocate
15 funds, as are appropriated for this purpose, to school districts to
16 distribute to the schools with site-based councils.

17 (2) School districts shall submit reports about the plans and use
18 of funds to the superintendent of public instruction. The
19 superintendent of public instruction may transmit information to other
20 schools and school districts through the state clearinghouse for
21 educational information and assistance.

22 (3) The superintendent of public instruction may provide technical
23 assistance under this section to any school or school district
24 establishing or using a site-based council."

1 "PART III

2 SCHOOL BOARD POWERS"

3 "NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.320
4 RCW to read as follows:

5 The board of directors of each school district may exercise the
6 following powers:

7 (1) Such powers as expressly authorized by law;

8 (2) Such powers as are necessary or fairly implied in powers
9 expressly authorized by law; and

10 (3) The additional broad discretionary power to determine and adopt
11 written policies and rules not in conflict with other law that provide
12 for the development and implementation of programs, activities,
13 services, or practices that the board determines will:

14 (a) Benefit the education of citizens; or

15 (b) Promote the effective, efficient, or safe maintenance and
16 operation of school district programs, activities, services, or
17 practices.

18 The adoption of any such policy or rule shall be preceded by notice
19 in accordance with the open public meeting law of chapter 42.30 RCW
20 which furthermore sets forth or reasonably describes the proposed
21 policy or regulation, plus a reasonable opportunity for public written
22 and oral comment and consideration of the comment by the board of
23 directors."

24 "NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.300
25 RCW to read as follows:

26 (1) The superintendent of public instruction shall adopt rules
27 clearly allowing districts to blend funds for the basic education,
28 learning assistance, special education, and transitional bilingual

1 education programs to the maximum extent possible for the continued
2 receipt of federal funds.

3 (2) The superintendent of public instruction may create a new
4 program code in the accounting manual for public school districts to
5 track revenues and expenditures under subsection (1) of this section."

6 "PART IV

7 PLANNING AND IMPLEMENTATION GRANTS FOR RESTRUCTURING"

8 "NEW SECTION. Sec. 401. (1) The legislature believes that
9 attaining the state vision for excellence in education under Senate
10 Concurrent Resolution No. 8400 will require new state-supported
11 opportunities for schools to implement strategies to improve student
12 learning and skills. It is the intent of the legislature to provide
13 additional support to schools or school districts to:

14 (a) Encourage students, parents, teachers, principals, classified
15 school staff, school district personnel, the school board, and other
16 citizens to become more active partners in the learning community of
17 their school or district;

18 (b) Encourage schools or districts to select and compete against
19 goals and educational outcomes tailored to their own learning
20 community; and

21 (c) Foster improvements in instruction, curriculum, and assessment.

22 (2) It is the further intent of the legislature that what is
23 learned from local projects under the reach for excellence grant
24 program established under section 403 of this act shall be considered
25 as a basis for the development of new goals, standards, and assessments
26 for the state education system.

27 (3) The reach for excellence grant program shall be:

28 (a) Responsive to local educational concerns and desires;

1 (b) Educational, focusing on improving student learning and skills
2 and encouraging the development of new measures to assess student
3 performance;

4 (c) Accountable, so that projects earn reach achievement awards
5 linked directly to progress made toward identified educational
6 outcomes;

7 (d) Collaborative, with projects reflecting a partnership between
8 students, parents, teachers, principals, and others; and

9 (e) Home-based, tailored to the needs of each participating
10 school."

11 "NEW SECTION. Sec. 402. Unless the context clearly requires
12 otherwise, the definitions in this section apply throughout sections
13 403 through 414 of this act.

14 (1) "Educational outcomes" and "target educational outcomes" mean
15 expected levels of student performance and achievement, including
16 student learning objectives required under RCW 28A.320.210.

17 (2) "Indicators" means institutional factors that may bear a
18 relationship to student learning and can be used to help assess
19 students' progress toward identified educational outcomes.

20 (3) "Context indicators" means variables that characterize the
21 setting in which educational programs are delivered and generally are
22 items over which schools have little control.

23 (4) "Process indicators" means variables that characterize how
24 educational programs are delivered and generally are items over which
25 schools have some control.

26 (5) "Grant" means state funds provided to a district with a
27 selected reach for excellence project for use in the planning and
28 initial implementation of the project.

1 (6) "Award" or "reach achievement award" means state funds provided
2 to a reach project for progress made toward target educational
3 outcomes.

4 (7) "Superintendent" means the superintendent of public
5 instruction."

6 "NEW SECTION. Sec. 403. (1) From funds appropriated by the
7 legislature, the state board of education shall establish the reach for
8 excellence grant program to assist schools and school districts in
9 local efforts to improve student learning and skills. Participation in
10 the program shall be voluntary.

11 (2) Schools or districts selected to participate in the reach for
12 excellence grant program shall be required to match the state funds
13 under section 406(2) of this act at fifty percent. The district match
14 may consist of funds under section 1101 of this act.

15 (3) The state board of education shall be responsible for final
16 decisions regarding selection and funding levels of projects and for
17 the manner in which reach achievement awards shall be distributed.
18 Reach projects may be conducted for up to six years subject to funding
19 and annual approval by the state board. No project may receive
20 continued funding for additional planning or reach achievement awards
21 without approval from the state board. The state board shall use the
22 benchmark data for the target educational outcomes required under
23 section 406(2)(f) of this act in annually assessing the progress made
24 toward the target educational outcomes to determine project eligibility
25 for annual reach achievement awards. In evaluating projects to
26 determine their continuation the state board shall emphasize giving
27 projects maximum flexibility and time to be successful.

1 (4) The superintendent shall be responsible for administration of
2 the reach for excellence program once projects and funding levels have
3 been determined by the state board.

4 (5) The state board shall establish a working committee to assist
5 it with:

6 (a) The development of any additional grant application criteria;

7 (b) Selecting reach applicants for grant awards;

8 (c) Determining the manner in which reach achievement awards will
9 be distributed; and

10 (d) Monitoring the development and use of measures of assessing
11 student performance in addition to standardized tests, as required
12 under section 406 of this act."

13 "NEW SECTION. Sec. 404. (1) The superintendent shall assure that
14 the sum total of all funds allocated for planning grants and for reach
15 achievement awards does not exceed the amount appropriated by the
16 legislature for the reach for excellence grant program.

17 (2) The superintendent shall award funds appropriated for the reach
18 for excellence grant program to the selected projects as follows. The
19 initial grant shall be awarded to projects for planning activities
20 relating to implementation of the local reach project and for initial
21 implementation of the project. Planning and initial implementation
22 grants shall be for the 1991-92 and 1992-93 school years. These grants
23 may be used for the following purposes:

24 (a) Planning;

25 (b) Staff development and training;

26 (c) Purchase of instructional materials, supplies, and resources;

27 (d) Development of new measures to assess student performance; and

28 (e) Initial implementation of the reach project.

1 (3)(a) Commencing with the end of the 1993-94 school year, and each
2 school year thereafter, projects receiving initial reach grants shall
3 be evaluated by the state board to determine their eligibility for
4 reach achievement awards as determined under section 403(3) of this
5 act.

6 (b) School staff shall have the final authority to determine how
7 the reach achievement awards will be used and, if applicable to the
8 project, how much each staff member shall receive.

9 (4) Reach achievement awards may be used for the following
10 purposes:

11 (a) Any of the purposes authorized under subsection (2) of this
12 section;

13 (b) Stipends or salary and compensation increases for certificated
14 or classified staff under RCW 28A.400.200(4). Nothing in sections 402
15 through 414 of this act precludes the use of reach achievement awards
16 for providing stipends or salary and compensation increases through a
17 compensation model characterized by differentiated levels of employment
18 classification for certificated staff and differentiated
19 responsibilities for each level of employment classification; or

20 (c) Any combination of (a) and (b) of this subsection.

21 (5) A site-based council may use planning grant funds under
22 subsection (2) of this section for planning, staff and community
23 development and training, and materials and supplies: PROVIDED, That
24 these activities are related directly to the reach project."

25 "NEW SECTION. Sec. 405. Use of reach achievement awards for the
26 purpose of section 404(4)(b) of this act is not an increase in salary
27 or compensation for the purposes of RCW 28A.400.200, nor may such
28 compensation be applied to the district's salary schedule or be

1 provided in a manner that would increase the state's basic education
2 funding obligation."

3 "NEW SECTION. Sec. 406. (1) Schools or school districts
4 interested in implementing or enhancing existing local projects for
5 educational excellence shall submit a grant application to the state
6 board of education. All applications shall be submitted by the
7 district's board of directors. If possible, applicants should develop
8 their reach projects as part of the self-study process under RCW
9 28A.320.200, or otherwise link the proposed reach project to the self-
10 study results of the school or district.

11 (2) Grant applications shall include:

12 (a) Documentation that at least one public hearing was held on the
13 proposed reach project or projects. The public hearing required under
14 this subsection, and other public hearings as may be held, may be
15 conducted as part of the public hearings required under chapter 28A.505
16 RCW;

17 (b) Documentation that all parties are committed to work
18 cooperatively during the term of the project;

19 (c) A statement indicating how the proposed reach project supports
20 the state vision for excellence in education endorsed under Senate
21 Concurrent Resolution No. 8400;

22 (d) A description of how the reach for excellence grant program
23 funds will be expended. The expenditure plan may be included as part
24 of the district's annual budget required under chapter 28A.505 RCW;

25 (e) Target educational outcomes for the selected basic academic,
26 workplace, and life and family skills under section 407 (1) through (3)
27 of this act. Student learning objectives required under RCW
28 28A.320.210 may be used for target educational outcomes if applicable
29 for the purposes of the reach project;

1 (f) Benchmark data for the target educational outcomes identified
2 for the selected skills under section 407 (1) through (3) of this act;

3 (g) Benchmark data for context and process indicators as provided
4 under section 408 of this act;

5 (h) Identification of the evaluation and accountability procedures
6 and activities, including potential use of context and process
7 indicators, that may be used to: (i) Assess progress toward the target
8 educational outcomes; (ii) evaluate additional educational benefits
9 received by students, building staff, and parents from implementation
10 of the reach project; and (iii) assess the overall effectiveness of the
11 project. Applicants may use evaluation and accountability procedures
12 and activities established under the state self-study program under RCW
13 28A.320.200. Applicants shall identify at least one measure of
14 assessing student performance other than standardized testing that will
15 be developed or used as part of the reach project. Applicants are
16 encouraged to seek information from state higher education institutions
17 regarding potential alternatives to standardized testing;

18 (i) A written statement that school directors and administrators
19 are willing to exempt the reach project or projects from specifically
20 identified local rules, as needed;

21 (j) A written statement that the school directors and the local
22 bargaining agents will modify those portions of their local agreements
23 as applicable for the reach project or projects;

24 (k) Written statements of support from the district's board of
25 directors, the district superintendent, and the principal and staff of
26 the school or schools requesting to implement a reach project, and
27 statements of support, willingness to participate, or concerns from any
28 interested persons or organizations; and

29 (l) Other information as may be determined necessary by the state
30 board of education."

1 "NEW SECTION. **Sec. 407.** (1) Grant applications under section 406
2 of this act shall include target educational outcomes for at least
3 three of the following basic academic skill areas:

4 (a) Reading and writing of the English language;

5 (b) Speaking and listening;

6 (c) Observing and questioning;

7 (d) Studying;

8 (e) Reasoning and problem solving;

9 (f) Mathematics; and

10 (g) Computer competency.

11 (2) Grant applications under section 406 of this act shall include
12 educational outcomes for at least two of the following workplace skill
13 areas:

14 (a) Decision making;

15 (b) Cooperation and teamwork;

16 (c) Self-directed learning; and

17 (d) Positive work habits.

18 (3) Grant applications under section 406 of this act shall include
19 educational outcomes for at least two of the following life and family
20 skill areas:

21 (a) Home and family life;

22 (b) Career planning;

23 (c) Life-long learning;

24 (d) Responsible and ethical behavior;

25 (e) Concern for others;

26 (f) Interpersonal relationships; and

27 (g) The arts, performing arts, and music.

28 (4) Grant applications shall indicate for subsections (1) through
29 (3) of this section the grade levels and subject matter areas in which
30 the identified skills will be addressed."

1 "NEW SECTION. Sec. 408. (1) If possible, grant applications
2 under section 406 of this act should include benchmark data for the
3 context and process indicators listed under subsections (2) and (3) of
4 this section. However, as a condition to receiving reach for
5 excellence program grant funds, applicants selected for the reach
6 program shall submit to the state board of education the benchmark data
7 for the context and process indicators listed under subsections (2) and
8 (3) of this section.

9 (2) Applicants shall provide benchmark data for the following
10 context indicators developed by the educational outcomes and
11 measurement committee and reported to the legislature by the
12 superintendent in 1989:

- 13 (a) The average percent of students absent from school each day;
- 14 (b) Student mobility rate;
- 15 (c) School growth rate;
- 16 (d) Teacher mobility rate;
- 17 (e) Administrator mobility rate;
- 18 (f) The percent of students from low-income families; and
- 19 (g) The percent of students who speak English as a second language;

20 plus

- 21 (h) The average percent of teachers absent from school each day.

22 (3) Applicants shall provide benchmark data for the following
23 process indicators developed by the educational outcomes and
24 measurement committee and reported to the legislature by the
25 superintendent in 1989:

- 26 (a) Student-teacher ratio;
- 27 (b) Student-counselor ratio;
- 28 (c) Student-staff specialist ratio;
- 29 (d) The average expenditure per student;

1 (e) The average expenditure per staff member for in-service for
2 staff development;

3 (f) School accreditation status;

4 (g) The percent of students served by compensatory education
5 programs;

6 (h) The percent of students served by chapter 1 migrant education
7 programs;

8 (i) The percent of students served by special education programs;
9 and

10 (j) The percent of students served by gifted-talented programs.

11 (4) If possible and appropriate, benchmark data required under
12 section 406(2)(f) of this act and subsections (2) and (3) of this
13 section shall be provided on a by-school basis. If this is not
14 possible, the benchmark data shall be provided on a district-level
15 basis."

16 "NEW SECTION. Sec. 409. (1) Grant applications may be submitted
17 jointly by two or more school districts or by an educational service
18 district on behalf of one or more school districts. An application may
19 include a proposal for two or more school buildings to implement
20 jointly a reach for excellence project.

21 (2) Upon request from a school district, the superintendent or the
22 educational service district shall provide the district with technical
23 assistance to develop the grant application.

24 (3) Upon request from a reach for excellence project, the
25 superintendent or the educational service district shall provide the
26 project with technical assistance to develop a measure of assessing
27 student performance as required under section 406(2)(h) of this act."

1 "NEW SECTION. **Sec. 410.** Applicants selected for the reach for
2 excellence grant program may request from the state board of education
3 or the superintendent a waiver from the statutory or regulatory
4 requirements relating to:

5 (1) Teacher contact hour requirements under RCW 28A.150.260;

6 (2) Basic education program hours offering requirements under RCW
7 28A.150.200 through 28A.150.220;

8 (3) Student learning objectives under RCW 28A.320.210; and

9 (4) Mandatory school building self-study under RCW 28A.320.200.

10 The waivers may be renewed subject to continued funding and
11 approval by the state board of education under section 403 of this
12 act."

13 "NEW SECTION. **Sec. 411.** If modifications to existing local
14 bargaining agreements are necessary to implement grant proposals, those
15 modifications shall be clearly stated in the written agreement between
16 the school district board of directors and the exclusive bargaining
17 representative for district certificated instructional staff. The
18 requirement is not necessary if a previously written agreement to waive
19 the provisions of chapter 41.59 RCW for schools with reach projects has
20 been reached by the same two parties."

21 "NEW SECTION. **Sec. 412.** (1) Each school district shall report to
22 the state board of education by October 1, 1993, and annually
23 thereafter pursuant to section 414(4) of this act, the following
24 information:

25 (a) The educational excellence activities supported by reach for
26 excellence grant funds;

27 (b) Updated information relating to the required benchmark data;

28 (c) Progress made toward the target educational outcomes; and

1 (d) The means and the results of evaluating the target educational
2 outcomes and additional benefits received by students, building staff,
3 and parents from implementation of the local reach project.

4 (2) By December 1, 1993, and by December 1st of each subsequent
5 even-numbered calendar year, the state board of education shall provide
6 the legislature and the governor a report on the reach for excellence
7 grant program. The reports shall include information on the items
8 required under subsection (1) of this section.

9 (3) In the report due December 1, 1996, the state board shall:

10 (a) Indicate the most common basic academic, workplace, and life
11 and family skills and accompanying target educational outcomes
12 identified by the reach projects;

13 (b) Indicate the development or use of measures to assess student
14 performance other than standardized tests;

15 (c) Indicate the number of projects that implemented the waivers
16 authorized under section 410 of this act;

17 (d) Include recommendations on the feasibility of implementing
18 basic academic, workplace, and life and family skills, educational
19 outcomes, and context and process indicators state-wide; and

20 (e) Comment on or recommend how the salary allocation schedule
21 developed by the legislative evaluation and accountability program
22 committee might reflect a school performance assessment model based on
23 basic academic, workplace, and life and family skills, educational
24 outcomes, and context and process indicators.

25 (4) The state board of education shall submit a final report on the
26 reach for excellence grant program to the legislature and the governor
27 not later than December 1, 1998."

28 "NEW SECTION. **Sec. 413.** The superintendent shall provide for the
29 sharing of information between reach projects and with schools and

1 districts not selected or not participating in the reach for excellence
2 grant program."

3 "NEW SECTION. Sec. 414. (1) The state board of education and the
4 superintendent shall adopt rules as necessary under chapter 34.05 RCW
5 to implement sections 402 through 414 of this act. The rules shall be
6 adopted not later than December 1, 1991.

7 (2) The rules shall include the following dates to govern
8 administration of the reach for excellence grant program:

9 (a) Initial applications must be received by the state board of
10 education not later than March 15, 1992;

11 (b) The state board of education shall evaluate the applications
12 and select the initial projects for grants by May 31, 1992; and

13 (c) After planning, initial implementation of the first reach
14 projects shall commence no later than the start of the 1993-94 school
15 year.

16 (3) The state board shall establish an annual date by which
17 subsequent applications must be submitted.

18 (4) The state board shall establish a date by which the annual
19 report required under section 412(1) of this act shall be submitted.

20 (5) The state board shall establish an annual date by which the
21 board shall notify each project of the amount of any eligible reach
22 achievement award and status to continue."

23 "PART V
24 STUDENT ACHIEVEMENT TESTS"

25 "**Sec. 501.** RCW 28A.230.190 and 1990 c 101 s 6 are each amended to
26 read as follows:

1 (1) Every school district is encouraged to test pupils in grade two
2 by an assessment device designed or selected by the school district.
3 This test shall be used to help teachers in identifying those pupils in
4 need of assistance in the skills of reading, writing, mathematics, and
5 language arts. The test results are not to be compiled by the
6 superintendent of public instruction, but are only to be used by the
7 local school district.

8 (2) The superintendent of public instruction shall prepare and
9 conduct, with the assistance of school districts, a standardized
10 achievement test to be given annually to all pupils in grade four. The
11 test shall assess students' skill in reading, mathematics, writing,
12 science, history, geography, and language arts and shall focus upon
13 appropriate input variables. Results of such tests shall be compiled
14 by the superintendent of public instruction, who shall make those
15 results available annually to the legislature, to all local school
16 districts and subsequently to parents of those children tested. The
17 results shall allow parents to ascertain the achievement levels and
18 input variables of their children as compared with the other students
19 within the district, the state and, if applicable, the nation.

20 (3) The superintendent of public instruction shall report annually
21 to the legislature on the achievement levels of students in grade
22 four."

23 "**Sec. 502.** RCW 28A.230.230 and 1990 c 101 s 2 are each amended to
24 read as follows:

25 The superintendent of public instruction shall prepare and conduct,
26 with the assistance of school districts, an annual assessment of all
27 students in the eighth grade. The purposes of the assessment are to
28 assist students, parents, and teachers in the planning and selection of
29 appropriate high school courses for students and to provide information

1 about students' current academic proficiencies both in the basic skills
2 of reading, writing, science, mathematics, economics, history,
3 geography, and language, and in the reasoning and thinking skills
4 essential for successful entry into those courses required for high
5 school graduation. The assessment shall also include the collection of
6 information about students' interests and plans for high school and
7 beyond and may include the collection of other related student and
8 school information. The superintendent of public instruction shall make
9 the results of the assessment available to all school districts which
10 shall in turn make them available to students, parents, and teachers in
11 a timely fashion and in a manner consistent with the purposes of RCW
12 28A.230.220 through 28A.230.260."

13 "Sec. 503. RCW 28A.230.240 and 1990 c 101 s 3 are each amended to
14 read as follows:

15 The superintendent of public instruction shall prepare and conduct,
16 with the assistance of local school districts, an annual assessment of
17 all students in the eleventh grade beginning with the 1991-92 school
18 year. The purposes of the assessment are to provide achievement and
19 guidance information to students, parents, and teachers that will
20 assist in reviewing students' current performance and planning
21 effectively for their initial years beyond high school. The
22 achievement measures shall assess students' strengths and deficiencies
23 in the broad content areas common to the high school curriculum and
24 those thinking and reasoning skills essential for completing high
25 school graduation requirements and for success beyond high school. The
26 assessment shall include measurements of the students' skills in
27 reading, writing, mathematics, language, history, geography, economics,
28 and science and technology. The assessment shall also collect
29 information about students' career interests and plans and other

1 related student and school information including students' high school
2 course selection patterns, course credits, and grades. The
3 superintendent of public instruction shall make the results of the
4 assessment available to all local school districts which shall in turn
5 make them available to students, parents, and teachers in a timely
6 fashion and in a manner consistent with the purposes of RCW 28A.230.220
7 through 28A.230.260. No grade ten students shall be tested in the fall
8 of 1990 and the funds already appropriated for such testing shall be
9 used for the planning and preliminary development work necessary to
10 implement RCW 28A.230.220 through 28A.230.260."

11 "NEW SECTION. Sec. 504. A new section is added to chapter 28A.230
12 RCW to read as follows:

13 The superintendent of public instruction shall prepare and conduct,
14 with the assistance of local school districts, an annual assessment of
15 all students in grade twelve. The purpose of the assessment is to
16 determine the competence of students in the subject matters of reading,
17 writing, mathematics, language, science, technology, economics,
18 history, geography, and reasoning and thinking skills."

19 "NEW SECTION. Sec. 505. A new section is added to chapter 28A.230
20 RCW to read as follows:

21 (1) The superintendent of public instruction shall establish
22 standards by which successful completion of the achievement assessments
23 and tests under this chapter are to be measured. In preparing the
24 assessments, tests, and standards, the superintendent of public
25 instruction shall consider the special needs of students in programs
26 such as the handicapped and bilingual education programs. Each school
27 district shall notify the parents of each student of their child's
28 performance on the assessments and tests conducted under this chapter.

1 (2) A school district shall not advance a student beyond the
2 fourth, eighth, or eleventh grade without the student having
3 successfully completed the respective assessment or test under this
4 chapter, unless the school district determines that the educational
5 interests of the student are best served by advancement to the next
6 grade. In making this determination, the school district shall consult
7 with the parents of the student. If the parents, in writing, desire
8 that the student not be advanced, the school district shall not advance
9 the student.

10 (3) After October 1, 1997, no student may graduate from a high
11 school in this state unless the student has successfully completed the
12 assessment conducted under section 504 of this act.

13 (4) If a student fails to successfully complete a test or
14 assessment under this chapter, the school district shall offer
15 additional educational opportunities to prepare the student to
16 successfully retake all or part of the test or assessment. Such
17 educational opportunities may include learning assistance programs,
18 tutoring, summer school, or after-school classes."

19 "PART VI

20 ENHANCING THE TEACHING PROFESSION"

21 "NEW SECTION. **Sec. 601.** The legislature recognizes that total
22 compensation for educational employees should take into account job
23 performance and reflect public expectations for both educational
24 employees and the public education system. The legislature further
25 believes that any examination of total compensation for educational
26 employees should consider how total compensation levels are:

27 (1) Commensurate with public expectations;

1 (2) Comparable to other professions requiring similar educational
2 experience; and

3 (3) Comparable to other states."

4 "NEW SECTION. Sec. 602. (1) The department of personnel, in
5 consultation with teachers, classified employees, administrators,
6 school directors, business, labor, parents, and legislators shall
7 conduct a study of total compensation for educational employees in
8 Washington. The study shall include, but is not limited to, a review
9 of the relationship between total compensation for educational
10 employees and:

11 (a) Total compensation paid:

12 (i) In other professions requiring comparable educational
13 experience and preparation; and

14 (ii) To teachers, administrators, and classified employees in other
15 states;

16 (b) The in-service training act of 1977, RCW 28A.415.030 and
17 28A.415.040;

18 (c) In-service and staff development opportunities sponsored by
19 school districts, educational service districts, or other providers of
20 in-service and staff development programs;

21 (d) The provisions of RCW 28A.215.020 that allow credit on the
22 salary schedule developed by the legislative evaluation and
23 accountability program committee for approved in-service and continuing
24 education;

25 (e) The state board of education's continuing education requirement
26 for certificated instructional staff with continuing certificates;

27 (f) The length of the school year for contracted certificated and
28 classified employees;

29 (g) The teacher assistance program under RCW 28A.405.450;

- 1 (h) The self-study program under RCW 28A.320.200;
- 2 (i) The schools for the twenty-first century program under RCW
3 28A.630.100 through 28A.630.290;
- 4 (j) The evaluation of certificated employees under RCW 28A.405.100;
- 5 (k) State board of education teacher assignment and certificate
6 endorsement policies;
- 7 (l) Certification requirements under chapter 28A.410 RCW;
- 8 (m) The Washington award for excellence in education program under
9 RCW 28A.625.020 through 28A.625.070, and particularly the Christa
10 McAuliffe award under RCW 28A.625.030;
- 11 (n) Local education program enhancement funds; and
- 12 (o) The results of the studies by the state board of education on
13 internships and alternative classification.
- 14 (2) A review of the relationship between staffing and total
15 compensation levels for certificated and classified positions.
- 16 (3) Based on the results of the study findings, the department of
17 personnel shall submit to the legislature and the governor not later
18 than December 1, 1991, a plan to bring educational employees' total
19 compensation to a level that places Washington in the top ten states by
20 the beginning of the 1997-98 school year."

21 "NEW SECTION. Sec. 603. The department of personnel, in
22 consultation with teachers, classified employees, administrators,
23 school directors, business, labor, parents, and legislators shall study
24 and recommend to the legislature and the governor not later than
25 December 1, 1991, a plan to maintain total compensation for educational
26 employees in Washington at the levels to be established under section
27 602(2) of this act. The plan may include the use of peer states or
28 peer professions."

1 "NEW SECTION. Sec. 604. The definitions in this section apply
2 throughout sections 605 through 608 of this act.

3 (1) "Teacher" means a certificated instructional staff person
4 employed in a public school in this state. The term includes persons
5 holding a certificate under sections 609 through 611 of this act.

6 (2) "Certificated staff" means teachers and certificated
7 administrative staff.

8 (3) "School building" means a discrete school operated by a school
9 district."

10 "NEW SECTION. Sec. 605. The superintendent of public
11 instruction, from available funds, shall allocate to school districts
12 funds to effectuate an optional performance-based salary enhancement
13 program for the teachers and certificated administrative staff of the
14 state. Funds appropriated by the legislature for optional,
15 performance-based salary enhancements shall be separate from and in
16 addition to funds appropriated by the legislature for salary increases
17 for certificated staff.

18 Funds provided for the optional, performance-based salary
19 enhancement program under this section shall be allocated by the
20 superintendent of public instruction to school buildings in the state
21 on a grant basis."

22 "NEW SECTION. Sec. 606. (1) In order to apply for a performance-
23 based salary enhancement grant, a majority vote by the certificated
24 staff of the building is required.

25 (2) Schools, through the school district, shall submit a grant
26 application to the superintendent of public instruction. The grant
27 application shall include the following information:

1 (a) Documentation that a performance-based salary enhancement plan
2 has been adopted by a committee established in the school building.
3 The committee shall be a school site-based council under sections 201
4 through 204 of this act; and

5 (b) Documentation that the performance-based salary enhancement
6 plan identifies the criteria to be used to evaluate the performance of
7 those certificated staff participating in the program, the levels of
8 salary enhancement that can be earned under the plan, and the person or
9 persons responsible for evaluating the performance of participating
10 staff to determine eligibility for a salary enhancement.

11 (3) The criteria under subsection (2)(b) of this section for the
12 performance-based salary enhancement plan may include the following
13 criteria:

14 (a) Demonstration of improved competency of students leaving grades
15 four, eight, eleven, and twelve in the subject matters of reading,
16 writing, mathematics, science, history, and geography. The improved
17 competency shall be measured by the assessments and tests administered
18 under chapter 28A.230 RCW;

19 (b) Development of lesson plans with understandable student
20 learning objectives that provide for measurement of student achievement
21 against those objectives, and evaluation of improved student
22 achievement resulting from the plans;

23 (c) Demonstration of staff competency in theory and content of
24 assigned subject matter, as well as principles and methods of
25 instruction;

26 (d) Maintenance of a clearly understood grading procedure that is
27 administered fairly and consistently, and is directly related to
28 student learning objective improvement;

29 (e) Demonstration of increased student motivation, self-direction,
30 and self-discipline;

1 (f) Demonstration of communication skills for improvement in
2 parent/staff relationships that effectively contribute to improved
3 student performance; and

4 (g) Decreasing rates of student absenteeism and, in the case of
5 high school buildings, demonstration of an increased graduation rate
6 for students. The plan shall include a methodology for calculating the
7 graduation rate that reflects the rate of student drop-outs as well as
8 student transfers into and out of the school.

9 (4) In developing the performance-based salary enhancement plan,
10 the committee shall seek input from appropriate groups, including
11 parents, teachers, administrators, students, and the public. Prior to
12 adoption of the plan, the committee shall present the plan in a public
13 hearing with prior public notice.

14 (5) It is the intent of the legislature that the performance-based
15 salary enhancement program reward those educators whose performance is
16 exemplary and is not intended to result in across-the-board salary
17 increases for all certificated staff in the school building. However,
18 the committee under subsection (2) of this section, by a vote of at
19 least three-fourths of its members, may adopt a performance-based
20 salary enhancement program that results in uniform across-the-board
21 salary increases."

22 "NEW SECTION. Sec. 607. Performance-based salary enhancement
23 grants for certificated staff do not constitute an increase in salary
24 or compensation for purposes of RCW 28A.400.200, nor may such
25 compensation be applied to the district's salary schedule or be
26 provided in a manner that would increase the state's basic education
27 funding obligation."

1 "NEW SECTION. Sec. 608. Schools or districts accepting
2 performance-based salary enhancement grant funds shall be required to
3 match the state funds at fifty percent. The match may consist of funds
4 under section 1101 of this act."

5 "NEW SECTION. Sec. 609. It is the intent of the legislature to
6 attract career professionals from diverse backgrounds into the teaching
7 profession and prevent teacher shortages by making alternate teacher
8 certification available to persons with baccalaureate degrees and
9 extensive, relevant work experience. The alternate certificate
10 established under section 610 of this act shall allow eligible persons
11 to qualify for initial teacher certification upon satisfactory
12 completion of limited preservice coursework and two years of full-time
13 teaching under the guidance and supervision of an employee of a school
14 district in Washington state."

15 "NEW SECTION. Sec. 610. The state board of education shall by
16 December 15, 1991, adopt rules to implement an alternate teacher
17 certificate having the following standards:

18 (1) Each candidate for the alternate teacher's certificate shall:

19 (a) Possess a baccalaureate degree in the arts, sciences, or
20 humanities from an accredited college or university;

21 (b) Have completed a minimum number of years, as determined by the
22 state board of education, of occupational experience relevant to the
23 subject area in which he or she is seeking endorsement;

24 (c) Meet the age and character requirements established by the
25 state board of education for all certificated school staff, including
26 compliance with the background check through the Washington state
27 patrol criminal investigation system as required under RCW 28A.410.010;
28 and

1 (d) Possess a contract for employment in a school district of the
2 state.

3 (2) Prior to beginning teaching under the alternate teacher
4 certificate, the candidate shall:

5 (a) Have satisfied preservice coursework requirements established
6 by the state board of education for this purpose. These requirements
7 shall be limited to no more than fifteen quarter hours or ten semester
8 hours of postbaccalaureate coursework, or the equivalent in state board
9 of education approved in-service clock hours. In establishing the
10 requirements, the state board shall select courses available during the
11 summer as well as the school year;

12 (b) Have developed with their employing school district a written
13 plan for supervision, guidance, and support to be provided to the
14 candidate by the district for the duration of the alternate
15 certificate. The plan shall include but not be limited to assignment
16 by the district of a mentor teacher according to criteria established
17 for the teacher assistance program under RCW 28A.405.450 and evaluation
18 under the school district's teacher evaluation procedures.

19 (3) The alternate teacher certificate allows the holder full
20 authority to serve as a part-time or full-time teacher. The
21 certificate shall be valid for not more than two years of full-time
22 teaching or its equivalent. A person desiring to teach beyond the
23 expiration date of his or her alternate certificate shall apply for
24 initial or professional certification with the superintendent of public
25 instruction. Such certification shall be conditioned upon the
26 satisfaction of all requirements in this section and recommendation by
27 the school district employing the candidate under alternate
28 certification. Initial certification shall not require additional
29 coursework or experience.

1 (4) The alternate certification developed under this section shall
2 be available not later than the 1992-93 school year."

3 "NEW SECTION. Sec. 611. (1) The state board of education shall
4 report to the legislature by December 15, 1991, on:

5 (a) The standards adopted pursuant to section 610 of this act; and

6 (b) Recommendations for placement of teachers with alternate
7 certification as provided for in section 610 of this act on the state-
8 wide salary allocation schedule.

9 (2) The state board of education shall report annually to the
10 legislature and the governor on alternate teacher certification. Each
11 report is due by December 1st and shall include but not be limited to:
12 The number of alternate certification teachers hired by school
13 districts; the grade level and subject areas to which they have been
14 assigned; the number of instructional hours they have taught; the
15 number who have applied for initial or professional certification; and
16 the number who have been granted initial or professional
17 certification."

18 "**Sec. 612.** RCW 28A.410.030 and 1987 c 525 s 203 are each amended
19 to read as follows:

20 (1) The state board of education shall require a uniform state
21 (~~(exit)~~) entry to practice examination for teacher certification
22 candidates.

23 (2) Commencing August 31, 1993, (~~(teacher certification)~~) for
24 initial teacher certification or alternative certification under
25 sections 609 through 611 of this 1991 act candidates completing a
26 teacher preparation program shall be required to pass an (~~(exit)~~) entry
27 to practice examination before being granted an initial certificate.
28 The examination shall test knowledge and competence in: (a) The

1 subjects (~~(including, but not limited to,)~~) for which the candidate has
2 an endorsement; and (b) instructional skills, classroom management, and
3 student behavior and development. The examination for (b) of this
4 subsection shall consist primarily of essay questions.

5 (3) Candidates shall pass the examinations in subsection (2) (a)
6 and (b) of this section. However, if a candidate passes only the
7 examination in subsection (2)(b) of this section, the candidate may
8 teach for one school year if the candidate retakes the examination in
9 subsection (2)(a) of this section once each six months while teaching.

10 (4) The state board of education shall adopt such rules as may be
11 necessary to implement this section."

12 **"Sec. 613.** RCW 28A.405.220 and 1990 c 33 s 391 are each amended to
13 read as follows:

14 Notwithstanding the provisions of RCW 28A.405.210, every person
15 employed by a school district in a teaching or other nonsupervisory
16 certificated position shall be subject to nonrenewal of employment
17 contract as provided in this section during the first three years of
18 employment by such district, unless the employee has previously
19 completed at least three years of certificated employment in another
20 school district in the state of Washington, in which case the employee
21 shall be subject to nonrenewal of employment contract pursuant to this
22 section during the first year of employment with the new district.
23 Employees as defined in this section shall hereinafter be referred to
24 as "provisional employees".

25 In the event the superintendent of the school district determines
26 that the employment contract of any provisional employee should not be
27 renewed by the district for the next ensuing term such provisional
28 employee shall be notified thereof in writing on or before May 15th
29 preceding the commencement of such school term, which notification

1 shall state the reason or reasons for such determination. Such notice
2 shall be served upon the provisional employee personally, or by
3 certified or registered mail, or by leaving a copy of the notice at the
4 place of his or her usual abode with some person of suitable age and
5 discretion then resident therein. The determination of the
6 superintendent shall be subject to the evaluation requirements of RCW
7 28A.405.100.

8 Every such provisional employee so notified, at his or her request
9 made in writing and filed with the superintendent of the district
10 within ten days after receiving such notice, shall be given the
11 opportunity to meet informally with the superintendent for the purpose
12 of requesting the superintendent to reconsider his or her decision.
13 Such meeting shall be held no later than ten days following the receipt
14 of such request, and the provisional employee shall be given written
15 notice of the date, time and place of meeting at least three days prior
16 thereto. At such meeting the provisional employee shall be given the
17 opportunity to refute any facts upon which the superintendent's
18 determination was based and to make any argument in support of his or
19 her request for reconsideration.

20 Within ten days following the meeting with the provisional
21 employee, the superintendent shall either reinstate the provisional
22 employee or shall submit to the school district board of directors for
23 consideration at its next regular meeting a written report recommending
24 that the employment contract of the provisional employee be nonrenewed
25 and stating the reason or reasons therefor. A copy of such report
26 shall be delivered to the provisional employee at least three days
27 prior to the scheduled meeting of the board of directors. In taking
28 action upon the recommendation of the superintendent, the board of
29 directors shall consider any written communication which the

1 provisional employee may file with the secretary of the board at any
2 time prior to that meeting.

3 The board of directors shall notify the provisional employee in
4 writing of its final decision within ten days following the meeting at
5 which the superintendent's recommendation was considered. The decision
6 of the board of directors to nonrenew the contract of a provisional
7 employee shall be final and not subject to appeal.

8 This section applies to any person employed by a school district in
9 a teaching or other nonsupervisory certificated position after June 25,
10 1976. This section provides the exclusive means for nonrenewing the
11 employment contract of a provisional employee and no other provision of
12 law shall be applicable thereto, including, without limitation, RCW
13 28A.405.210 and chapter 28A.645 RCW."

14 **"Sec. 614.** RCW 28A.410.040 and 1990 c 33 s 406 are each amended to
15 read as follows:

16 (1) The state board of education shall adopt rules providing that,
17 except as provided in this section, all individuals qualifying for an
18 initial-level teaching certificate after August 31, 1992, shall possess
19 a baccalaureate degree in the arts, sciences, and/or humanities and
20 have fulfilled the requirements for teacher certification pursuant to
21 RCW 28A.305.130 (1) and (2). (~~The state board of education shall~~
22 ~~develop and adopt rules establishing baccalaureate degree equivalency~~
23 ~~standards for certification of vocational instructors performing~~
24 ~~instructional duties and acquiring initial level certification after~~
25 ~~August 31, 1992.)) However, candidates for grades preschool through
26 eight certificates shall have fulfilled the requirements for a major as
27 part of their baccalaureate degree. If the major is in early childhood
28 education, elementary education, or special education, the candidate~~

1 must have at least thirty quarter hours or twenty semester hours in one
2 academic field.

3 ~~((The state board of education shall study the impact of
4 eliminating the major in education under subsection (1) of this section
5 and submit a report to the legislature by January 15, 1990. The report
6 shall include a recommendation on whether the major in education under
7 subsection (1) of this section should be eliminated.~~

8 ~~(3))~~ The initial certificate shall be valid for ~~((two years.~~

9 ~~(4) Certificate holders may renew the certificate for a three year
10 period by providing proof of acceptance and enrollment in an approved
11 masters degree program. A second renewal, for a period of two years,
12 may be granted upon recommendation of the degree granting institution
13 and if the certificate holder can demonstrate substantial progress
14 toward the completion of the masters degree and that the degree will be
15 completed within the two year extension period. Under no circumstances
16 may an initial certificate be valid for)) a period of no more than
17 seven years. The initial certificate may be reinstated pursuant to
18 state board of education rules."~~

19 **"Sec. 615.** RCW 28A.410.050 and 1989 c 29 s 2 are each amended to
20 read as follows:

21 ~~((1) The state board of education shall implement rules providing
22 that all teachers performing instructional duties and acquiring
23 professional level certificate status after August 31, 1992, shall
24 possess, as a requirement of professional status, a masters degree in
25 teaching, or a masters degree in the arts, sciences, and/or humanities.~~

26 ~~(2))~~ The state board of education shall develop and adopt rules
27 establishing baccalaureate and masters degree equivalency standards for
28 vocational instructors performing instructional duties and acquiring
29 ((professional level)) certification after August 31, 1992."

1 "PART VII

2 PRIMARY GRADES SPECIAL EMPHASIS GRANT PROGRAM"

3 "NEW SECTION. Sec. 701. (1) A student's ability to learn can be
4 affected by a number of both positive and negative factors, including
5 but not limited to: Level of parent involvement and support; child
6 abuse and neglect; poverty, including parental unemployment or
7 underemployment; family transiency and homelessness; drug and alcohol
8 abuse; poor health and nutrition; crime; and peer influence. Such
9 factors can be manifested in forms such as underachievement and
10 failure, absenteeism and truancy, drug and alcohol abuse, delinquency,
11 suicide, disruption of the classroom learning environment, dropping
12 out, teen pregnancy, and, later in life, unemployment, a need for
13 public assistance, treatment or institutionalization for mental health
14 reasons, involvement with the judicial system, and possible
15 imprisonment for criminal convictions.

16 (2) The legislature finds that:

17 (a) Prevention and intervention services at the elementary level
18 can offer early identification, encouragement, and follow-up of each
19 child's special interests, creative talents, and particular abilities
20 as well as identification of and cooperative assistance with learning,
21 emotional, environmental, social, or physical obstacles to normal child
22 growth and development; and

23 (b) The provision of counseling and related prevention and
24 intervention services at the elementary level can contribute to
25 enhancement of the classroom environment for students and teachers, and
26 better enable students to realize their academic and personal
27 potential."

1 "NEW SECTION. Sec. 702. Unless the context clearly requires
2 otherwise, the definitions in this section apply throughout sections
3 702 through 710 of this act.

4 (1) "Child intervention specialist" means:

5 (a) An educational staff associate who holds certification as a
6 school counselor, a school psychologist, a school nurse, or a school
7 social worker under state board of education rules adopted pursuant to
8 RCW 28A.305.130; or

9 (b)(i) An appropriate public or private provider of professional
10 health care as defined under RCW 18.120.020(4), including providers
11 employed by the state of Washington;

12 (ii) A mental health professional as defined under RCW
13 71.05.020(12), including mental health professionals employed by the
14 state of Washington; or

15 (iii) A child psychiatrist or children's mental health specialist
16 as defined under RCW 71.34.020, including child psychiatrists or
17 children's mental health specialists employed by the state of
18 Washington, whose services may be requested by a school district
19 pursuant to a prevention and intervention program for elementary
20 students implemented under sections 703 through 705 of this act.

21 (2) "Early grades," "elementary grades," and "elementary level"
22 mean kindergarten through grade six and may include preschool age
23 children served by the school district.

24 (3) "Elementary grades prevention and intervention program" means
25 a program of services and activities or events developed pursuant to
26 sections 703 through 705 of this act.

27 (4) "Superintendent" means the superintendent of public
28 instruction."

1 "NEW SECTION. **Sec. 703.** (1) From funds appropriated by the
2 legislature, the superintendent shall establish a voluntary program to
3 assist school districts in providing prevention and intervention
4 programs for elementary grade students. This program shall be called
5 the fair start program. The fair start program shall not become a part
6 of the state's basic program of education obligation as set forth under
7 Article IX of the state Constitution.

8 (2) Any district currently providing elementary students with
9 prevention and intervention services which loses the source of funding
10 for those services, for reasons beyond the control of the district, may
11 use fair start funds to continue or enhance the existing level of
12 prevention and intervention services."

13 "NEW SECTION. **Sec. 704.** The superintendent shall distribute
14 funds equitably to all school districts based on the district's
15 enrollment in grades kindergarten through six. Districts accepting
16 fair start allocations shall be required to match the state funds at
17 fifty percent. In addition to the funds under section 1101 of this
18 act, the district match may consist of:

19 (1) Federal funds;

20 (2) Other funds available to districts, including funds from state
21 programs with prevention and intervention components, such as:

22 (a) The substance abuse awareness program under RCW 28A.170.010
23 through 28A.170.070;

24 (b) The substance abuse prevention and intervention program under
25 RCW 28A.170.075 through 28A.170.100;

26 (c) The community mobilization against substance abuse program
27 under RCW 43.270.010 through 43.270.080;

28 (d) The learning assistance program under RCW 28A.165.010 through
29 28A.165.090;

1 (e) The dropout prevention program under RCW 28A.175.020 through
2 28A.175.070;

3 (3) District funds currently used for elementary prevention and
4 intervention services;

5 (4) Contributions of or contractual arrangements for services,
6 including the use of a child intervention specialist licensed or
7 employed by the state of Washington, materials, supplies, or physical
8 facilities; or

9 (5) Any combination of funds under subsections (1) through (4) of
10 this section." "

11 "NEW SECTION. Sec. 705. (1) School districts interested in
12 implementing or enhancing an elementary grades prevention and
13 intervention program shall submit the following information to the
14 superintendent of public instruction:

15 (a) Documentation that the district board of directors has adopted
16 a written policy regarding the district's role and responsibility
17 relating to prevention and intervention services for elementary
18 students or a letter of commitment from the board of directors that a
19 written policy will be adopted within six months of receipt of state
20 funding under this chapter;

21 (b) District goals relating to prevention and intervention services
22 for elementary students;

23 (c) Procedures for notifying parents or guardians regarding:

24 (i) The referral of students for prevention and intervention
25 services; and

26 (ii) Liability issues relating to the provision of prevention and
27 intervention services to students outside school buildings;

1 (d) Use of grant funds for prevention and intervention related in-
2 service purposes, including, as necessary and appropriate,
3 multicultural in-service training for child intervention specialists;

4 (e) How the services of child intervention specialists may be
5 integrated into the district's elementary grades prevention and
6 intervention program;

7 (f) Evaluation procedures the district will implement to assess the
8 effectiveness of the district's early grades prevention and
9 intervention program; and

10 (g) Other information as requested by the superintendent.

11 (2) The district's plan for providing prevention and intervention
12 services to students shall be based on the district's identified goals
13 under subsection (1)(b) of this section. The plan shall be developed
14 with the participation of, but not limited to, district and building-
15 level staff and administrators, child intervention specialists, and
16 parents.

17 (3) In addition to the information required under subsection (1) of
18 this section, school districts and educational service districts
19 accepting moneys under the fair start program shall be required to
20 establish formal agreements for coordinated case management with lead
21 mental health agencies or other public or private social service
22 agencies that are present in the community with an emphasis on the most
23 efficient and cost-effective use of fair start funds.

24 (4) Two or more school districts may submit a joint application for
25 the purpose of establishing or enhancing a cooperative prevention and
26 intervention program for elementary grades students.

27 (5) An educational service district may submit an application on
28 behalf of one or more school districts for the purpose of establishing
29 or enhancing an elementary grades prevention and intervention program."

1 "NEW SECTION. Sec. 706. (1) Districts shall use fair start funds
2 to provide prevention and intervention services to students in grades
3 preschool through six with priority given to students based on need.
4 Districts shall establish the criteria determining need and include
5 this information in the reports required under section 709 of this act.

6 (2) In developing their elementary grades prevention and
7 intervention programs, districts shall, as appropriate, take into
8 consideration the multicultural background and needs of students and,
9 as necessary, provide appropriate multicultural curriculum materials.

10 (3) In developing their elementary grades prevention and
11 intervention programs, districts shall emphasize the delivery of
12 services using child intervention specialists as defined in section
13 702(1)(a) of this act. Districts are encouraged to have child
14 intervention specialists as defined in section 702(1)(b) of this act
15 deliver services in the district and under the supervision of a child
16 intervention specialist as defined in section 702(1)(a) of this act
17 under the district's prevention and intervention program.

18 (4) Nothing under sections 702 through 710 of this act shall
19 preclude a district from incorporating a primary intervention program
20 model as part of the district's fair start program."

21 "NEW SECTION. Sec. 707. The superintendent shall develop
22 specific measures to evaluate the success of the grant projects and the
23 fair start program. The department of social and health services shall
24 provide the superintendent with information the superintendent may use
25 in developing measures to evaluate the fair start program and
26 projects."

1 "NEW SECTION. Sec. 708. (1) The superintendent of public
2 instruction shall adopt rules as necessary under chapter 34.05 RCW to
3 implement sections 702 through 707 of this act.

4 (a) The rules shall permit districts to contract with governmental
5 or nongovernmental organizations or community-based professional health
6 care providers to provide elementary students with prevention and
7 intervention services under the local fair start program.

8 (b) The rules shall permit school districts to provide prevention
9 and intervention services through the local educational service
10 district.

11 (c) The rules shall assure appropriate coordination between the
12 superintendent and the department of social and health services
13 regarding the primary intervention program and the fair start program.

14 (2) The secretary of the department of social and health services
15 shall adopt rules as necessary under chapter 34.05 RCW to assure
16 appropriate coordination between the secretary and the superintendent
17 regarding the fair start program and the primary intervention program."

18 "NEW SECTION. Sec. 709. (1) School districts and educational
19 service districts shall submit annually to the superintendent of public
20 instruction a report on their fair start programs. The reports shall
21 include the criteria established to determine students' needs to
22 provide prevention and intervention services on a priority basis.

23 (2) The superintendent shall submit biennially a report to the
24 governor and the legislature on the fair start program established
25 under section 703 of this act. The first report shall be submitted not
26 later than December 1, 1992. The first report shall include
27 information on districts' criteria establishing students' needs to
28 receive prevention and intervention services on a priority basis.

1 Subsequent reports shall be submitted not later than December 1 in
2 even-numbered years."

3 "NEW SECTION. Sec. 710. (1) The superintendent of public
4 instruction shall collect and disseminate to school districts
5 information on programs established or enhanced under the fair start
6 program.

7 (2) Upon request, the superintendent shall provide information to
8 districts regarding how other districts have used fair start funds
9 locally and how other districts have established formal agreements for
10 coordinated case management under section 705(4) of this act or
11 otherwise coordinated services to children."

12 "PART VIII

13 WORKPLACE SKILLS GRANT PROGRAM"

14 "NEW SECTION. Sec. 801. (1) The legislature recognizes that
15 students now and in the future will need to acquire certain skills to
16 be better prepared to function in a rapidly changing society, including
17 an ever changing workplace environment. As we continue to experience
18 the fast-paced social evolution into an information and service-
19 oriented age, individuals' abilities to assimilate information quickly
20 and their capacity to adjust to new circumstances are rapidly becoming
21 new fundamental skills.

22 (2) New technologies are being introduced into the education system
23 but need to be introduced more quickly and equitably across the
24 curriculum. At the same time, teachers and students need to become
25 familiar with the educational technologies and to learn how to use
26 these technologies to enhance the educational experience.

1 (3) The legislature finds that providing for the integration of
2 technology in education, providing resources to enhance vocational
3 education programs, facilitating the integration of academics and
4 vocational education, and encouraging innovative developments in the
5 use of technology and vocational education will make students better
6 prepared to meet the challenges of the twenty-first century."

7 "NEW SECTION. Sec. 802. The voc ed works 2000 program is
8 created. The program shall encourage the development of new and the
9 improvement of existing vocational projects to help students learn the
10 skills necessary to meet the challenges of an increasingly
11 technological and ever-changing workplace. Goals of projects within
12 the program shall include but not be limited to:

13 (1) Encouraging the integration between academic and vocational
14 programs with the following specific items addressed:

15 (a) Revision of instructional strategies and materials used in
16 vocational courses to establish higher academic standards and
17 expectations for students;

18 (b) Development of a challenging multiyear program of study that
19 combines academic and vocational elements designed both to prepare
20 students for employment after high school and for further education;

21 (c) Access to rewarding and demanding vocational programs and
22 academic courses for underachieving students and methods of providing
23 needed extra assistance;

24 (d) Coordination among secondary and postsecondary vocational
25 education programs;

26 (e) Coordination among vocational and academic administrators and
27 teachers and school counselors, business, and labor, and
28 representatives of postsecondary education to identify, specify, and

1 develop methods to assess minimum levels of academic achievement and
2 technical competencies;

3 (f) Providing assistance to students in selecting courses and
4 choosing careers;

5 (g) Expanding efforts to assist students in finding employment or
6 entering an institution of postsecondary education;

7 (h) Establishing performance indicators both to track and report
8 annual progress;

9 (i) Providing information about the program throughout the state;
10 and

11 (j) Identifying the professional development needed by teachers and
12 administrators to assist in the integration of academic and vocational
13 skills;

14 (2) Encouraging collaborative models among schools and school
15 districts, educational service districts, interdistrict cooperatives,
16 skills centers, public vocational technical institutes, community
17 colleges, business, labor, and industry;

18 (3) Encouraging the development of workplace competencies and
19 concepts that transcend particular occupational skills;

20 (4) Encouraging the effective administration of vocational
21 programs; and

22 (5) Developing modifications in curriculum, instruction, and
23 program delivery to address changing technology and changing students'
24 needs."

25 "NEW SECTION. Sec. 803. (1) The superintendent of public
26 instruction, with the assistance of the state board of education and in
27 consultation with the state board for vocational education and the
28 state board for community college education, shall develop a process
29 for public schools or school districts, educational service districts,

1 interdistrict cooperatives, skills centers, public vocational technical
2 institutes, and community colleges to participate in the voc ed works
3 2000 program.

4 (2) The superintendent of public instruction shall review and
5 select projects for the grant awards, and monitor and evaluate programs
6 operated by grant recipients.

7 (3) The superintendent of public instruction shall evaluate the
8 program on a state-wide basis."

9 "NEW SECTION. Sec. 804. The superintendent of public
10 instruction, after reviewing project proposals, shall, subject to money
11 being appropriated by the legislature for this purpose, select not more
12 than twenty-one projects during each biennium for the voc ed works 2000
13 program. The projects should reflect a balance among rural and urban
14 areas, geographical areas, and school characteristics and sizes. The
15 projects may be awarded to a public high school, a school district
16 containing one or more high schools, a skills center, an educational
17 service district, an interdistrict cooperative, a public vocational
18 technical institute, or a community college. An award to a community
19 college shall be made only if the project involves a school or school
20 district, educational service district, interdistrict cooperative,
21 public vocational technical institute, or skills center. Applications
22 from two or more school districts, educational service districts,
23 combinations of school districts and community college districts
24 through an agreement under RCW 28B.50.530, or any combination are
25 encouraged."

26 "NEW SECTION. Sec. 805. Initial applications to participate in
27 the voc ed works 2000 program shall be submitted to the office of the
28 superintendent of public instruction not later than September 30, 1991,

1 for implementation beginning December 30, 1991. Subject to available
2 funding, additional applications may be submitted to the superintendent
3 of public instruction for consideration by November 1st of subsequent
4 years. Each application shall contain a proposed plan that:

5 (1) Describes specific activities to be carried out as part of the
6 project;

7 (2) Provides for all parties to work cooperatively during the term
8 of the project;

9 (3) Includes provisions for certificated school staff providing
10 instruction in vocational education programs, and classified school
11 employees with primary roles in implementing and conducting the plan,
12 to be employed on supplemental contracts with additional compensation
13 for an average of ten additional days beyond the general state-funded
14 school year allocations for each participating employee, and staff
15 development time as provided by legislative appropriation.
16 Notwithstanding the provisions of RCW 28A.400.200, district resources
17 may be used to fund the employment of school district staff beyond the
18 average of ten additional days for the purposes of the project;

19 (4) Includes budget plans for the project and additional
20 anticipated sources of funding, including private grants and
21 contributions, if any;

22 (5) Identifies the technical resources desired, the potential costs
23 of those resources, and the institutions of higher education,
24 businesses, industries, labor organizations, educational service
25 districts, or consultants available to provide such resources;

26 (6) Identifies the evaluation and accountability processes to be
27 used to measure student, project, and staff performance;

28 (7) Justifies each request for waiver of specific state statutes or
29 administrative rules during at least the first two years of the
30 program;

1 (8) Includes a written statement that school directors and
2 administrators and community college boards of trustees, if applicable,
3 are willing to exempt the projects from specifically identified local
4 rules, as needed;

5 (9) Includes a written statement that the school directors and
6 community college board of trustees and the local bargaining agents
7 will modify those portions of their local agreements as applicable for
8 the projects;

9 (10) Includes a written statement that model curriculum programs
10 developed under RCW 28A.300.110 have been considered, if applicable;

11 (11) Includes written statements of support from the school
12 district board of directors, the school district superintendent, and
13 the principal and staff of the building requesting to become a project,
14 and statements of support, willingness to participate, or concerns from
15 any interested parent, business, or community organization; and

16 (12) Includes written statements of support from the community
17 college board of trustees and the community college president and staff
18 of the community college requesting to become a project, if
19 applicable."

20 "NEW SECTION. Sec. 806. (1) The superintendent of public
21 instruction shall administer sections 802 through 812 of this act and
22 is authorized to award grant funding, subject to money being
23 appropriated by the legislature for this purpose, for projects selected
24 by the superintendent of public instruction under section 804 of this
25 act.

26 (2) The superintendent of public instruction shall distribute the
27 initial award grants by December 1, 1991. The initial projects under
28 the voc ed works 2000 program shall begin during the 1991-92 school
29 year.

1 (3) The projects for the voc ed works 2000 program may be conducted
2 for up to six years, if funds are so provided. Subject to approval by
3 the superintendent of public instruction and continued state funding,
4 projects initially funded for two years may be extended for a total
5 period not to exceed six years. Future funding shall be conditioned on
6 a positive evaluation of the project."

7 "NEW SECTION. Sec. 807. (1) The superintendent of public
8 instruction may accept, receive, and administer for the purposes of
9 sections 802 through 812 of this act such gifts, grants, and
10 contributions as may be provided from public and private sources for
11 the purposes of sections 802 through 812 of this act.

12 (2) The voc ed works 2000 program account is hereby established in
13 the custody of the state treasurer. The superintendent of public
14 instruction shall deposit in the account all moneys received under this
15 section. Moneys in the account may be spent only for the purposes of
16 sections 802 through 812 of this act. Disbursements from this account
17 shall be on the authorization of the superintendent of public
18 instruction or the superintendent's designee. The account is subject
19 to the allotment procedure provided under chapter 43.88 RCW, but no
20 appropriation is required for disbursements."

21 "NEW SECTION. Sec. 808. (1) The superintendent of public
22 instruction, where appropriate, or the state board of education, where
23 appropriate, is authorized to grant waivers to project applicants from
24 the provisions of statutes or administrative rules relating to:
25 Graduation requirements under RCW 28A.230.090; student to teacher
26 ratios; teacher contact hour requirements under RCW 28A.150.260;
27 teacher certification requirements; program approval standards; the
28 commingling of funds appropriated by the legislature for vocational

1 education programs and basic education programs if not inconsistent
2 with federal laws or regulations; and other administrative rules which
3 in the opinion of the superintendent of public instruction or the state
4 board of education may need to be waived to implement a project
5 proposal.

6 (2) State rules dealing with public health, safety, and civil
7 rights, including accessibility by the handicapped, shall not be
8 waived.

9 (3) A school district may request the state board of education or
10 superintendent of public instruction to ask the United States
11 department of education, the United States department of labor, or
12 other federal agencies to waive certain federal regulations necessary
13 to implement the proposed project.

14 (4) The superintendent of public instruction and the state board of
15 education shall work with the state board for community college
16 education and the higher education coordinating board for the waiver of
17 applicable college entrance requirements and for the establishment of
18 course equivalency requirements for students participating in projects
19 under sections 802 through 812 of this act.

20 (5) The superintendent of public instruction and the state board of
21 education shall seek the waiver of any applicable provisions of the job
22 skills program under RCW 28C.04.400 through 28C.04.480."

23 "NEW SECTION. **Sec. 809.** The superintendent of public instruction
24 shall ensure that successful applicants will be afforded resources and
25 special support assistance, as specified in legislative appropriations,
26 in undertaking activities for the voc ed works 2000 program. The
27 superintendent of public instruction shall develop a process that
28 coordinates and facilitates linkages among participating school
29 districts, community colleges, business, labor, and industry. Staff

1 from schools or school districts, public vocational technical
2 institutes, educational service districts, skills centers, and
3 community colleges selected to participate in the voc ed works 2000
4 program shall be given priority consideration for participation in
5 state sponsored staff development programs and summer institutes which
6 are directly related to the goals of the selected projects."

7 "NEW SECTION. Sec. 810. (1) The superintendent of public
8 instruction may adopt rules under chapter 34.05 RCW as necessary to
9 implement the superintendent's duties under sections 802 through 812 of
10 this act.

11 (2) The state board of education may adopt rules under chapter
12 34.05 RCW as necessary to implement its duties under sections 802
13 through 812 of this act."

14 "NEW SECTION. Sec. 811. (1) The superintendent of public
15 instruction shall report to the legislature on the progress of the voc
16 ed works 2000 program by January 15th of each odd-numbered year,
17 including a recommendation on the number of additional projects that
18 should be authorized and funded. The first report shall be submitted
19 by January 15, 1993.

20 (2) Each applicant selected to participate in the voc ed works 2000
21 program shall submit an annual report to the superintendent of public
22 instruction on the progress of the project as a condition of receipt of
23 continued funding."

24 "NEW SECTION. Sec. 812. The superintendent of public
25 instruction, through the state clearinghouse for education information,
26 shall collect and disseminate to all school districts and other
27 interested parties information about the voc ed works 2000 program."

1 "NEW SECTION. **Sec. 813.** A new section is added to chapter 28B.80
2 RCW to read as follows:

3 The higher education coordinating board shall review the entrance
4 requirements for the state institutions of higher education and shall
5 work with the boards of trustees and the boards of regents of the state
6 universities, the regional universities, and The Evergreen State
7 College and the superintendent of public instruction and the state
8 board of education regarding waiving certain entrance requirements or
9 developing course equivalencies for students enrolled in a program
10 under sections 802 through 812 of this act."

11 "NEW SECTION. **Sec. 814.** A new section is added to chapter 28B.50
12 RCW to read as follows:

13 The state board for community college education may adopt rules
14 under chapter 34.05 RCW as necessary to implement the board's duties
15 under sections 802 through 812 of this act."

16 "NEW SECTION. **Sec. 815.** A new section is added to chapter 28A.150
17 RCW to read as follows:

18 The superintendent of public instruction shall adopt rules that
19 establish general program approval standards for determining the terms
20 and conditions under which school districts are eligible to receive
21 state funds for secondary vocational education. The standards shall
22 include a provision regarding the use of extended or supplemental
23 contracts for certificated vocational education instructors in
24 vocational fields and provide assistance to districts in determining
25 when to offer such contracts."

26 "NEW SECTION. **Sec. 816.** (1) Each school district, skills center,
27 educational service district, interdistrict cooperative, or public

1 vocational technical institute receiving state funds for vocational
2 programs shall consult with a local advisory council on vocational
3 education. The district may create a council or may use an existing
4 entity that meets the requirements of this section and sections 817 and
5 818 of this act. Joint councils may be established.

6 (2) The councils shall be composed of members who are
7 representative of the population found in the area that the council
8 serves. The council shall be composed of representatives of the
9 general public including at a minimum representatives of business,
10 industry, labor, and spokespersons for persons with disabilities."

11 "NEW SECTION. Sec. 817. The local advisory council shall provide
12 advice and assistance to the school district, skills center,
13 educational service district, interdistrict cooperative, or public
14 vocational technical institute on:

15 (1) Selecting equipment and instructional materials and
16 establishing specifications for training areas. The council shall
17 suggest ways to provide for the efficient and effective use of
18 equipment and insure maximum use of the equipment;

19 (2) Determining training needs;

20 (3) Determining content and length of courses;

21 (4) Determining current and future employment opportunities and
22 requirements;

23 (5) Making recommendations to help provide for experienced and
24 knowledgeable instructors; and

25 (6) Providing support for the entire vocational education program."

26 "NEW SECTION. Sec. 818. A school district shall only be eligible
27 to receive funds to upgrade or to acquire equipment for vocational
28 education programs if the district in consultation with the local

1 advisory council has developed a vocational education program
2 improvement component within their plan. The improvement component
3 shall describe: Methods for strengthening vocational education;
4 business and industry partnerships; the potential to aid local economic
5 development; staff training; the need for extended or supplemental
6 contracts for specific certificated instructional staff in vocational
7 programs; job placement; consistency with the state plan for vocational
8 education; and the basic skills and core competencies required for
9 successful employment. In developing the plan, coordination with
10 community colleges, business and industry, and other school districts,
11 educational service districts, interdistrict cooperatives, skills
12 centers, and public vocational technical institutes shall be
13 considered. The plan shall be revised at least once every two years."

14 "NEW SECTION. Sec. 819. The entity in the state of Washington
15 qualifying as the entity for the receipt of federal funds shall, with
16 available funds, provide technical assistance to local vocational
17 education advisory committees."

18 "NEW SECTION. Sec. 820. Each vocational agriculture education
19 service area shall encourage greater student and teacher knowledge of
20 environmentally sensitive and low-input agricultural and landscaping
21 practices, water conservation, and agricultural worker protections."

22 "NEW SECTION. Sec. 821. A new section is added to chapter 28B.10
23 RCW to read as follows:

24 In developing admission standards, each four-year institution of
25 higher education shall recognize the relevance of vocational education
26 courses and the competencies taught in such courses and shall make

1 every effort to designate applicable vocational education courses as
2 course equivalencies."

3 "Sec. 822. RCW 28B.80.350 and 1988 c 172 s 4 are each amended to
4 read as follows:

5 The board shall coordinate educational activities among all
6 segments of higher education taking into account the educational
7 programs, facilities, and other resources of both public and
8 independent two and four-year colleges and universities. The four-year
9 institutions and the state board for community college education shall
10 coordinate information and activities with the board. The board shall
11 have the following additional responsibilities:

12 (1) Promote interinstitutional cooperation;

13 (2) Establish minimum admission standards for four-year
14 institutions, including a requirement that coursework in sign language
15 shall satisfy any foreign language requirement the board or the
16 institutions may establish as a general undergraduate admissions
17 requirement. The standards shall include recognition of the relevance
18 of vocational education courses and the competencies taught in such
19 courses and the use of vocational education courses having academic
20 equivalencies to meet admission requirements to four-year institutions;

21 (3) Establish transfer policies;

22 (4) Adopt rules implementing statutory residency requirements;

23 (5) Develop and administer reciprocity agreements with bordering
24 states and the province of British Columbia;

25 (6) Review and recommend compensation practices and levels for
26 administrative employees, exempt under chapter 28B.16 RCW, and faculty
27 using comparative data from peer institutions;

28 (7) Monitor higher education activities for compliance with all
29 relevant state policies for higher education;

1 (8) Arbitrate disputes between and among four-year institutions or
2 between and among four-year institutions and community colleges at the
3 request of one or more of the institutions involved, or at the request
4 of the governor, or from a resolution adopted by the legislature. The
5 decision of the board shall be binding on the participants in the
6 dispute;

7 (9) Establish and implement a state system for collecting,
8 analyzing, and distributing information;

9 (10) Recommend to the governor and the legislature ways to remove
10 any economic incentives to use off-campus program funds for on-campus
11 activities; and

12 (11) Make recommendations to increase minority participation, and
13 monitor and report on the progress of minority participation in higher
14 education."

15 "NEW SECTION. Sec. 823. By November 1, 1992, the higher
16 education coordinating board shall develop recommendations for
17 eliminating or modifying university and college entrance requirements
18 that inhibit schools from adopting strategies that are designed to
19 ensure that students achieve the essential knowledge, skills, and
20 attitudes."

21 "**Sec. 824.** RCW 28A.230.100 and 1990 c 33 s 239 are each amended to
22 read as follows:

23 The state board of education shall adopt rules pursuant to chapter
24 34.05 RCW, to implement the course requirements set forth (~~in~~)
25 pursuant to RCW 28A.230.090. Such rules shall include, as the state
26 board deems necessary, granting equivalencies for and temporary
27 exemptions from the course requirements (~~in RCW 28A.230.090 and~~
28 ~~special alterations of the course requirements in RCW 28A.230.090~~)

1 established. In developing such rules the state board shall recognize
2 the relevance of instruction in work force skills through vocational
3 education and applied courses and allow such courses to fulfill in
4 whole or in part the courses required for graduation (~~in~~ RCW
5 ~~28A.230.090~~). Such rules may include provisions for competency
6 testing in lieu of such courses required for graduation (~~in~~) pursuant
7 to RCW 28A.230.090."

8 "NEW SECTION. Sec. 825. The legislature finds that the needs of
9 the work force and the economy necessitate enhanced vocational
10 education opportunities in secondary education including curriculum
11 which integrates vocational and academic education. In order for the
12 state's work force to be competitive in the world market, employees
13 need competencies in both vocational and technical skills and in
14 essential subject areas such as English, math, science, technology,
15 geography, history, and critical thinking. Curriculum which integrates
16 vocational and academic education reflects that many students learn
17 best through applied learning, and that students should be offered
18 flexible education opportunities which prepare them for both the world
19 of work and for higher education."

20 "NEW SECTION. Sec. 826. A new section is added to chapter 28A.300
21 RCW to read as follows:

22 The superintendent of public instruction shall develop a model
23 curriculum integrating vocational and academic education at the
24 secondary level. The curriculum shall integrate vocational education
25 for gainful employment with education in the academic subjects of
26 English, math, science, technology, geography, and history, and with
27 education in critical thinking. Upon completion, the model curriculum
28 shall be provided for consideration and use by school districts."

1 "NEW SECTION. Sec. 827. A new section is added to chapter 28A.320
2 RCW to read as follows:
3 School districts receiving funds for any of the programs under
4 sections 802 through 821 of this act or RCW 28B.80.350, or for
5 improvements in vocational equipment and the nonemployee-related costs
6 associated with that equipment or for increasing the number of teachers
7 to students in approved secondary vocational programs shall be required
8 to match the funds at fifty percent. The district match may consist of
9 funds under section 1101 of this act."

10 "PART IX
11 URBAN SCHOOLS GRANTS"

12 "NEW SECTION. Sec. 901. The superintendent of public instruction
13 shall establish and administer an urban schools grant program to
14 provide eligible school districts an opportunity to apply for state
15 funds that are separate from and in addition to the state funds
16 allocated for the state's basic program of education."

17 "NEW SECTION. Sec. 902. (1) The Seattle, Tacoma, Spokane,
18 Yakima, and Pasco school districts are eligible to apply for an urban
19 schools grant under section 901 of this act.

20 (2) Districts accepting urban schools grant funds shall be required
21 to match the state funds at fifty percent. The district match may
22 consist of funds under section 1101 of this act."

23 "NEW SECTION. Sec. 903. The eligible school districts interested
24 in applying for funds under the urban schools grant program shall
25 submit a grant application to the superintendent of public instruction.
26 Grant applications shall include the following:

1 (1) Documentation that the district board of directors has held at
2 least one public hearing regarding the proposed use of the grant funds.
3 The public hearing and other public hearings held by the district may
4 be held as part of the public hearings required pursuant to chapter
5 28A.505 RCW;

6 (2) Identified budgeted expenditures for the grant funds. The
7 expenditure plan may be included as part of the district's annual
8 budget required under chapter 28A.505 RCW;

9 (3) Documentation that the development of the expenditure plan,
10 prior to the first public hearing, involved teachers, school and
11 district administrators, educational staff associates and classified
12 personnel, parents, students, and members of the community at-large;

13 (4) A description of the services, programs, or activities that
14 will be funded, in whole or in part, by the grant funds;

15 (5) A description of the methods and procedures to be used to
16 evaluate the effectiveness of the services, programs, or activities
17 supported by the grant funds; and

18 (6) Other information as requested by the superintendent of public
19 instruction."

20 "NEW SECTION. **Sec. 904.** Grant funds shall be used for purposes
21 identified by the school district in compliance with section 903 of
22 this act. New or existing programs enhanced by funds received under
23 the urban schools grant program shall not become a part of the state's
24 basic program of education obligation as set forth under Article IX of
25 the state Constitution."

26 "NEW SECTION. **Sec. 905.** (1) Each school district receiving funds
27 under the urban schools grant program established under section 901 of
28 this act shall submit biennially to the superintendent of public

1 instruction a report on the district's use of the grant funds and other
2 information required by the superintendent of public instruction. The
3 superintendent of public instruction shall establish the date for
4 submittal of reports.

5 (2) The superintendent of public instruction shall submit
6 biennially to the legislature a report on the urban schools grant
7 program. The first report shall be submitted not later than December
8 1, 1992."

9 "NEW SECTION. Sec. 906. The superintendent of public instruction
10 shall adopt rules as necessary under chapter 34.05 RCW to implement the
11 provisions of sections 901 through 905 of this act."

12 "PART X
13 SMALL SCHOOLS GRANTS"

14 "NEW SECTION. Sec. 1001. (1) The superintendent of public
15 instruction shall establish and administer a small schools grant
16 program to assist eligible school districts in meeting special needs of
17 the districts.

18 (2) Funds appropriated by the legislature for the purposes of the
19 small schools grant program and new or existing programs enhanced by
20 funds received under the small schools grant program shall not become
21 a part of the state's basic program of education obligation as set
22 forth under Article IX of the state Constitution.

23 (3) School districts shall be eligible to apply for additional
24 state funds under the small schools grant program if the school
25 district meets the criteria under section 1002 of this act.

1 (4) Districts accepting small schools grant funds shall be required
2 to match the state funds at fifty percent. The district match may
3 consist of funds under section 1101 of this act."

4 "NEW SECTION. Sec. 1002. (1) A school district of the second
5 class under RCW 28A.315.230 may apply for funds under the small schools
6 grant program established under section 1001 of this act, to help meet
7 the special needs of the district, if the school district meets all of
8 the criteria in this section:

9 (a) The median household income is at least twenty percent below
10 the state average;

11 (b) The number of families receiving aid to families with
12 dependent children exceeds the state-wide average by twenty percent or
13 more;

14 (c) The number of persons unemployed exceeds the state-wide
15 average by twenty percent;

16 (d) The assessed valuation of property for excess levy purposes
17 would require a levy rate of more than two dollars per one thousand
18 dollars of valuation to raise a ten percent levy;

19 (e) The district does not receive federal impact aid in excess of
20 the maximum amount the district would be eligible to raise with a ten
21 percent levy; and

22 (f) The district does not receive federal forest moneys in excess
23 of their basic education allocation.

24 (2) If a second class school district is a joint district under
25 RCW 28A.315.350, the criteria under subsection (1) of this section
26 shall be applied based upon the county which comes closest to meeting
27 the criteria under subsection (1) of this section."

1 "NEW SECTION. Sec. 1003. Eligible school districts
2 interested in applying for funds under the grant program established
3 under section 1001 of this act shall submit a grant application to the
4 superintendent of public instruction. Grant applications shall include
5 the following:

6 (1) Documentation that the district board of directors has held at
7 least one public hearing regarding the proposed use of the grant funds.
8 The public hearing and other public hearings held by the district may
9 be held as part of the public hearings required pursuant to chapter
10 28A.505 RCW;

11 (2) Identified budgeted expenditures for the grant funds. The
12 expenditure plan may be included as part of the district's annual
13 budget required under chapter 28A.505 RCW;

14 (3) Documentation that the development of the expenditure plan
15 prior to the first public hearing involved teachers, school and
16 district administrators, educational staff associates and classified
17 personnel, parents, students, and members of the community at-large;

18 (4) A description of the services, programs, or activities that
19 will be funded in whole or in part by the grant funds; and

20 (5) A description of the methods and procedures to be used to
21 evaluate the effectiveness of the services, programs, or activities
22 supported by the grant funds."

23 "NEW SECTION. Sec. 1004. (1) Each school district receiving
24 funds under the grant program established under section 1001 of this
25 act shall submit biennially to the superintendent of public instruction
26 a report on the district's use of the grant funds. The report shall
27 include an assessment of the effectiveness of the services, programs,
28 or activities supported by the grant funds and other information
29 required by the superintendent of public instruction.

1 (2) The superintendent of public instruction shall establish the
2 date for submittal of reports. The superintendent of public
3 instruction shall work with the eligible districts in developing
4 reporting requirements that do not create excessive paperwork but which
5 provide information necessary for the legislature to evaluate the
6 impact of the grant program on the educational programs of the eligible
7 school districts.

8 (3) The superintendent of public instruction shall submit
9 biennially to the legislature a report on the grant program established
10 under section 1001 of this act. The first report shall be submitted
11 not later than December 1, 1992."

12 "NEW SECTION. Sec. 1005. The superintendent of public
13 instruction shall adopt rules as necessary under chapter 34.05 RCW to
14 implement sections 1001 through 1004 of this act."

15 "PART XI

16 FUNDING MATCHING REQUIREMENTS"

17 "NEW SECTION. Sec. 1101. A new section is added to chapter
18 28A.320 RCW to read as follows:

19 Districts or schools may use the following fund sources to meet the
20 fifty percent funding matching requirements for sections 402 through
21 414 of this act, sections 604 through 608 of this act, sections 702
22 through 710 of this act, sections 802 through 821 of this act, sections
23 901 through 906 of this act, and sections 1001 through 1005 of this
24 act:

25 (1) Local education program enhancement funds appropriated by the
26 legislature;

27 (2) The district's regular levy;

- 1 (3) Municipal funds;
- 2 (4) Other nonstate funds; or
- 3 (5) Any combination of (1) through (4) of this subsection."

4 "PART XII
5 COLLECTIVE BARGAINING"

6 "Sec. 1201. RCW 41.59.020 and 1989 c 11 s 11 are each amended to
7 read as follows:

8 As used in this chapter:

9 (1) The term "employee organization" means any organization, union,
10 association, agency, committee, council, or group of any kind in which
11 employees participate, and which exists for the purpose, in whole or in
12 part, of collective bargaining with employers.

13 (2) The term "collective bargaining" or "bargaining" means the
14 performance of the mutual obligation of the representatives of the
15 employer and the exclusive bargaining representative to meet at
16 reasonable times in light of the time limitations of the budget-making
17 process, and to bargain in good faith in an effort to reach agreement
18 with respect to the wages, hours, and terms and conditions of
19 employment: PROVIDED, That prior law, practice or interpretation shall
20 be neither restrictive, expansive, nor determinative with respect to
21 the scope of bargaining. A written contract incorporating any
22 agreements reached shall be executed if requested by either party. The
23 obligation to bargain does not compel either party to agree to a
24 proposal or to make a concession.

25 In the event of a dispute between an employer and an exclusive
26 bargaining representative over the matters that are terms and
27 conditions of employment, the commission shall decide which item(s) are

1 mandatory subjects for bargaining and which item(s) are nonmandatory.
2 The following shall not be a subject of collective bargaining: (a) The
3 school district's policy assuring parental access to the classroom
4 under RCW 28A.605.020; (b) performance pay plans adopted under sections
5 604 through 608 of this 1991 act; and (c) the schedule of days for
6 students to attend school, as established by the school district board
7 of directors under RCW 28A.150.040.

8 (3) The term "commission" means the public employment relations
9 commission established by RCW 41.58.010.

10 (4) The terms "employee" and "educational employee" means any
11 certificated employee of a school district, except:

12 (a) The chief executive officer of the employer.

13 (b) The chief administrative officers of the employer, which shall
14 mean the superintendent of the district, deputy superintendents,
15 administrative assistants to the superintendent, assistant
16 superintendents, and business manager. Title variation from all
17 positions enumerated in this subsection (b) may be appealed to the
18 commission for determination of inclusion in, or exclusion from, the
19 term "educational employee".

20 (c) Confidential employees, which shall mean:

21 (i) Any person who participates directly on behalf of an employer
22 in the formulation of labor relations policy, the preparation for or
23 conduct of collective bargaining, or the administration of collective
24 bargaining agreements, except that the role of such person is not
25 merely routine or clerical in nature but calls for the consistent
26 exercise of independent judgment; and

27 (ii) Any person who assists and acts in a confidential capacity to
28 such person.

29 (d) Unless included within a bargaining unit pursuant to RCW
30 41.59.080, any supervisor, which means any employee having authority,

1 in the interest of an employer, to hire, assign, promote, transfer,
2 layoff, recall, suspend, discipline, or discharge other employees, or
3 to adjust their grievances, or to recommend effectively such action, if
4 in connection with the foregoing the exercise of such authority is not
5 merely routine or clerical in nature but calls for the consistent
6 exercise of independent judgment, and shall not include any persons
7 solely by reason of their membership on a faculty tenure or other
8 governance committee or body. The term "supervisor" shall include only
9 those employees who perform a preponderance of the above-specified acts
10 of authority.

11 (e) Unless included within a bargaining unit pursuant to RCW
12 41.59.080, principals and assistant principals in school districts.

13 (5) The term "employer" means any school district.

14 (6) The term "exclusive bargaining representative" means any
15 employee organization which has:

16 (a) Been selected or designated pursuant to the provisions of this
17 chapter as the representative of the employees in an appropriate
18 collective bargaining unit; or

19 (b) Prior to January 1, 1976, been recognized under a predecessor
20 statute as the representative of the employees in an appropriate
21 collective bargaining or negotiations unit.

22 (7) The term "person" means one or more individuals, organizations,
23 unions, associations, partnerships, corporations, boards, committees,
24 commissions, agencies, or other entities, or their representatives.

25 (8) The term "nonsupervisory employee" means all educational
26 employees other than principals, assistant principals and supervisors."

27 **"Sec. 1202.** RCW 41.56.030 and 1989 c 275 s 2 are each amended to
28 read as follows:

29 As used in this chapter:

1 (1) "Public employer" means any officer, board, commission,
2 council, or other person or body acting on behalf of any public body
3 governed by this chapter as designated by RCW 41.56.020, or any
4 subdivision of such public body. For the purposes of this section, the
5 public employer of district court employees for wage-related matters is
6 the respective county legislative authority, or person or body acting
7 on behalf of the legislative authority, and the public employer for
8 nonwage-related matters is the judge or judge's designee of the
9 respective district court.

10 (2) "Public employee" means any employee of a public employer
11 except any person (a) elected by popular vote, or (b) appointed to
12 office pursuant to statute, ordinance or resolution for a specified
13 term of office by the executive head or body of the public employer, or
14 (c) whose duties as deputy, administrative assistant or secretary
15 necessarily imply a confidential relationship to the executive head or
16 body of the applicable bargaining unit, or any person elected by
17 popular vote or appointed to office pursuant to statute, ordinance or
18 resolution for a specified term of office by the executive head or body
19 of the public employer, or (d) who is a personal assistant to a
20 district judge or court commissioner. For the purpose of (d) of this
21 subsection, no more than one assistant for each judge or commissioner
22 may be excluded from a bargaining unit.

23 (3) "Bargaining representative" means any lawful organization which
24 has as one of its primary purposes the representation of employees in
25 their employment relations with employers.

26 (4) "Collective bargaining" means the performance of the mutual
27 obligations of the public employer and the exclusive bargaining
28 representative to meet at reasonable times, to confer and negotiate in
29 good faith, and to execute a written agreement with respect to
30 grievance procedures and collective negotiations on personnel matters,

1 including wages, hours and working conditions, which may be peculiar to
2 an appropriate bargaining unit of such public employer, except that by
3 such obligation neither party shall be compelled to agree to a proposal
4 or be required to make a concession unless otherwise provided in this
5 chapter. In the case of the Washington state patrol, "collective
6 bargaining" shall not include wages and wage-related matters. In the
7 case of employees of school districts, "collective bargaining" does not
8 include: (a) The schedule of days for students to attend school, as
9 established by the school district board of directors under RCW
10 28A.150.040; (b) the school district's policy assuring parental access
11 to the classroom under RCW 28A.605.020; or (c) performance pay plans
12 adopted under sections 604 through 608 of this 1991 act.

13 (5) "Commission" means the public employment relations commission.

14 (6) "Executive director" means the executive director of the
15 commission.

16 (7) "Uniformed personnel" means (a) law enforcement officers as
17 defined in RCW 41.26.030 as now or hereafter amended, of cities with a
18 population of fifteen thousand or more or law enforcement officers
19 employed by the governing body of any county of the second class or
20 larger, or (b) fire fighters as that term is defined in RCW 41.26.030,
21 as now or hereafter amended."

22 "PART XIII

23 LOCAL EDUCATION PROGRAM ENHANCEMENT FUNDS"

24 "NEW SECTION. Sec. 1301. A new section is added to chapter
25 28A.300 RCW to read as follows:

26 (1) The superintendent of public instruction shall establish a
27 program to provide school districts, from appropriated funds, local
28 education program enhancement funds.

1 (2) A school district shall be eligible to receive an allocation
2 from appropriated funds if the school district's board of directors
3 has:

4 (a) Assessed the needs of the schools within the district;

5 (b) Prioritized the identified needs; and

6 (c) Developed an expenditure plan for the allocation and an
7 evaluation methodology to assess benefits to students.

8 (3) School districts receiving moneys pursuant to this section
9 shall expend such moneys to meet educational needs identified by the
10 district within the following program areas:

11 (a) Prevention and intervention services in the elementary grades;

12 (b) Reduction of class size;

13 (c) Early childhood education;

14 (d) Student-at-risk programs, including dropout prevention and
15 retrieval, and substance abuse awareness and prevention;

16 (e) Staff development and in-service programs;

17 (f) Student logical reasoning and analytical skill development;

18 (g) Programs for highly capable students;

19 (h) Programs involving students in community services;

20 (i) Senior citizen volunteer programs;

21 (j) Those sections under this act requiring a match of local funds
22 to state funds; and

23 (k) Other purposes that enhance a school district's basic education
24 program.

25 (4) Program enhancements funded pursuant to this section do not
26 fall within the definition of basic education for purposes of Article
27 IX of the state Constitution and the state's funding duty thereunder.

28 (5)(a) Allocations to eligible school districts shall be calculated
29 on the basis of average annual full time equivalent enrollment. For
30 school districts enrolling not more than one hundred average annual

1 full time equivalent students, and for small school plants within any
2 school district designated as remote and necessary schools, the
3 allocations shall be determined as follows:

4 (i) Enrollment of not more than sixty average annual full time
5 equivalent students in grades kindergarten through six shall generate
6 funding based on sixty full time equivalent students;

7 (ii) Enrollment of not more than twenty average annual full time
8 equivalent students in grades seven and eight shall generate funding
9 based on twenty full time equivalent students; and

10 (iii) Enrollment of sixty or fewer average annual full time
11 equivalent students in grades nine through twelve shall generate
12 funding based on sixty full time equivalent students.

13 (b) Allocations shall be distributed on a school-year basis
14 pursuant to RCW 28A.510.250."

15 "PART XIV
16 MISCELLANEOUS"

17 "NEW SECTION. **Sec. 1401.** This act may be known and cited as
18 the bringing education home act."

19 "NEW SECTION. **Sec. 1402.** Part headings used in this act do
20 not constitute part of the law."

21 "**Sec. 1403.** RCW 84.52.053 and 1987 1st ex.s. c 2 s 103 are each
22 amended to read as follows:

23 The limitations imposed by RCW 84.52.050 through 84.52.056, and
24 84.52.043 shall not prevent the levy of additional taxes by school
25 districts, when authorized so to do by the electors of such school
26 district in the manner and for the purposes and number of years

1 allowable under Article VII, section 2(a) of the Constitution of this
2 state, as amended by Amendment 79 and as thereafter amended, at a
3 special or general election to be held in the year in which the levy is
4 made or, in the case of a one-year levy for the purpose of school nurse
5 programs in an amount that does not exceed the sum necessary to provide
6 one school nurse for every two thousand full-time equivalent students
7 in the district which sum shall not be used to determine the levy
8 limitations under RCW 84.52.0531, or in the case of a proposition
9 authorizing two-year levies for maintenance and operation support of a
10 school district or authorizing two-year through six-year levies to
11 support the construction, modernization, or remodeling of school
12 facilities, or both, at a special or general election to be held in the
13 year in which the first annual levy is made: PROVIDED, That once
14 additional tax levies have been authorized for maintenance and
15 operation support of a school district for a two year period, no
16 further additional tax levies for maintenance and operation support of
17 the district for that period may be authorized.

18 A special election may be called and the time therefor fixed by the
19 board of school directors, by giving notice thereof by publication in
20 the manner provided by law for giving notices of general elections, at
21 which special election the proposition authorizing such excess levy
22 shall be submitted in such form as to enable the voters favoring the
23 proposition to vote "yes" and those opposed thereto to vote "no".

24 **"Sec. 1404.** RCW 84.52.0531 and 1990 c 33 s 601 are each amended to
25 read as follows:

26 Except as provided for in RCW 84.52.053 for one-year levies for
27 school nurse programs, the maximum dollar amount which may be levied by
28 or for any school district for maintenance and operation support under
29 the provisions of RCW 84.52.053 shall be determined as follows:

1 (1) For the purpose of this section, the basic education allocation
2 shall be determined pursuant to RCW 28A.150.250, 28A.150.260, and
3 28A.150.350: PROVIDED, That when determining the basic education
4 allocation under subsection (4) of this section, nonresident full time
5 equivalent pupils who are participating in a program provided for in
6 chapter 28A.545 RCW or in any other program pursuant to an
7 interdistrict agreement shall be included in the enrollment of the
8 resident district and excluded from the enrollment of the serving
9 district.

10 (2) For the purposes of subsection (5) of this section, a base year
11 levy percentage shall be established. The base year levy percentage
12 shall be equal to the greater of: (a) The district's actual levy
13 percentage for calendar year 1985, (b) the average levy percentage for
14 all school district levies in the state in calendar year 1985, or (c)
15 the average levy percentage for all school district levies in the
16 educational service district of the district in calendar year 1985.

17 (3) For excess levies for collection in calendar year 1988 and
18 thereafter, the maximum dollar amount shall be the total of:

19 (a) The district's levy base as defined in subsection (4) of this
20 section multiplied by the district's maximum levy percentage as defined
21 in subsections (5) and (6) of this section; plus

22 (b) In the case of nonhigh school districts only, an amount equal
23 to the total estimated amount due by the nonhigh school district to
24 high school districts pursuant to chapter 28A.545 RCW for the school
25 year during which collection of the levy is to commence, less the
26 increase in the nonhigh school district's basic education allocation as
27 computed pursuant to subsection (1) of this section due to the
28 inclusion of pupils participating in a program provided for in chapter
29 28A.545 RCW in such computation; less

1 (c) The maximum amount of state matching funds under RCW
2 28A.500.010 for which the district is eligible in that tax collection
3 year.

4 (4) For excess levies for collection in calendar year 1988 and
5 thereafter, a district's levy base shall be the sum of the following
6 allocations received by the district for the prior school year,
7 including allocations for compensation increases, adjusted by the
8 percent increase per full time equivalent student in the state basic
9 education appropriation between the prior school year and the current
10 school year:

11 (a) The district's basic education allocation as determined
12 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

13 (b) State and federal categorical allocations for the following
14 programs:

15 (i) Pupil transportation;

16 (ii) Handicapped education;

17 (iii) Education of highly capable students;

18 (iv) Compensatory education, including but not limited to learning
19 assistance, migrant education, Indian education, refugee programs, and
20 bilingual education;

21 (v) Food services; and

22 (vi) State-wide block grant programs; and

23 (c) Any other federal allocations for elementary and secondary
24 school programs, including direct grants, other than federal impact aid
25 funds and allocations in lieu of taxes.

26 (5) For levies to be collected in calendar year 1988, a district's
27 maximum levy percentage shall be determined as follows:

28 (a) Multiply the district's base year levy percentage as defined in
29 subsection (2) of this section by the district's levy base as
30 determined in subsection (4) of this section;

1 (b) Reduce the amount in (a) of this subsection by the total
2 estimated amount of any levy reduction funds as defined in subsection
3 (7) of this section which are to be allocated to the district for the
4 1987-88 school year;

5 (c) Divide the amount in (b) of this subsection by the district's
6 levy base to compute a new percentage; and

7 (d) The percentage in (c) of this subsection or twenty percent,
8 whichever is greater, shall be the district's maximum levy percentage
9 for levies collected in calendar year 1988.

10 (6) For excess levies for collection in calendar year 1989 and
11 thereafter, a district's maximum levy percentage shall be determined as
12 follows:

13 (a) Multiply the district's maximum levy percentage for the prior
14 year or thirty percent, whichever is less, by the district's levy base
15 as determined in subsection (4) of this section;

16 (b) Reduce the amount in (a) of this subsection by the total
17 estimated amount of any levy reduction funds as defined in subsection
18 (7) of this section which are to be allocated to the district for the
19 current school year;

20 (c) Divide the amount in (b) of this subsection by the district's
21 levy base to compute a new percentage; and

22 (d) The percentage in (c) of this subsection or twenty percent,
23 whichever is greater, shall be the district's maximum levy percentage
24 for levies collected in that calendar year.

25 (7) "Levy reduction funds" shall mean increases in state funds from
26 the prior school year for programs included under subsection (4) of
27 this section: (a) That are not attributable to enrollment changes,
28 compensation increases, or inflationary adjustments; and (b) that are
29 or were specifically identified as levy reduction funds in the
30 appropriations act. If levy reduction funds are dependent on formula

1 factors which would not be finalized until after the start of the
2 current school year, the superintendent of public instruction shall
3 estimate the total amount of levy reduction funds by using prior school
4 year data in place of current school year data. Levy reduction funds
5 shall not include moneys received by school districts from cities or
6 counties.

7 (8) For the purposes of this section, "prior school year" shall
8 mean the most recent school year completed prior to the year in which
9 the levies are to be collected.

10 (9) For the purposes of this section, "current school year" shall
11 mean the year immediately following the prior school year.

12 (10) The superintendent of public instruction shall develop rules
13 and regulations and inform school districts of the pertinent data
14 necessary to carry out the provisions of this section."

15 "NEW SECTION. Sec. 1405. Sections 201 through 204 of this
16 act are each added to chapter 28A.240 RCW."

17 "NEW SECTION. Sec. 1406. Sections 402 through 414 of this
18 act are each added to chapter 28A.630 RCW."

19 "NEW SECTION. Sec. 1407. Sections 604 through 608 of this
20 act are each added to chapter 28A.400 RCW."

21 "NEW SECTION. Sec. 1408. Sections 609 through 611 of this
22 act are each added to chapter 28A.410 RCW."

23 "NEW SECTION. Sec. 1409. Sections 702 through 710 of this
24 act are each added to chapter 28A.600 RCW."

1 "NEW SECTION. **Sec. 1410.** Sections 802 through 812, 901
2 through 906, and 1001 through 1005 of this act are each added to
3 chapter 28A.630 RCW."

4 "NEW SECTION. **Sec. 1411.** Sections 816 through 820 of this
5 act shall constitute a new chapter in Title 28C RCW."

6 "NEW SECTION. **Sec. 1412.** Section 105 of this act shall take
7 effect September 1, 1992."

8 "NEW SECTION. **Sec. 1413.** Section 504 of this act shall take
9 effect October 1, 1997."

10 "NEW SECTION. **Sec. 1414.** Sections 301, 302, 401 through 414,
11 501 through 503, 601 through 603, 701 through 710, 802 through 822, 901
12 through 905, 1001 through 1005, 1201, and 1202 of this act are
13 necessary for the immediate preservation of the public peace, health,
14 or safety, or support of the state government and its existing public
15 institutions, and shall take effect immediately."

16 "NEW SECTION. **Sec. 1415.** Sections 401 through 414 of this
17 act shall expire December 31, 1998."

18 "NEW SECTION. **Sec. 1416.** Sections 601 through 603 of this
19 act shall expire December 31, 1991."

20 "NEW SECTION. **Sec. 1417.** If specific funding for the
21 purposes of sections 401 through 414 of this act, referencing this act
22 by bill and section numbers, is not provided by June 30, 1991, in the

1 omnibus appropriations act, sections 401 through 414 of this act shall
2 be null and void."

3 "NEW SECTION. Sec. 1418. If specific funding for the
4 purposes of sections 601 through 603 of this act, referencing this act
5 by bill and section numbers, is not provided by June 30, 1991, in the
6 omnibus appropriations act, sections 601 through 603 of this act shall
7 be null and void."

8 "NEW SECTION. Sec. 1419. If specific funding for the
9 purposes of sections 604 through 608 of this act, referencing this act
10 by bill and section numbers, is not provided by June 30, 1991, in the
11 omnibus appropriations act, sections 604 through 608 of this act shall
12 be null and void."

13 "NEW SECTION. Sec. 1420. If specific funding for the
14 purposes of sections 701 through 710 of this act, referencing this act
15 by bill and section numbers, is not provided by June 30, 1991, in the
16 omnibus appropriations act, sections 701 through 710 of this act shall
17 be null and void."

18 "NEW SECTION. Sec. 1421. If specific funding for the
19 purposes of sections 801 through 821 of this act, referencing this act
20 by bill and section numbers, is not provided by June 30, 1991, in the
21 omnibus appropriations act, sections 801 through 821 of this act shall
22 be null and void."

23 "NEW SECTION. Sec. 1422. If specific funding for the
24 purposes of sections 901 through 906 of this act, referencing this act
25 by bill and section numbers, is not provided by June 30, 1991, in the

1 omnibus appropriations act, sections 901 through 906 of this act shall
2 be null and void."

3 "NEW SECTION. **Sec. 1423.** If specific funding for the
4 purposes of sections 1001 through 1005 of this act, referencing this
5 act by bill and section numbers, is not provided by June 30, 1991, in
6 the omnibus appropriations act, sections 1001 through 1005 of this act
7 shall be null and void."

8 "NEW SECTION. **Sec. 1424.** If specific funding for the
9 purposes of section 1301 of this act, referencing this act by bill and
10 section number, is not provided by June 30, 1991, in the omnibus
11 appropriations act, section 1301 of this act shall be null and void."

12 "NEW SECTION. **Sec. 1425.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected."

1 **ESHB 1023** - S COMM AMD
2 By Committee on Education

3 Adopted as Amended 4/18/91 - Voice Vote

4 On page 1, line 1 of the title, after "performance;" strike the
5 remainder of the title and insert "amending RCW 28A.605.020,
6 28A.150.040, 28A.150.230, 28A.225.220, 28A.230.190, 28A.230.230,
7 28A.230.240, 28A.410.030, 28A.405.220, 28A.410.040, 28A.410.050,
8 28B.80.350, 28A.230.100, 41.59.020, 41.56.030, 84.52.053, and
9 84.52.0531; adding a new section to chapter 28A.615 RCW; adding new
10 sections to chapter 28A.320 RCW; adding new sections to chapter 28A.240
11 RCW; adding new sections to chapter 28A.300 RCW; adding new sections to
12 chapter 28A.230 RCW; adding new sections to chapter 28A.400 RCW; adding
13 new sections to chapter 28A.410 RCW; adding new sections to chapter
14 28A.600 RCW; adding new sections to chapter 28A.630 RCW; adding new
15 sections to chapter 28B.80 RCW; adding a new section to chapter 28B.50
16 RCW; adding a new section to chapter 28A.150 RCW; adding a new section
17 to chapter 28B.10 RCW; adding a new chapter to Title 28C RCW; creating
18 new sections; providing effective dates; providing expiration dates;
19 and declaring an emergency."