

HOUSE BILL 1264

State of Washington 52nd Legislature 1991 Regular Session

By Representatives Peery, Brough, G. Fisher, Vance, Rasmussen, Brumsickle, Roland, Valle, Phillips, Cole, P. Johnson, Jones, Holland, Neher, Broback, Paris, Betrozoff and Basich.

Read first time January 25, 1991. Referred to Committee on Education.

1 AN ACT Relating to education; amending RCW 28A.335.180,
2 28A.300.040, 28A.300.060, 28A.155.140, 28A.305.190, 28A.230.020,
3 28A.230.060, 28A.230.100, 28A.230.130, 28A.150.260, 28A.305.130,
4 28A.335.040, 28A.335.120, 28A.400.030, 28A.405.460, 28A.330.100,
5 28A.405.400, 28A.405.450, 28A.410.020, 28A.410.030, 28A.600.060,
6 28A.600.070, 28A.170.100, and 28A.315.230; reenacting and amending RCW
7 28A.335.040; adding a new section to chapter 28A.405 RCW; and repealing
8 RCW 28A.26.010, 28A.26.020, 28A.26.030, 28A.26.040, 28A.26.050,
9 28A.26.060, 28A.26.900, 28A.150.090, 28A.150.430, 28A.155.110,
10 28A.155.120, 28A.155.130, 28A.230.200, 28A.305.180, 28A.310.450,
11 28A.310.900, 28A.320.220, 28A.410.130, 28A.410.900, 28A.505.190,
12 28A.525.100, 28A.525.102, 28A.525.104, 28A.525.106, 28A.525.108,
13 28A.525.110, 28A.525.112, 28A.525.114, 28A.525.116, 28A.550.010,
14 28A.615.010, 28A.615.020, 28A.615.030, 28A.615.040, 28A.630.310, and
15 28A.630.340.

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

1 **Sec. 1.** RCW 28A.335.180 and 1990 c 33 s 361 are each amended to
2 read as follows:

3 Notwithstanding any other provision of law, school districts,
4 educational service districts, or any other state or local governmental
5 agency concerned with education, when declaring texts and other books,
6 equipment, materials or relocatable facilities as surplus, shall, prior
7 to other disposal thereof, serve notice in writing (~~to the office of~~
8 ~~the state superintendent of public instruction~~) in a newspaper of
9 general circulation in the school district and to any public school
10 district or private school in Washington state annually requesting such
11 a notice, that the same is available for sale, rent, or lease to public
12 school districts or private schools, at depreciated cost or fair market
13 value, whichever is greater: PROVIDED, That students wishing to
14 purchase texts pursuant to RCW 28A.320.230(2) shall have priority as to
15 such texts. Such districts or agencies shall not otherwise sell, rent
16 or lease such surplus property to any person, firm, organization, or
17 nongovernmental agency for at least (~~forty-five~~) thirty days
18 following (~~the date notification is mailed to the state superintendent~~
19 ~~of public instruction~~) publication of notice in a newspaper of general
20 circulation in the school district.

21 **Sec. 2.** RCW 28A.300.040 and 1990 c 33 s 251 are each amended to
22 read as follows:

23 In addition to any other powers and duties as provided by law, the
24 powers and duties of the superintendent of public instruction shall be:

25 (1) To have supervision over all matters pertaining to the public
26 schools of the state.

27 (2) To report to the governor and the legislature such information
28 and data as may be required for the management and improvement of the
29 schools.

1 (3) To prepare and have printed such forms, registers, courses of
2 study, rules and regulations for the government of the common schools,
3 questions prepared for the examination of persons as provided for in
4 RCW 28A.305.130(9), and such other material and books as may be
5 necessary for the discharge of the duties of teachers and officials
6 charged with the administration of the laws relating to the common
7 schools, and to distribute the same to educational service district
8 superintendents.

9 (4) To travel, without neglecting his or her other official duties
10 as superintendent of public instruction, for the purpose of attending
11 educational meetings or conventions, of visiting schools, of consulting
12 educational service district superintendents or other school officials.

13 (5) To prepare and from time to time to revise a manual of the
14 Washington state common school code, copies of which shall be provided
15 in such numbers as determined by the superintendent of public
16 instruction at no cost to those public agencies within the common
17 school system and which shall be sold at approximate actual cost of
18 publication and distribution per volume to all other public and
19 nonpublic agencies or individuals, said manual to contain Titles 28A
20 and 28C RCW, rules and regulations related to the common schools, and
21 such other matter as the state superintendent or the state board of
22 education shall determine. Proceeds of the sale of such code shall be
23 transmitted to the public printer who shall credit the state
24 superintendent's account within the state printing plant revolving fund
25 by a like amount.

26 (6) To act as ex officio member and the chief executive officer of
27 the state board of education.

28 ~~(7) ((To hold, annually, a convention of the educational service~~
29 ~~district superintendents of the state at such time and place as he or~~
30 ~~she may deem convenient, for the discussion of questions pertaining to~~

1 ~~supervision and the administration of the school laws and such other~~
2 ~~subjects affecting the welfare and interests of the common schools as~~
3 ~~may be brought before it. Said convention shall continue in session at~~
4 ~~the option of the superintendent of public instruction. It shall be~~
5 ~~the duty of every educational service district superintendent in this~~
6 ~~state to attend said convention during its entire session, and any~~
7 ~~educational service district superintendent who attends the convention~~
8 ~~shall be reimbursed for traveling and subsistence expenses as provided~~
9 ~~in RCW 28A.310.320 in attending said convention.~~

10 ~~(8))~~ To file all papers, reports and public documents transmitted
11 to the superintendent by the school officials of the several counties
12 or districts of the state, each year separately. Copies of all papers
13 filed in the superintendent's office, and the superintendent's official
14 acts, may, or upon request, shall be certified by the superintendent
15 and attested by the superintendent's official seal, and when so
16 certified shall be evidence of the papers or acts so certified to.

17 ~~((9))~~ (8) To require annually, on or before the 15th day of
18 August, of the president, manager, or principal of every educational
19 institution in this state, a report ~~((of such facts arranged in such~~
20 ~~manner as the superintendent may prescribe, and the superintendent~~
21 ~~shall furnish forms for such reports))~~ as required by the
22 superintendent of public instruction; and it is ~~((hereby made))~~ the
23 duty of every president, manager or principal, to complete and return
24 such forms within such time as the superintendent of public instruction
25 shall direct.

26 ~~((10))~~ (9) To keep in the superintendent's office a record of all
27 teachers receiving certificates to teach in the common schools of this
28 state.

29 ~~((11))~~ (10) To issue certificates as provided by law.

1 (~~(12)~~) (11) To keep in the superintendent's office at the capital
2 of the state, all books and papers pertaining to the business of the
3 superintendent's office, and to keep and preserve in the
4 superintendent's office a complete record of statistics, as well as a
5 record of the meetings of the state board of education.

6 (~~(13)~~) (12) With the assistance of the office of the attorney
7 general, to decide all points of law which may be submitted to the
8 superintendent in writing by any educational service district
9 superintendent, or that may be submitted to the superintendent by any
10 other person, upon appeal from the decision of any educational service
11 district superintendent; and the superintendent shall publish his or
12 her rulings and decisions from time to time for the information of
13 school officials and teachers; and the superintendent's decision shall
14 be final unless set aside by a court of competent jurisdiction.

15 (~~(14)~~) (13) To administer oaths and affirmations in the discharge
16 of the superintendent's official duties.

17 (~~(15)~~) (14) To deliver to his or her successor, at the expiration
18 of the superintendent's term of office, all records, books, maps,
19 documents and papers of whatever kind belonging to the superintendent's
20 office or which may have been received by the superintendent's for the
21 use of the superintendent's office.

22 (~~(16)~~) (15) To perform such other duties as may be required by
23 law.

24 **Sec. 3.** RCW 28A.300.060 and 1990 c 33 s 253 are each amended to
25 read as follows:

26 (~~The legislature finds that the administration costs of school
27 districts are not sufficiently known to permit sound financial planning
28 by those affected by such costs. Accordingly, the legislature hereby
29 authorize and directs~~) The superintendent of public instruction and

1 the state auditor jointly, and in cooperation with the senate and house
2 committees on education, ~~((to))~~ shall conduct appropriate studies and
3 adopt classifications or revised classifications under RCW 28A.505.100,
4 defining what expenditures shall be charged to each budget class
5 including administration. ~~((Such))~~ The studies and classifications
6 shall be published in the form of a manual or revised manual, suitable
7 for use by the governing bodies of school districts, by the
8 superintendent of public instruction, and by the legislature.

9 **Sec. 4.** RCW 28A.155.140 and 1990 c 33 s 131 are each amended to
10 read as follows:

11 ~~((By July 1, 1989, the superintendent of public instruction shall
12 complete a study and, as may be necessary, adopt rules providing for
13 the appropriate use of curriculum-based assessment procedures as a
14 component of assessment procedures provided by RCW 28A.155.010 through
15 28A.155.100.))~~ School districts may use curriculum-based assessment
16 procedures as measures for developing academic early intervention
17 programs and curriculum planning: PROVIDED, That the use of curriculum-
18 based assessment procedures shall not deny a student the right to an
19 assessment to determine eligibility or participation in learning
20 disabilities programs as provided by RCW 28A.155.010 through
21 28A.155.100.

22 **Sec. 5.** RCW 28A.305.190 and 1973 c 51 s 2 are each amended to read
23 as follows:

24 The state board of education shall adopt rules and regulations
25 governing the conditions by and under which a certificate of
26 educational competence may be issued to a person nineteen years of age
27 or older, ~~((and))~~ or to a child fifteen years of age and under nineteen
28 years of age ~~((when such a))~~ if the child ~~((can evidence))~~ provides a

1 substantial and warranted reason for leaving the regular high school
2 education program, or if the child was home-schooled.

3 **Sec. 6.** RCW 28A.230.020 and 1988 c 206 s 403 are each amended to
4 read as follows:

5 All common schools shall give instruction in reading, penmanship,
6 orthography, written and mental arithmetic, geography, the history of
7 the United States, English grammar, physiology and hygiene with special
8 reference to the effects of ~~((alcoholic stimulants and narcotics))~~
9 alcohol and drug abuse on the human system, science with special
10 reference to the environment, and such other studies as may be
11 prescribed by rule or regulation of the state board of education. All
12 teachers shall stress the importance of the cultivation of manners, the
13 fundamental principles of honesty, honor, industry and economy, the
14 minimum requisites for good health including the beneficial effect of
15 physical exercise and methods to prevent exposure to and transmission
16 of sexually transmitted diseases, and the worth of kindness to all
17 living creatures and the land. The prevention of child abuse may be
18 offered as part of the curriculum in the common schools.

19 **Sec. 7.** RCW 28A.230.060 and 1969 ex.s. c 57 s 2 are each amended
20 to read as follows:

21 ~~((To promote good citizenship and a greater interest in and better
22 understanding of our national and state institutions and system of
23 government, the state board of education shall prescribe a one year
24 course of study in the history and government of the United States, and
25 the equivalent of a one semester course of study in the state of
26 Washington's history and government. No person shall be graduated from
27 high school without completing such courses of study: PROVIDED, That))~~
28 Students in the twelfth grade who have not completed ((such)) a course

1 of study in Washington's history and state government because of
2 previous residence outside the state may have the ~~((foregoing))~~
3 requirement in RCW 28A.230.090 waived by their principal.

4 **Sec. 8.** RCW 28A.230.100 and 1990 c 33 s 239 are each amended to
5 read as follows:

6 The state board of education shall adopt rules pursuant to chapter
7 34.05 RCW, to implement the course requirements set forth in RCW
8 28A.230.090. ~~((Such))~~ The rules shall include, as the state board
9 deems necessary, granting equivalencies for and temporary exemptions
10 from the course requirements in RCW 28A.230.090 and special alterations
11 of the course requirements in RCW 28A.230.090. In developing such rules
12 the state board shall recognize the relevance of vocational and applied
13 courses and allow such courses to fulfill in whole or in part the
14 courses required for graduation in RCW 28A.230.090. ~~((Such))~~ The rules
15 may include provisions for competency testing in lieu of such courses
16 required for graduation in RCW 28A.230.090 or demonstration of specific
17 skill proficiency or understanding of concepts through work or
18 experience.

19 **Sec. 9.** RCW 28A.230.130 and 1988 c 172 s 2 are each amended to
20 read as follows:

21 (1) All public high schools of the state shall provide a program,
22 directly or ~~((otherwise))~~ in cooperation with a community college or
23 another school district, for students whose educational plans include
24 application for entrance to a baccalaureate-granting institution after
25 being granted a high school diploma. The program shall help these
26 students to meet at least the minimum entrance requirements under RCW
27 28B.10.050.

1 (2) The state board of education, upon request from local school
2 districts, (~~shall be authorized to~~) may grant temporary exemptions
3 from (~~providing~~) the requirements to provide the program described in
4 subsection (1) of this section for reasons relating to school district
5 size and the availability of staff authorized to teach subjects which
6 must be provided.

7 **Sec. 10.** RCW 28A.150.260 and 1990 c 33 s 108 are each amended to
8 read as follows:

9 The basic education allocation for each annual average full time
10 equivalent student shall be determined in accordance with the following
11 procedures:

12 (1) The governor shall and the superintendent of public instruction
13 may recommend to the legislature a formula based on a ratio of students
14 to staff for the distribution of a basic education allocation for each
15 annual average full time equivalent student enrolled in a common
16 school. The distribution formula shall have the primary objective of
17 equalizing educational opportunities and shall provide appropriate
18 recognition of the following costs among the various districts within
19 the state:

20 (a) Certificated instructional staff and their related costs;

21 (b) Certificated administrative staff and their related costs;

22 (c) Classified staff and their related costs;

23 (d) Nonsalary costs;

24 (e) Extraordinary costs of remote and necessary schools and small
25 high schools, including costs of additional certificated and classified
26 staff; and

27 (f) The attendance of students pursuant to RCW 28A.335.160 and
28 28A.225.250 who do not reside within the servicing school district.

1 (2)(a) This formula for distribution of basic education funds shall
2 be reviewed biennially by the superintendent and governor. The
3 recommended formula shall be subject to approval, amendment or
4 rejection by the legislature. The formula shall be for allocation
5 purposes only. While the legislature intends that the allocations for
6 additional instructional staff be used to increase the ratio of such
7 staff to students, nothing in this section shall require districts to
8 reduce the number of administrative staff below existing levels.

9 (b) ~~((The formula adopted by the legislature for the 1987-88 school
10 year shall reflect the following ratios at a minimum: (i) Forty-eight
11 certificated instructional staff to one thousand annual average full
12 time equivalent students enrolled in grades kindergarten through three;
13 (ii) forty-six certificated instructional staff to one thousand annual
14 average full time equivalent students enrolled in grades four through
15 twelve; (iii) four certificated administrative staff to one thousand
16 annual average full time equivalent students enrolled in grades
17 kindergarten through twelve; and (iv) sixteen and sixty-seven one-
18 hundredths classified personnel to one thousand annual average full
19 time equivalent students enrolled in grades kindergarten through
20 twelve.~~

21 (e)) Commencing with the 1988-89 school year, the formula adopted
22 by the legislature shall reflect the following ratios at a minimum:
23 (i) Forty-nine certificated instructional staff to one thousand annual
24 average full time equivalent students enrolled in grades kindergarten
25 through three; (ii) forty-six certificated instructional staff to one
26 thousand annual average full time equivalent students in grades four
27 through twelve; (iii) four certificated administrative staff to one
28 thousand annual average full time equivalent students in grades
29 kindergarten through twelve; and (iv) sixteen and sixty-seven one-
30 hundredths classified personnel to one thousand annual average full

1 time equivalent students enrolled in grades kindergarten through
2 twelve.

3 (~~(d)~~) (c) In the event the legislature rejects the distribution
4 formula recommended by the governor, without adopting a new
5 distribution formula, the distribution formula for the previous school
6 year shall remain in effect: PROVIDED, That the distribution formula
7 developed pursuant to this section shall be for state apportionment and
8 equalization purposes only and shall not be construed as mandating
9 specific operational functions of local school districts other than
10 those program requirements identified in RCW 28A.150.220 and
11 28A.150.100. The enrollment of any district shall be the annual
12 average number of full time equivalent students and part time students
13 as provided in RCW 28A.150.350, enrolled on the first school day of
14 each month and shall exclude full time equivalent handicapped students
15 recognized for the purposes of allocation of state funds for programs
16 under RCW 28A.155.010 through 28A.155.100. The definition of full time
17 equivalent student shall be determined by rules and regulations of the
18 superintendent of public instruction: PROVIDED, That the definition
19 shall be included as part of the superintendent's biennial budget
20 request: PROVIDED, FURTHER, That any revision of the present
21 definition shall not take effect until approved by the house
22 appropriations committee and the senate ways and means committee:
23 PROVIDED, FURTHER, That the office of financial management shall make
24 a monthly review of the superintendent's reported full time equivalent
25 students in the common schools in conjunction with RCW 43.62.050.

26 (3) (a) Certificated instructional staff shall include those
27 persons employed by a school district who are nonsupervisory employees
28 within the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional
29 cases, people of unusual competence but without certification may teach
30 students so long as a certificated person exercises general

1 supervision: PROVIDED, FURTHER, That the hiring of such
2 noncertificated people shall not occur during a labor dispute and such
3 noncertificated people shall not be hired to replace certificated
4 employees during a labor dispute.

5 (b) Certificated administrative staff shall include all those
6 persons who are chief executive officers, chief administrative
7 officers, confidential employees, supervisors, principals, or assistant
8 principals within the meaning of RCW 41.59.020(4).

9 (4) Each annual average full time equivalent certificated classroom
10 teacher's direct classroom contact hours shall average at least twenty-
11 five hours per week. Direct classroom contact hours shall be exclusive
12 of time required to be spent for preparation, conferences, or any other
13 nonclassroom instruction duties. Up to two hundred minutes per week may
14 be deducted from the twenty-five contact hour requirement, at the
15 discretion of the school district board of directors, to accommodate
16 authorized teacher/parent-guardian conferences, recess, passing time
17 between classes, and informal instructional activity. Implementing
18 rules to be adopted by the state board of education pursuant to RCW
19 28A.150.220(6) shall provide that compliance with the direct contact
20 hour requirement shall be based upon teachers' normally assigned weekly
21 instructional schedules, as assigned by the district administration.
22 Additional record-keeping by classroom teachers as a means of
23 accounting for contact hours shall not be required. However, upon
24 request from the board of directors of any school district, the
25 provisions relating to direct classroom contact hours for individual
26 teachers in that district may be waived by the state board of education
27 if the waiver is necessary to implement a locally approved plan for
28 educational excellence and the waiver is limited to those individual
29 teachers approved in the local plan for educational excellence. The
30 state board of education shall develop criteria to evaluate the need

1 for the waiver. Granting of the waiver shall depend upon verification
2 that: (a) The students' classroom instructional time will not be
3 reduced; and (b) the teacher's expertise is critical to the success of
4 the local plan for excellence.

5 **Sec. 11.** RCW 28A.305.130 and 1990 c 33 s 266 are each amended to
6 read as follows:

7 In addition to any other powers and duties as provided by law, the
8 state board of education shall:

9 (1) Approve or disapprove the program of courses leading to
10 teacher, school administrator, and school specialized personnel
11 certification offered by all institutions of higher education within
12 the state which may be accredited and whose graduates may become
13 entitled to receive such certification.

14 (2) Conduct every five years a review of the program approval
15 standards, including the minimum standards for teachers,
16 administrators, and educational staff associates, to reflect research
17 findings and assure continued improvement of preparation programs for
18 teachers, administrators, and educational staff associates.

19 (3) Investigate the character of the work required to be performed
20 as a condition of entrance to and graduation from any institution of
21 higher education in this state relative to such certification as
22 provided for in subsection (1) above, and prepare a list of accredited
23 institutions of higher education of this and other states whose
24 graduates may be awarded such certificates.

25 (4)(a) The state board of education shall adopt rules to allow a
26 teacher certification candidate to fulfill, in part, teacher
27 preparation program requirements through work experience as a
28 noncertificated teacher's aide in a public school or private school
29 meeting the requirements of RCW 28A.195.010. The rules shall include,

1 but are not limited to, limitations based upon the recency of the
2 teacher preparation candidate's teacher aide work experience, and
3 limitations based on the amount of work experience that may apply
4 toward teacher preparation program requirements under this chapter.

5 (b) The state board of education shall require that at the time of
6 the individual's enrollment in a teacher preparation program, the
7 supervising teacher and the building principal shall jointly provide to
8 the teacher preparation program of the higher education institution at
9 which the teacher candidate is enrolled, a written assessment of the
10 performance of the teacher candidate. The assessment shall contain
11 such information as determined by the state board of education and
12 shall include: Evidence that at least fifty percent of the candidate's
13 work as a noncertificated teacher's aide was involved in instructional
14 activities with children under the supervision of a certificated
15 teacher and that the candidate worked a minimum of six hundred thirty
16 hours for one school year; the type of work performed by the candidate;
17 and a recommendation of whether the candidate's work experience as a
18 noncertificated teacher's aide should be substituted for teacher
19 preparation program requirements. In compliance with such rules as may
20 be established by the state board of education under this section, the
21 teacher preparation programs of the higher education institution where
22 the candidate is enrolled shall make the final determination as to what
23 teacher preparation program requirements may be fulfilled by teacher
24 aide work experience.

25 (5) Supervise the issuance of such certificates as provided for in
26 subsection (1) above and specify the types and kinds of certificates
27 necessary for the several departments of the common schools by rule or
28 regulation in accordance with RCW 28A.410.010.

29 (6) Accredite, subject to such accreditation standards and
30 procedures as may be established by the state board of education, all

1 schools that apply for accreditation, and approve, subject to the
2 provisions of RCW 28A.195.010, private schools carrying out a program
3 for any or all of the grades one through twelve: PROVIDED, That no
4 public or private schools shall be placed upon the list of accredited
5 schools so long as secret societies are knowingly allowed to exist
6 among its students by school officials: PROVIDED FURTHER, That the
7 state board may elect to require all or certain classifications of the
8 public schools to conduct and participate in such pre-accreditation
9 examination and evaluation processes as may now or hereafter be
10 established by the board.

11 (7) Make rules and regulations governing the establishment in any
12 existing nonhigh school district of any secondary program or any new
13 grades in grades nine through twelve. Before any such program or any
14 new grades are established the district must obtain prior approval of
15 the state board.

16 (8) Prepare such outline of study for the common schools as the
17 board shall deem necessary, and prescribe such rules for the general
18 government of the common schools, as shall seek to secure regularity of
19 attendance, prevent truancy, secure efficiency, and promote the true
20 interest of the common schools.

21 ~~(9) ((Prepare with the assistance of the superintendent of public
22 instruction a uniform series of questions, with the proper answers
23 thereto for use in the correcting thereof, to be used in the
24 examination of persons, as this code may direct, and prescribe rules
25 and regulations for conducting any such examinations.~~

26 ~~(10))~~ Continuously reevaluate courses and adopt and enforce
27 regulations within the common schools so as to meet the educational
28 needs of students and articulate with the institutions of higher
29 education and unify the work of the public school system.

1 (~~(11)~~) (10) Carry out board powers and duties relating to the
2 organization and reorganization of school districts under RCW
3 28A.315.010 through 28A.315.680 and 28A.315.900.

4 (~~(12)~~) (11) By rule or regulation promulgated upon the advice of
5 the director of community development, through the director of fire
6 protection, provide for instruction of pupils in the public and private
7 schools carrying out a K through 12 program, or any part thereof, so
8 that in case of sudden emergency they shall be able to leave their
9 particular school building in the shortest possible time or take such
10 other steps as the particular emergency demands, and without confusion
11 or panic; such rules and regulations shall be published and distributed
12 to certificated personnel throughout the state whose duties shall
13 include a familiarization therewith as well as the means of
14 implementation thereof at their particular school.

15 (~~(13)~~) (12) Hear and decide appeals as otherwise provided by law.
16 The state board of education is given the authority to promulgate
17 information and rules dealing with the prevention of child abuse for
18 purposes of curriculum use in the common schools.

19 **Sec. 12.** RCW 28A.335.040 and 1990 c 96 s 1 & 1990 c 33 s 354 are
20 each reenacted and amended to read as follows:

21 (1) Every school district board of directors is authorized to
22 permit the rental, lease, or occasional use of all or any portion of
23 any surplus real property owned or lawfully held by the district to any
24 person, corporation, or government entity for profit or nonprofit,
25 commercial or noncommercial purposes: PROVIDED, That the leasing or
26 renting or use of such property is for a lawful purpose(~~(, is in the~~
27 ~~best interest of the district,~~) and does not interfere with conduct of
28 the district's educational program and related activities: PROVIDED
29 FURTHER, That the lease or rental agreement entered into shall include

1 provisions which permit the recapture of the leased or rented surplus
2 property of the district should such property be needed for school
3 purposes in the future except in such cases where, due to proximity to
4 an international airport, land use has been so permanently altered as
5 to preclude the possible use of the property for a school housing
6 students and the school property has been heavily impacted by
7 surrounding land uses so that a school housing students would no longer
8 be appropriate in that area.

9 (2) Authorization to rent, lease or permit the occasional use of
10 surplus school property under this section, RCW 28A.335.050 and
11 28A.335.090 is conditioned on the establishment by each school district
12 board of directors of a policy governing the use of surplus school
13 property.

14 (3) The board of directors of any school district desiring to rent
15 or lease any surplus real property owned by the school district shall
16 ~~((send))~~ publish a written notice ~~((to the office of the state
17 superintendent of public instruction))~~ in a newspaper of general
18 circulation in the school district for rentals or leases totalling ten
19 thousand dollars or more in value. School districts shall not rent or
20 lease the property for at least forty-five days following the ~~((date
21 notification is mailed to the state superintendent of public
22 instruction))~~ publication of the newspaper notice.

23 (4) Private schools shall have the same rights as any other person
24 or entity to submit bids for the rental or lease of surplus real
25 property and to have such bids considered along with all other bids:
26 PROVIDED, That the school board may establish reasonable conditions for
27 the use of such real property to assure the safe and proper operation
28 of the property in a manner consistent with board policies.

1 **Sec. 13.** RCW 28A.335.120 and 1984 c 103 s 1 are each amended to
2 read as follows:

3 (1) The board of directors of any school district of this state
4 may:

5 (a) Sell for cash, at public or private sale, and convey by deed
6 all interest of the district in or to any of the real property of the
7 district which is no longer required for school purposes; and

8 (b) Purchase real property for the purpose of locating thereon and
9 affixing thereto any house or houses and appurtenant buildings removed
10 from school sites owned by the district and sell for cash, at public or
11 private sale, and convey by deed all interest of the district in or to
12 such acquired and improved real property.

13 (2) When the board of directors of any school district proposes a
14 sale of school district real property pursuant to this section and the
15 value of the property exceeds seventy thousand dollars, the board shall
16 publish a notice of its intention to sell the property. The notice
17 shall be published at least once each week during two consecutive weeks
18 in a legal newspaper with a general circulation in the area in which
19 the school district is located. The notice shall describe the property
20 to be sold and designate the place where and the day and hour when a
21 hearing will be held. The board shall hold a public hearing upon the
22 proposal to dispose of the school district property at the place and
23 the day and hour fixed in the notice and admit evidence offered for and
24 against the propriety and advisability of the proposed sale.

25 (3) The board of directors of any school district desiring to sell
26 surplus real property shall (~~send written notice of that intent to the~~
27 ~~office of the state superintendent of public instruction~~) publish a
28 notice in a newspaper of general circulation in the school district.
29 School districts shall not sell the property for at least forty-five
30 days following the (~~date notification is mailed to the state~~

1 ~~superintendent of public instruction~~) publication of the newspaper
2 notice.

3 (4) Private schools shall have the same rights as any other person
4 or entity to submit bids for the purchase of surplus real property and
5 to have such bids considered along with all other bids.

6 (5) Any sale of school district real property authorized pursuant
7 to this section shall be preceded by a market value appraisal by three
8 licensed real estate brokers or professionally designated real estate
9 appraisers as defined in RCW 74.46.020 selected by the board of
10 directors and no sale shall take place if the sale price would be less
11 than ninety percent of the average of the three appraisals made by the
12 brokers or professionally designated real estate appraisers: PROVIDED,
13 That if the property has been on the market for one year or more the
14 property may be reappraised and sold for not less than seventy-five
15 percent of the average reappraised value with the unanimous consent of
16 the board.

17 (6) If in the judgment of the board of directors of any district
18 the sale of real property of the district not needed for school
19 purposes would be facilitated and greater value realized through use of
20 the services of licensed real estate brokers, a contract for such
21 services may be negotiated and concluded: PROVIDED, That the use of a
22 licensed real estate broker will not eliminate the obligation of the
23 board of directors to provide the notice described in this section:
24 PROVIDED FURTHER, That the fee or commissions charged for any broker
25 services shall not exceed seven percent of the resulting sale value for
26 a single parcel: PROVIDED FURTHER, That any licensed real estate
27 broker or professionally designated real estate appraisers as defined
28 in RCW 74.46.020 selected by the board to appraise the market value of
29 a parcel of property to be sold may not be a party to any contract with

1 the school district to sell such parcel of property for a period of
2 three years after the appraisal.

3 (7) If in the judgment of the board of directors of any district
4 the sale of real property of the district not needed for school
5 purposes would be facilitated and greater value realized through sale
6 on contract terms, a real estate sales contract may be executed between
7 the district and buyer: PROVIDED, That the terms and conditions of any
8 such sales contract must comply with rules and regulations of the state
9 board of education, herein authorized, governing school district real
10 property contract sales.

11 **Sec. 14.** RCW 28A.400.030 and 1990 c 33 s 378 are each amended to
12 read as follows:

13 In addition to such other duties as a district school board shall
14 prescribe the school district superintendent shall:

15 (1) Attend all meetings of the board of directors and cause to have
16 made a record as to the proceedings thereof.

17 (2) Keep such records and reports and in such form as the district
18 board of directors require or as otherwise required by law or rule or
19 regulation of higher administrative agencies and turn the same over to
20 his or her successor.

21 (3) Keep accurate and detailed accounts of all receipts and
22 expenditures of school money. At each annual school meeting the
23 superintendent must present his or her record book of board proceedings
24 for public inspection, and shall make a statement of the financial
25 condition of the district and such record book must always be open for
26 public inspection.

27 (4) ~~((Take annually in May of each year a census of all persons~~
28 ~~between the ages of four and twenty who were bona fide residents of the~~
29 ~~district on the first day of May of that year. The superintendent~~

1 shall designate the name and sex of each child, and the date of its
2 birth; the number of weeks it has attended school during the school
3 year, its post office address, and such other information as the
4 superintendent of public instruction shall desire. Parents or guardians
5 may be required to verify as to the correctness of this report. The
6 superintendent shall also list separately all persons with handicapping
7 conditions between the ages of three and twenty and give such
8 information concerning them as may be required by the superintendent of
9 public instruction. The board of directors may employ additional
10 persons and compensate the same to aid the superintendent in carrying
11 out such census.

12 (5) Make to the educational service district superintendent on or
13 before the fifteenth day of October his or her annual report verified
14 by affidavit upon forms to be furnished by the superintendent of public
15 instruction. It shall contain such items of information as said
16 superintendent of public instruction shall require, including the
17 following: A full and complete report of all children enumerated under
18 subsection (4) of this section; the number of schools or departments
19 taught during the year; the number of children, male and female,
20 enrolled in the school, and the average daily attendance; the number of
21 teachers employed, and their compensation per month; the number of days
22 school was taught during the past school year, and by whom; and the
23 number of volumes, if any, in the school district library; the number
24 of school houses in the district, and the value of them; and the
25 aggregate value of all school furniture and apparatus belonging to the
26 district. The superintendent shall keep on file a duplicate copy of
27 said report.

28 (6)) Give such notice of all annual or special elections as
29 otherwise required by law; also give notice of the regular and special
30 meetings of the board of directors.

1 ~~((7))~~ (5) Sign all orders for warrants ordered to be issued by
2 the board of directors.

3 ~~((8))~~ (6) Carry out all orders of the board of directors made at
4 any regular or special meeting.

5 **Sec. 15.** RCW 28A.405.460 and 1969 ex.s. c 223 s 28A.58.275 are
6 each amended to read as follows:

7 All certificated employees of school districts shall be allowed a
8 reasonable lunch period of not less than thirty continuous minutes per
9 day during the regular school lunch periods and during which they shall
10 have no assigned duties.

11 ~~((Any school district may employ noncertificated personnel to
12 supervise school children in noninstructional activities during regular
13 school lunch periods.))~~

14 NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.405
15 RCW to read as follows:

16 Any school district may employ noncertificated personnel to
17 supervise school children in noninstructional activities, and in
18 instructional activities while under the supervision of a certificated
19 employee.

20 **Sec. 17.** RCW 28A.330.100 and 1990 c 33 s 348 are each amended to
21 read as follows:

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

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

1 (2) To employ, and for cause dismiss one or more assistant
2 superintendents and to define their duties and fix their compensation.

3 (3) To employ a business manager, attorneys, architects, inspectors
4 of construction, superintendents of buildings and a superintendent of
5 supplies, all of whom shall serve at the board's pleasure, and to
6 prescribe their duties and fix their compensation.

7 (4) To employ, and for cause dismiss, supervisors of instruction
8 and to define their duties and fix their compensation.

9 (5) To prescribe a course of study and a program of exercises which
10 shall be consistent with the course of study prepared by the state
11 board of education for the use of the common schools of this state.

12 (6) To, in addition to the minimum requirements imposed by this
13 title establish and maintain such grades and departments, including
14 night, high, kindergarten, vocational training and, except as otherwise
15 provided by law, industrial schools, and schools and departments for
16 the education and training of any class or classes of handicapped
17 youth, as in the judgment of the board, best shall promote the
18 interests of education in the district.

19 (7) To determine the length of time over and above one hundred
20 eighty days that school shall be maintained: PROVIDED, That for
21 purposes of apportionment no district shall be credited with more than
22 one hundred and eighty-three days' attendance in any school year; and
23 to fix the time for annual opening and closing of schools and for the
24 daily dismissal of pupils before the regular time for closing schools.

25 (8) To maintain a shop and repair department, and to employ, and
26 for cause dismiss, a foreman and the necessary help for the maintenance
27 and conduct thereof.

28 (9) To provide free textbooks and supplies for all children
29 attending school(~~(, when so ordered by a vote of the electors; or if~~
30 ~~the free textbooks are not voted by the electors, to provide books for~~

1 children of indigent parents, on the written statement of the city
2 superintendent that the parents of such children are not able to
3 purchase them)).

4 (10) To require of the officers or employees of the district to
5 give a bond for the honest performance of their duties in such penal
6 sum as may be fixed by the board with good and sufficient surety, and
7 to cause the premium for all bonds required of all such officers or
8 employees to be paid by the district: PROVIDED, That the board may, by
9 written policy, allow that such bonds may include a deductible proviso
10 not to exceed two percent of the officer's or employee's annual salary.

11 (11) To prohibit all secret fraternities and sororities among the
12 students in any of the schools of the said districts.

13 (12) To appoint a practicing physician, resident of the school
14 district, who shall be known as the school district medical inspector,
15 and whose duty it shall be to decide for the board of directors all
16 questions of sanitation and health affecting the safety and welfare of
17 the public schools of the district who shall serve at the board's
18 pleasure; the school district medical inspector or authorized deputies
19 shall make monthly inspections of each school in the district and
20 report the condition of the same to the board of education and board of
21 health: PROVIDED, That children shall not be required to submit to
22 vaccination against the will of their parents or guardian.

23 **Sec. 18.** RCW 28A.405.400 and 1972 ex.s. c 39 s 1 are each amended
24 to read as follows:

25 In addition to other deductions permitted by law, any person
26 authorized to disburse funds in payment of salaries or wages ((of
27 certified)) to employees of school districts, upon written request
28 of at least ten percent of the ((certificated)) employees, shall make
29 deductions as they authorize, subject to the limitations of district

1 equipment or personnel. Any person authorized to disburse funds shall
2 not be required to make other deductions for ((certificated)) employees
3 if fewer than ten percent of the ((certificated)) employees make the
4 request for the same payee. Moneys so deducted shall be paid or
5 applied monthly by the school district for the purposes specified by
6 the employee. The employer may not derive any financial benefit from
7 such deductions. A deduction authorized before the effective date of
8 this section shall be subject to the law in effect at the time the
9 deduction was authorized.

10 **Sec. 19.** RCW 28A.405.450 and 1990 c 33 s 403 are each amended to
11 read as follows:

12 The superintendent of public instruction shall adopt rules to
13 establish and operate a teacher assistance program. For the purposes
14 of this section, the terms "mentor teachers," "beginning teachers," and
15 "experienced teachers" may include any person possessing any one of the
16 various certificates issued by the superintendent of public instruction
17 under RCW 28A.410.010. The program shall provide for:

18 (1) Assistance by mentor teachers who will provide a source of
19 continuing and sustained support to beginning teachers, or experienced
20 teachers, or both, both in and outside the classroom. A mentor teacher
21 may not be involved in evaluations under RCW 28A.405.100 of a teacher
22 who receives assistance from said mentor teacher under the teacher
23 assistance program established under this section. The mentor teachers
24 shall also periodically inform their principals respecting the contents
25 of training sessions and other program activities;

26 (2) Stipends for mentor teachers and beginning teachers which shall
27 not be deemed compensation for the purposes of salary lid compliance
28 under RCW 28A.58.095: PROVIDED, That stipends shall not be subject to
29 the continuing contract provisions of this title;

1 (3) Workshops for the training of mentor and beginning teachers;

2 (4) The use of substitutes to give mentor teachers, beginning
3 teachers, and experienced teachers opportunities to jointly observe and
4 evaluate teaching situations and to give mentor teachers opportunities
5 to observe and assist beginning and experienced teachers in the
6 classroom;

7 (5) Mentor teachers who are superior teachers based on their
8 evaluations, pursuant to RCW 28A.405.010 through 28A.405.240, and who
9 hold valid continuing certificates;

10 (6) Mentor teachers shall be selected by the district. If a
11 bargaining unit, certified pursuant to RCW 41.59.090 exists within the
12 district, classroom teachers representing the bargaining unit shall
13 participate in the mentor teacher selection process; and

14 (7) Periodic consultation by the superintendent of public
15 instruction or the superintendent's designee with representatives of
16 educational organizations and associations, including educational
17 service districts and public and private institutions of higher
18 education, for the purposes of improving communication and cooperation
19 and program review(~~(; and~~

20 ~~(8) A report to the legislature describing the results of the~~
21 ~~program to be delivered not later than December 31, 1987)).~~

22 **Sec. 20.** RCW 28A.410.020 and 1988 c 251 s 4 are each amended to
23 read as follows:

24 (1) No person may be admitted to a professional teacher preparation
25 program within Washington state without first demonstrating that he or
26 she is competent in the basic skills required for oral and written
27 communication and computation. This requirement shall be waived for
28 persons who have completed a baccalaureate degree; or graduate degree
29 program; or who have completed two or more years of college level

1 course work, demonstrated competency through college level course work
2 and a written essay, and are over the age of twenty-one.

3 (2) After June 30, 1989, no person shall be admitted to a teacher
4 preparation program who has a combined score of less than the state-
5 wide median score for the prior school year scored by all persons
6 taking ~~((the Washington precollege test or who has achieved an
7 equivalent standard score on comparable portions of other
8 standardized))~~ tests of general achievement selected by the state board
9 of education. The state board of education shall develop criteria and
10 adopt rules for exemptions from this subsection.

11 (3) The state board of education shall adopt rules to implement
12 this section.

13 **Sec. 21.** RCW 28A.410.030 and 1987 c 525 s 203 are each amended to
14 read as follows:

15 The state board of education shall require a uniform state ~~((exit))~~
16 admission to practice examination for teacher certification candidates.
17 Commencing August 31, 1993, teacher certification candidates completing
18 a teacher preparation program shall be required to pass an ~~((exit))~~
19 admission to practice examination before being granted an initial
20 certificate. The examination shall test knowledge and competence in
21 subjects including, but not limited to, instructional skills, classroom
22 management, and student behavior and development. The examination
23 shall consist primarily of essay questions. The state board of
24 education shall adopt such rules as may be necessary to implement this
25 section.

26 **Sec. 22.** RCW 28A.600.060 and 1985 c 62 s 2 are each amended to
27 read as follows:

1 (~~The Washington state honors awards program shall include student~~
2 ~~achievement in both verbal and quantitative areas, as measured by the~~
3 ~~Washington precollege test~~)) The recipients of the Washington state
4 honors awards shall be selected based on student achievement in both
5 verbal and quantitative areas, as measured by a test or tests of
6 general achievement selected by the superintendent of public
7 instruction, and shall include student performance in the academic core
8 areas of English, mathematics, science, social studies, and foreign
9 language. The performance level in such academic core subjects shall
10 be determined by grade point averages, numbers of credits earned, and
11 courses enrolled in during the beginning of the senior year.

12 **Sec. 23.** RCW 28A.600.070 and 1985 c 62 s 3 are each amended to
13 read as follows:

14 The superintendent of public instruction shall adopt rules for the
15 establishment and administration of the Washington state honors awards
16 program. The rules shall establish: (1) (~~Minimum achievement~~
17 ~~scores~~)) The test or tests of general achievement that are used to
18 measure verbal and quantitative achievement, (2) academic subject
19 performance levels, (3) timelines for participating school districts to
20 notify students of the opportunity to participate, (4) procedures for
21 the administration of the program, and (5) the procedures for providing
22 the appropriate honors award designation.

23 **Sec. 24.** RCW 28A.170.100 and 1990 c 33 s 159 are each amended to
24 read as follows:

25 (1) School districts are encouraged to promote parent and community
26 involvement in drug and alcohol abuse prevention and intervention
27 programs, through parent visits under RCW 28A.605.020 and through any

1 school involvement program established by the district (~~under RCW~~
2 ~~28A.615.010 through 28A.615.050~~)).

3 (2) Districts are further encouraged to review drug and alcohol
4 prevention and intervention programs as part of the self-study
5 procedures required under RCW 28A.320.200 and as part of any annual
6 goal-setting process the district may have established under RCW
7 28A.320.220.

8 **Sec. 25.** RCW 28A.315.230 and 1990 c 33 s 306 are each amended to
9 read as follows:

10 Any school district in the state having a student enrollment within
11 the public schools of such district of two thousand pupils or more, as
12 shown by (~~any regular census as required under RCW 28A.400.030(4) or~~
13 ~~by any other~~) evidence acceptable to the educational service district
14 superintendent and the superintendent of public instruction, shall be
15 a school district of the first class. Any other school district shall
16 be a school district of the second class.

17 Whenever the educational service district superintendent finds that
18 the classification of a school district should be changed, and upon the
19 approval of the superintendent of public instruction, he or she shall
20 make an order in conformity with his or her findings and alter the
21 records of his or her office accordingly. Thereafter the board of
22 directors of the district shall organize in the manner provided by law
23 for the organization of the board of a district of the class to which
24 said district then belongs.

25 NEW SECTION. **Sec. 26.** The following acts or parts of acts are
26 each repealed:

27 (1) RCW 28A.26.010 and 1979 c 4 s 1;

28 (2) RCW 28A.26.020 and 1979 c 4 s 2;

- 1 (3) RCW 28A.26.030 and 1979 c 4 s 3;
- 2 (4) RCW 28A.26.040 and 1979 c 4 s 4;
- 3 (5) RCW 28A.26.050 and 1979 c 4 s 5;
- 4 (6) RCW 28A.26.060 and 1979 c 4 s 6;
- 5 (7) RCW 28A.26.900 and 1979 c 4 s 8;
- 6 (8) RCW 28A.150.090 and 1969 ex.s. c 223 s 28A.01.110;
- 7 (9) RCW 28A.150.430 and 1990 c 33 s 119 & 1972 ex.s. c 146 s 2;
- 8 (10) RCW 28A.155.110 and 1990 c 33 s 129 & 1975 1st ex.s. c 78 s 1;
- 9 (11) RCW 28A.155.120 and 1985 c 341 s 2 & 1975 1st ex.s. c 78 s 2;
- 10 (12) RCW 28A.155.130 and 1990 c 33 s 130 & 1975 1st ex.s. c 78 s 3;
- 11 (13) RCW 28A.230.200 and 1984 c 278 s 10;
- 12 (14) RCW 28A.305.180 and 1985 c 341 s 3 & 1975 1st ex.s. c 127 s 1;
- 13 (15) RCW 28A.310.450 and 1975 1st ex.s. c 275 s 38 & 1974 ex.s. c
- 14 91 s 5;
- 15 (16) RCW 28A.310.900 and 1975 1st ex.s. c 275 s 155;
- 16 (17) RCW 28A.320.220 and 1984 c 278 s 1;
- 17 (18) RCW 28A.410.130 and 1969 ex.s. c 223 s 28A.87.020;
- 18 (19) RCW 28A.410.900 and 1987 c 525 s 218;
- 19 (20) RCW 28A.505.190 and 1975-'76 2nd ex.s. c 118 s 19;
- 20 (21) RCW 28A.525.100 and 1969 ex.s. c 223 s 28A.47.775;
- 21 (22) RCW 28A.525.102 and 1990 c 33 s 432 & 1969 ex.s. c 223 s
- 22 28A.47.776;
- 23 (23) RCW 28A.525.104 and 1990 c 33 s 433 & 1969 ex.s. c 223 s
- 24 28A.47.777;
- 25 (24) RCW 28A.525.106 and 1990 c 33 s 434 & 1969 ex.s. c 223 s
- 26 28A.47.778;
- 27 (25) RCW 28A.525.108 and 1990 c 33 s 435 & 1969 ex.s. c 223 s
- 28 28A.47.779;
- 29 (26) RCW 28A.525.110 and 1990 c 33 s 436 & 1969 ex.s. c 223 s
- 30 28A.47.780;

1 (27) RCW 28A.525.112 and 1990 c 33 s 437 & 1969 ex.s. c 223 s
2 28A.47.781;
3 (28) RCW 28A.525.114 and 1990 c 33 s 438 & 1969 ex.s. c 223 s
4 28A.47.782;
5 (29) RCW 28A.525.116 and 1990 c 33 s 439 & 1969 ex.s. c 223 s
6 28A.47.783;
7 (30) RCW 28A.550.010 and 1985 c 57 s 9 & 1969 ex.s. c 223 s
8 28A.46.010;
9 (31) RCW 28A.615.010 and 1987 c 518 s 301;
10 (32) RCW 28A.615.020 and 1990 c 33 s 508 & 1987 c 518 s 302;
11 (33) RCW 28A.615.030 and 1990 c 33 s 509 & 1987 c 518 s 303;
12 (34) RCW 28A.615.040 and 1987 c 518 s 304;
13 (35) RCW 28A.630.310 and 1990 c 33 s 533 & 1987 c 349 s 2; and
14 (36) RCW 28A.630.340 and 1987 c 349 s 5.