
SUBSTITUTE HOUSE BILL 2546

State of Washington

52nd Legislature

1992 Regular Session

By House Committee on Education (originally sponsored by Representatives Peery, Brough, D. Sommers, Brumsickle, Vance, Wineberry, Dorn, Franklin, Orr, Wang, Scott, Broback, J. Kohl, Wood, Rayburn, Roland, Bray, Ogden, Cooper, Pruitt, Sheldon, Sprenkle, Spanel, Hine, Rasmussen and H. Myers)

Read first time 01/31/92.

1 AN ACT Relating to education; amending RCW 28A.305.140,
2 28A.150.210, 28A.150.220, 28A.150.290, 28A.195.010, and 28A.230.090;
3 adding a new section to chapter 28A.630 RCW; adding a new section to
4 chapter 28A.150 RCW; adding a new section to chapter 28A.320 RCW;
5 creating new sections; repealing RCW 28A.320.210 and 28A.320.200;
6 providing an effective date; and providing expiration dates.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that the
9 educational needs of students when they leave the public school system
10 has increased dramatically in the past two decades. If young people
11 are to prosper in our democracy and if our nation is to grow
12 economically, it is imperative that the overall level of learning
13 achieved by students be significantly increased.

1 To achieve this higher level of learning, the legislature finds
2 that the state of Washington needs to develop a performance-based
3 school system. Instead of maintaining burdensome state accountability
4 laws and rules that dictate educational offerings, the state needs to
5 hold schools accountable for their performance based on what their
6 students learn.

7 The legislature further finds moving toward a performance-based
8 accountability system will require repealing state laws and rules that
9 inhibit the freedom of school boards and professional educators to
10 carry out their work, and also will require that significantly more
11 decisions be made at the school district and school building levels.
12 In addition, it will be necessary to set high expectations for
13 students, to identify what is expected of all students, and to develop
14 an assessment system to determine if these expectations have been
15 achieved.

16 The legislature further finds that the governor's council on
17 education reform and funding will, by December 1992, identify broad
18 student learning goals. Subject to decisions made by the 1993
19 legislature, the legislature finds that it is critical that an
20 organization be established to continue the council's work in
21 identifying necessary student skills and knowledge, to develop student
22 assessment and school accountability systems, and to take other steps
23 necessary to develop a performance-based education system.

24 The legislature further finds that there is a need for high quality
25 professional development as the state implements a performance-based
26 system. Professional development must be available to schools and
27 school districts to maintain quality control and to assure access to
28 proven research on effective teaching.

1 PART I

2 COMMISSION ON STUDENT LEARNING

3 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.630
4 RCW to read as follows:

5 (1) The Washington commission on student learning is hereby
6 established. The primary purposes of the commission are to identify
7 what all students need to know and be able to do based on the student
8 learning goals of the governor's council on education reform and
9 funding, to develop student assessment and school accountability
10 systems, and to take other steps necessary to develop a performance-
11 based education system. The governor shall appoint nine persons to the
12 commission and shall appoint a chair from the commissioners. In making
13 the appointments, the governor shall ensure that educators, business
14 leaders, and parents are represented, and shall request nominations
15 from state-wide education, business, and parent organizations. In
16 addition, the commission shall include the superintendent of public
17 instruction or the superintendent's designee. When making
18 appointments, the governor shall ensure that the commission reflects
19 the cultural diversity of the state's K-12 student population and that
20 the major geographic regions in the state are represented. The
21 governor shall select the most qualified individuals available who are
22 supportive of educational restructuring, who have a positive record of
23 service, and who will devote sufficient time to the responsibilities of
24 the commission to ensure that the objectives of the commission are
25 achieved.

26 (2) The commission shall establish technical advisory committees.
27 Membership of the technical advisory committees shall include, but not
28 necessarily be limited to, both state and local educational
29 practitioners and student assessment specialists.

1 (3) The commission, with the assistance of the technical advisory
2 committees, shall:

3 (a) Identify what all elementary and secondary students need to
4 know and be able to do. At a minimum, these essential learnings shall
5 include reading, writing, speaking, science, history, geography,
6 mathematics, and critical thinking. In developing these essential
7 learnings, the commission shall incorporate the student learning goals
8 identified by the council on education reform and funding;

9 (b) By December 1, 1995, present to the state board of education
10 and superintendent of public instruction a state-wide assessment system
11 for use in the elementary grades designed to determine if each student
12 has mastered the essential learnings identified in (a) of this
13 subsection. The assessment system shall include a variety of
14 methodologies, including performance-based measures. The assessment
15 system shall be designed so that the results under the assessment
16 system are used by educators as tools to evaluate instructional
17 practices, and to initiate appropriate educational support for students
18 who do not master the essential learnings. Mastery of each component
19 of the essential learnings shall be required before students progress
20 in subsequent components of the essential learnings. The state board
21 of education and superintendent of public instruction shall implement
22 the elementary assessment system beginning in the 1996-97 school year,
23 unless the legislature takes action to delay or prevent implementation
24 of the assessment system and essential learnings. The state board of
25 education and superintendent of public instruction may modify the
26 assessment system, as needed, in subsequent school years;

27 (c) By December 1, 1996, present to the state board of education
28 and superintendent of public instruction a state-wide assessment system
29 for use in the secondary grades designed to determine if each student
30 has mastered the essential learnings identified for secondary students

1 in (a) of this subsection. The assessment system shall use a variety
2 of methodologies, including performance-based measures, to determine if
3 students have mastered the essential learnings, and shall lead to a
4 certificate of mastery. The assessment system shall be designed so
5 that the results are used by educators to evaluate instructional
6 practices, and to initiate appropriate educational support for students
7 who do not master the essential learnings. The commission shall
8 recommend to the state board of education whether the certificate of
9 mastery should take the place of the graduation requirements or be
10 required for graduation in addition to graduation requirements. The
11 state board of education and superintendent of public instruction shall
12 implement the secondary assessment system beginning in the 1997-98
13 school year, unless the legislature takes action to delay or prevent
14 implementation of the assessment system and essential learnings. The
15 state board of education and superintendent of public instruction may
16 modify the assessment system, as needed, in subsequent school years;

17 (d) Consider methods to address the unique needs of special
18 education students when developing the assessments in (b) and (c) of
19 this subsection;

20 (e) Develop strategies that will assist educators in helping
21 students master the essential learnings;

22 (f) Establish a center the primary role of which is to plan,
23 implement, and evaluate a high quality professional development
24 process. The quality schools center shall: Have an advisory council
25 composed of educators, parents, and community and business leaders; use
26 best practices research regarding instruction, management, curriculum
27 development, and assessment; employ and contract with individuals who
28 have a commitment to quality reform; prepare a six-year plan to be
29 updated every two years; and be able to accept resources and funding
30 from private and public sources;

1 (g) Develop recommendations for the repeal or amendment of federal,
2 state, and local laws, rules, budgetary language, regulations, and
3 other factors that inhibit schools from adopting strategies designed to
4 help students achieve the essential learnings;

5 (h) Develop recommendations on the time, support, and resources,
6 including technical assistance, needed by schools and school districts
7 to help students achieve the essential learnings. These
8 recommendations shall include an estimate for the legislature,
9 superintendent of public instruction, and governor on the expected cost
10 of implementing the elementary and secondary assessment systems during
11 the 1995-97 biennium and beyond;

12 (i) Develop recommendations for consideration by the higher
13 education coordinating board for adopting college and university
14 entrance requirements that would assist schools in adopting strategies
15 designed to help students achieve the essential learnings;

16 (j) By December 1, 1996, recommend to the legislature, state board
17 of education, and superintendent of public instruction a state-wide
18 accountability system to evaluate accurately and fairly the level of
19 learning occurring in individual schools and school districts. The
20 commission also shall recommend to the legislature steps that should be
21 taken to assist school districts and schools in which learning is
22 significantly below expected levels of performance as measured by the
23 assessment systems established under this section;

24 (k) Report annually by December 1st to the legislature on the
25 progress, findings, and recommendations of the commission; and

26 (l) Complete other tasks, as appropriate.

27 (4) The commission shall seek advice broadly from the public and
28 all interested educational organizations in the conduct of its work,
29 including holding periodic regional public hearings.

1 (5) The commission shall select an entity to provide staff support
2 and the office of financial management shall contract with that entity.
3 The commission may direct the office of financial management to enter
4 into subcontracts with school districts, teachers, higher education
5 faculty, state agencies, business organizations, and other individuals
6 and organizations to assist the commission in its deliberations.

7 (6) Members of the commission shall be reimbursed for travel
8 expenses as provided in RCW 43.03.050 and 43.03.060.

9 NEW SECTION. Sec. 102. Section 101 of this act shall expire
10 September 1, 1998.

11 PART II

12 INTERIM WAIVERS OF BASIC EDUCATION REQUIREMENTS

13 **Sec. 201.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended
14 to read as follows:

15 ~~((The state board of education may grant waivers to school
16 districts from the provisions of))~~ (1) The self-study process
17 requirements under RCW 28A.320.200, the teacher classroom contact
18 requirements under RCW 28A.150.260(4), and the program hour offerings
19 requirements under RCW 28A.150.200 through 28A.150.220 ~~((on the basis
20 that such waiver or waivers are necessary to implement successfully a
21 local plan to provide for all students in the district an effective
22 education system that is designed to enhance the educational program
23 for each student. The local plan may include alternative ways to
24 provide effective educational programs for students who experience
25 difficulty with the regular education program.~~

26 ~~The state board shall adopt criteria to evaluate the need for the
27 waiver or waivers))~~ shall be waived for school districts or individual

1 schools within a district if the school district submits to the state
2 board of education a plan for restructuring its educational program, or
3 the educational program of individual schools within the district that
4 includes:

5 (a) Specific standards for increased student learning that the
6 district expects to achieve;

7 (b) How the district plans to achieve the higher standards,
8 including timelines for implementation;

9 (c) How the district plans to determine if the higher standards are
10 met;

11 (d) Evidence that the board of directors, teachers, administrators,
12 and classified employees are committed to working cooperatively in
13 implementing the plan;

14 (e) Evidence that opportunities were provided for parents and
15 citizens to be involved in the development of the plan; and

16 (f) Identification of the state requirements that will be waived.

17 (2) Waivers granted by the state board of education under this
18 section shall be renewed every three years upon the state board of
19 education receiving a renewal request from the school district board of
20 directors. Before filing the request, the school district shall
21 conduct at least one public meeting to evaluate the educational
22 programs that were implemented as a result of the waivers. The request
23 to the state board of education shall include information regarding the
24 activities and programs implemented as a result of the waivers, whether
25 the higher standards for students are being achieved, and a summary of
26 the comments received at the public meeting or meetings.

27 (3) If a school district intends to waive the program hour
28 offerings under RCW 28A.150.220, it shall make available to students
29 enrolled in kindergarten at least a total instructional offering of
30 four hundred fifty hours. Each school district also shall make

1 available to students enrolled in grades one through twelve at least a
2 district-wide annual average total instructional hour offering of one
3 thousand hours. A school district may schedule the last thirty
4 instructional hours of any school year for noninstructional purposes in
5 the case of students who are graduating from high school, including,
6 but not limited to, the observance of graduation and early release from
7 school upon the request of a student, and all such students may be
8 claimed as full-time equivalent students to the extent they could
9 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
10 28A.150.260. The state board of education may define alternatives to
11 classroom instructional time for students in grades nine through twelve
12 enrolled in alternative learning experiences. The state board of
13 education shall establish rules to determine annual average
14 instructional hours for districts having fewer than twelve grades. The
15 program shall include instruction in the essential learnings under
16 section 101 of this 1992 act and other subjects and activities the
17 school district determines to be appropriate.

18 (4) "Instructional hours" means those hours students are provided
19 the opportunity to engage in educational activity planned by and under
20 the direction of school district staff, as directed by the
21 administration and board of directors of the district, inclusive of
22 intermissions for class changes, recess, and teacher/parent-guardian
23 conferences that are planned and scheduled by the district for the
24 purpose of discussing students' educational needs or progress, and
25 exclusive of time actually spent for meals.

26 NEW SECTION. Sec. 202. RCW 28A.320.210 and 1990 c 33 s 334,
27 1988 c 256 s 1, 1987 c 505 s 9, 1986 c 137 s 1, 1984 c 278 s 3, 1977
28 ex.s. c 305 s 1, & 1975-'76 2nd ex.s. c 90 s 1 are each repealed.

PART III

BASIC EDUCATION AMENDMENTS--EFFECTIVE 1998

Sec. 301. RCW 28A.150.210 and 1977 ex.s. c 359 s 2 are each amended to read as follows:

The goal of the Basic Education Act for the schools of the state of Washington set forth in this (~~(1977 amendatory act)~~) chapter shall be to provide students with the opportunity to (~~(achieve those skills which are generally recognized as requisite to learning. Those skills shall include the ability:~~

~~(1) To distinguish, interpret and make use of words, numbers and other symbols, including sound, colors, shapes and textures;~~

~~(2) To organize words and other symbols into acceptable verbal and nonverbal forms of expression, and numbers into their appropriate functions;~~

~~(3) To perform intellectual functions such as problem solving, decision making, goal setting, selecting, planning, predicting, experimenting, ordering and evaluating; and~~

~~(4) To use various muscles necessary for coordinating physical and mental functions))~~ master the essential learnings necessary for their roles as citizens and potential participants in the economic marketplace and in the marketplace of ideas identified by the commission established in section 101 of this 1992 act.

NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.150 RCW to read as follows:

Unless the context clearly requires otherwise, the definition in this section applies throughout RCW 28A.150.200 through 28A.150.295.

"Instructional hours" means those hours students are provided the opportunity to engage in educational activity planned by and under the

1 direction of school district staff, as directed by the administration
2 and board of directors of the district, inclusive of intermissions for
3 class changes, recess, and teacher/parent-guardian conferences that are
4 planned and scheduled by the district for the purpose of discussing
5 students' educational needs or progress, and exclusive of time actually
6 spent for meals.

7 **Sec. 303.** RCW 28A.150.220 and 1990 c 33 s 105 are each amended to
8 read as follows:

9 (1) ~~((For the purposes of this section and RCW 28A.150.250 and
10 28A.150.260:~~

11 ~~(a) The term "total program hour offering" shall mean those hours
12 when students are provided the opportunity to engage in educational
13 activity planned by and under the direction of school district staff,
14 as directed by the administration and board of directors of the
15 district, inclusive of intermissions for class changes, recess and
16 teacher/parent-guardian conferences which are planned and scheduled by
17 the district for the purpose of discussing students' educational needs
18 or progress, and exclusive of time actually spent for meals.~~

19 ~~(b) "Instruction in work skills" shall include instruction in one
20 or more of the following areas: Industrial arts, home and family life
21 education, business and office education, distributive education,
22 agricultural education, health occupations education, vocational
23 education, trade and industrial education, technical education and
24 career education.~~

25 ~~(2))~~ Satisfaction of the basic education ~~((goal))~~ program
26 requirements identified in RCW 28A.150.210 shall be considered to be
27 implemented by the following program ~~((requirements))~~:

28 (a) Each school district shall make available to students enrolled
29 in kindergarten at least a total ~~((program))~~ instructional offering of

1 four hundred fifty hours. The program shall include (~~reading,~~
2 ~~arithmetic, language skills~~) instruction in the essential learnings
3 under section 101 of this 1992 act and such other subjects and such
4 activities as the school district shall determine to be appropriate for
5 the education of the school district's students enrolled in such
6 program;

7 (b) Each school district shall make available to students enrolled
8 in grades one through (~~three~~) twelve, at least a district-wide annual
9 average total (~~program~~) instructional hour offering of (~~two thousand~~
10 ~~seven hundred~~) one thousand hours. (~~A minimum of ninety-five percent~~
11 ~~of the total program hour offerings~~) The state board of education may
12 define alternatives to classroom instructional time for students in
13 grades nine through twelve enrolled in alternative learning
14 experiences. The state board of education shall establish rules to
15 determine annual average instructional hours for districts including
16 fewer than twelve grades. The program shall (~~be in the basic skills~~
17 ~~areas of reading/language arts (which may include foreign languages),~~
18 ~~mathematics, social studies, science, music, art, health and physical~~
19 ~~education.~~ ~~The remaining five percent of the total program hour~~
20 ~~offerings may include such subjects and activities as the school~~
21 ~~district shall determine to be appropriate for the education of the~~
22 ~~school district's students in such grades;~~

23 (c) Each school district shall make available to students in grades
24 four through six at least a total program hour offering of two thousand
25 nine hundred seventy hours. A minimum of ninety percent of the total
26 program hour offerings shall be in the basic skills areas of
27 reading/language arts (which may include foreign languages),
28 mathematics, social studies, science, music, art, health and physical
29 education. The remaining ten percent of the total program hour
30 offerings may include such subjects and activities as the school

1 ~~district shall determine to be appropriate for the education of the~~
2 ~~school district's students in such grades;~~

3 ~~(d) Each school district shall make available to students in grades~~
4 ~~seven through eight, at least a total program hour offering of one~~
5 ~~thousand nine hundred eighty hours. A minimum of eighty five percent~~
6 ~~of the total program hour offerings shall be in the basic skills areas~~
7 ~~of reading/language arts (which may include foreign languages),~~
8 ~~mathematics, social studies, science, music, art, health and physical~~
9 ~~education. A minimum of ten percent of the total program hour~~
10 ~~offerings shall be in the area of work skills. The remaining five~~
11 ~~percent of the total program hour offerings may include such subjects~~
12 ~~and activities as the school district shall determine to be appropriate~~
13 ~~for the education of the school district's students in such grades;~~

14 ~~(e) Each school district shall make available to students in grades~~
15 ~~nine through twelve at least a total program hour offering of four~~
16 ~~thousand three hundred twenty hours. A minimum of sixty percent of the~~
17 ~~total program hour offerings shall be in the basic skills areas of~~
18 ~~language arts, foreign language, mathematics, social studies, science,~~
19 ~~music, art, health and physical education. A minimum of twenty percent~~
20 ~~of the total program hour offerings shall be in the area of work~~
21 ~~skills. The remaining twenty percent of the total program hour~~
22 ~~offerings may include traffic safety or such subjects and activities as~~
23 ~~the school district shall determine to be appropriate for the education~~
24 ~~of the school district's students in such grades, with not less than~~
25 ~~one half thereof in basic skills and/or work skills: PROVIDED, That~~
26 ~~each school district shall have the option of including grade nine~~
27 ~~within the program hour offering requirements of grades seven and eight~~
28 ~~so long as such requirements for grades seven through nine are~~
29 ~~increased to two thousand nine hundred seventy hours and such~~

1 requirements for grades ten through twelve are decreased to three
2 thousand two hundred forty hours.

3 ~~(3) In order to provide flexibility to the local school districts~~
4 ~~in the setting of their curricula, and in order to maintain the intent~~
5 ~~of this legislation, which is to stress the instruction of basic skills~~
6 ~~and work skills, any local school district may establish minimum course~~
7 ~~mix percentages that deviate by up to five percentage points above or~~
8 ~~below those minimums required by subsection (2) of this section, so~~
9 ~~long as the total program hour requirement is still met)) include the~~
10 essential learnings under section 101 of this 1992 act and such other
11 subjects and such activities as the school district shall determine to
12 be appropriate for the education of the school district's students
13 enrolled in such group.

14 ~~((4))~~ (2) Nothing contained in subsection ~~((2))~~ (1) of this
15 section shall be construed to require individual students to attend
16 school for any particular number of hours per day or to take any
17 particular courses.

18 ~~((5))~~ (3) Each school district's kindergarten through twelfth
19 grade basic educational program shall be accessible to all students who
20 are five years of age, as provided by RCW 28A.225.160, and less than
21 twenty-one years of age and shall consist of a minimum of one hundred
22 eighty school days per school year in such grades as are conducted by
23 a school district, and one hundred eighty half-days of instruction, or
24 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a
25 school district may schedule the last five school days of the one
26 hundred and eighty day school year for noninstructional purposes in the
27 case of students who are graduating from high school, including, but
28 not limited to, the observance of graduation and early release from
29 school upon the request of a student, and all such students may be
30 claimed as a full time equivalent student to the extent they could

1 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
2 28A.150.260.

3 ~~((6))~~ (4) The state board of education shall adopt rules to
4 implement and ensure compliance with the program requirements imposed
5 by this section, RCW 28A.150.250 and 28A.150.260, and such related
6 supplemental program approval requirements as the state board may
7 establish(~~(: PROVIDED, That each school district board of directors~~
8 ~~shall establish the basis and means for determining and monitoring the~~
9 ~~district's compliance with the basic skills and work skills percentage~~
10 ~~and course requirements of this section. The certification of the~~
11 ~~board of directors and the superintendent of a school district that the~~
12 ~~district is in compliance with such basic skills and work skills~~
13 ~~requirements may be accepted by the superintendent of public~~
14 ~~instruction and the state board of education.~~

15 ~~(7) Handicapped education programs, vocational technical institute~~
16 ~~programs, state institution and state residential school programs, all~~
17 ~~of which programs are conducted for the common school age, kindergarten~~
18 ~~through secondary school program students encompassed by this section,~~
19 ~~shall be exempt from the basic skills and work skills percentage and~~
20 ~~course requirements of this section in order that the unique needs,~~
21 ~~abilities or limitations of such students may be met.~~

22 ~~(8) Any school district may petition the state board of education~~
23 ~~for a reduction in the total program hour offering requirements for one~~
24 ~~or more of the grade level groupings specified in this section. The~~
25 ~~state board of education shall grant all such petitions that are~~
26 ~~accompanied by an assurance that the minimum total program hour~~
27 ~~offering requirements in one or more other grade level groupings will~~
28 ~~be exceeded concurrently by no less than the number of hours of the~~
29 ~~reduction)).~~

1 **Sec. 304.** RCW 28A.150.290 and 1990 c 33 s 111 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction shall have the power
4 and duty to make such rules and regulations as are necessary for the
5 proper administration of this chapter and RCW 28A.160.150 through
6 28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the
7 provisions thereof, and in addition to require such reports as may be
8 necessary to carry out his or her duties under this chapter and RCW
9 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010.

10 (2) The superintendent of public instruction shall have the
11 authority to make rules and regulations which establish the terms and
12 conditions for allowing school districts to receive state basic
13 education moneys as provided in RCW 28A.150.250 when said districts are
14 unable to fulfill for one or more schools as officially scheduled the
15 requirement of a full school year of one hundred eighty days or the
16 annual average total ((program)) instructional hour offering((~~, teacher~~
17 contact hour, or course mix and percentage requirements)) imposed by
18 RCW 28A.150.220 and 28A.150.260 due to one or more of the following
19 conditions:

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

25 (b) An unforeseen mechanical failure or an unforeseen action or
26 inaction by one or more persons, including negligence and threats, that
27 (i) is beyond the control of both a school district board of directors
28 and its employees and (ii) has the direct or indirect effect of
29 rendering one or more school district facilities unsafe, unhealthy,
30 inaccessible, or inoperable. Such actions, inactions or mechanical

1 failures may include, but are not necessarily limited to, arson,
2 vandalism, riots, insurrections, bomb threats, bombings, delays in the
3 scheduled completion of construction projects, and the discontinuance
4 or disruption of utilities such as heating, lighting and water:
5 PROVIDED, That an unforeseen action or inaction shall not include any
6 labor dispute between a school district board of directors and any
7 employee of the school district.

8 A condition is foreseeable for the purposes of this subsection to
9 the extent a reasonably prudent person would have anticipated prior to
10 August first of the preceding school year that the condition probably
11 would occur during the ensuing school year because of the occurrence of
12 an event or a circumstance which existed during such preceding school
13 year or a prior school year. A board of directors of a school district
14 is deemed for the purposes of this subsection to have knowledge of
15 events and circumstances which are a matter of common knowledge within
16 the school district and of those events and circumstances which can be
17 discovered upon prudent inquiry or inspection.

18 (3) The superintendent of public instruction shall make every
19 effort to reduce the amount of paperwork required in administration of
20 this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and
21 28A.500.010; to simplify the application, monitoring and evaluation
22 processes used; to eliminate all duplicative requests for information
23 from local school districts; and to make every effort to integrate and
24 standardize information requests for other state education acts and
25 federal aid to education acts administered by the superintendent of
26 public instruction so as to reduce paperwork requirements and
27 duplicative information requests.

28 **Sec. 305.** RCW 28A.195.010 and 1990 c 33 s 176 are each amended to
29 read as follows:

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

8 Principals of private schools or superintendents of private school
9 districts shall file each year with the state superintendent of public
10 instruction a statement certifying that the minimum requirements
11 hereinafter set forth are being met, noting any deviations. After
12 review of the statement, the state superintendent will notify schools
13 or school districts of those deviations which must be corrected. In
14 case of major deviations, the school or school district may request and
15 the state board of education may grant provisional status for one year
16 in order that the school or school district may take action to meet the
17 requirements. Minimum requirements shall be as follows:

18 (1) The minimum school year for instructional purposes shall
19 consist of no less than one hundred eighty school days or the
20 equivalent in annual minimum ((program)) instructional hour offerings
21 as prescribed in RCW 28A.150.220.

22 (2) ~~((The school day shall be the same as that required in RCW
23 28A.150.030 and 28A.150.220, except that the percentages of total
24 program hour offerings as prescribed in RCW 28A.150.220 for basic
25 skills, work skills, and optional subjects and activities shall not
26 apply to private schools or private sectarian schools.~~

27 (3)) All classroom teachers shall hold appropriate Washington
28 state certification except as follows:

1 (a) Teachers for religious courses or courses for which no
2 counterpart exists in public schools shall not be required to obtain a
3 state certificate to teach those courses.

4 (b) In exceptional cases, people of unusual competence but without
5 certification may teach students so long as a certified person
6 exercises general supervision. Annual written statements shall be
7 submitted to the office of the superintendent of public instruction
8 reporting and explaining such circumstances.

9 ~~((4))~~ (3) An approved private school may operate an extension
10 program for parents, guardians, or persons having legal custody of a
11 child to teach children in their custody. The extension program shall
12 require at a minimum that:

13 (a) The parent, guardian, or custodian be under the supervision of
14 an employee of the approved private school who is certified under
15 chapter 28A.410 RCW;

16 (b) The planning by the certified person and the parent, guardian,
17 or person having legal custody include objectives consistent with this
18 subsection and subsections (1), ~~((2))~~ (4), (5), and (6)~~((, and (7))~~)
19 of this section;

20 (c) The certified person spend a minimum average each month of one
21 contact hour per week with each student under his or her supervision
22 who is enrolled in the approved private school extension program;

23 (d) Each student's progress be evaluated by the certified person;
24 and

25 (e) The certified employee shall not supervise more than thirty
26 students enrolled in the approved private school's extension program.

27 ~~((5))~~ (4) Appropriate measures shall be taken to safeguard all
28 permanent records against loss or damage.

29 ~~((6))~~ (5) The physical facilities of the school or district shall
30 be adequate to meet the program offered by the school or district:

1 PROVIDED, That each school building shall meet reasonable health and
2 fire safety requirements. A residential dwelling of the parent,
3 guardian, or custodian shall be deemed to be an adequate physical
4 facility when a parent, guardian, or person having legal custody is
5 instructing his or her child under subsection ~~((4))~~ (3) of this
6 section.

7 ~~((7))~~ (6) Private school curriculum shall include, but not be
8 limited to, instruction ~~((ef))~~ in the basic skills of occupational
9 education, science, mathematics, language, social studies, history,
10 health, reading, writing, spelling, and the development of appreciation
11 of art and music, all in sufficient units ~~((for meeting))~~ so that
12 students are able to master the essential learnings under section 101
13 of this 1992 act and meet state board of education graduation
14 requirements.

15 ~~((8))~~ (7) Each school or school district shall be required to
16 maintain up-to-date policy statements related to the administration and
17 operation of the school or school district.

18 All decisions of policy, philosophy, selection of books, teaching
19 material, curriculum, except as provided in subsection ~~((7) above~~
20 ~~provided))~~ (6) of this section, school rules and administration, or
21 other matters not specifically referred to in this section, shall be
22 the responsibility of the administration and administrators of the
23 particular private school involved.

24 NEW SECTION. Sec. 306. Sections 301 through 305 of this act
25 shall take effect September 1, 1998. However, these sections shall not
26 take effect if, by September 1, 1998, a law is enacted stating that a
27 school accountability and assessment system is not in place.

1 NEW SECTION. **Sec. 307.** RCW 28A.320.200 and 1990 c 33 s 333,
2 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2 are each repealed
3 effective September 1, 1998. However, this section shall not take
4 effect if, by September 1, 1998, a law is enacted stating that a school
5 accountability and assessment system is not in place.

6 NEW SECTION. **Sec. 308.** Section 201 of this act shall expire
7 September 1, 1998. However, this section shall not take effect if, by
8 September 1, 1998, a law is enacted stating that a school
9 accountability and assessment system is not in place.

10 PART IV

11 SCHOOL BOARD POWERS

12 NEW SECTION. **Sec. 401.** A new section is added to chapter 28A.320
13 RCW to read as follows:

14 (1) The board of directors of each school district may exercise the
15 following:

16 (a) The broad discretionary power to determine and adopt written
17 policies not in conflict with other law that provide for the
18 development and implementation of programs, activities, services, or
19 practices that the board determines will:

20 (i) Promote the education of kindergarten through twelfth grade
21 students in the public schools; or

22 (ii) Promote the effective, efficient, or safe management and
23 operation of the school district;

24 (b) Such powers as are expressly authorized by law; and

25 (c) Such powers as are necessarily or fairly implied in the powers
26 expressly authorized by law.

1 (2) Before adopting a policy under subsection (1)(a) of this
2 section, the school district board of directors shall comply with the
3 notice requirements of the open public meetings act, chapter 42.30 RCW,
4 and shall in addition include in that notice a statement that sets
5 forth or reasonably describes the proposed policy. The board of
6 directors shall provide a reasonable opportunity for public written and
7 oral comment and consideration of the comment by the board of
8 directors.

9 PART V

10 HIGH SCHOOL GRADUATION REQUIREMENTS

11 **Sec. 501.** RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each
12 amended to read as follows:

13 (1) The state board of education shall establish high school
14 graduation requirements or equivalencies for students who commence the
15 ninth grade subsequent to July 1, 1985, that meet or exceed the
16 following:

17 SUBJECT	CREDITS
18 English	3
19 Mathematics	2
20 Social Studies	
21 United States history	
22 and government	1
23 Washington state	
24 history and government	1/2
25 Contemporary world	
26 history, geography,	

1	and problems	1
2	Science (1 credit	
3	must be in	
4	laboratory science)	2
5	Occupational Education	1
6	Physical Education	2
7	Electives	5 1/2
8	Total	18

9 (2) For the purposes of this section one credit is equivalent to
10 one year of study.

11 (3) The Washington state history and government requirement may be
12 fulfilled by students in grades seven or eight or both. Students who
13 have completed the Washington state history and government requirement
14 in grades seven or eight or both shall be considered to have fulfilled
15 the Washington state history and government requirement.

16 (4) A candidate for graduation must have in addition earned a
17 minimum of 18 credits including all required courses. These credits
18 shall consist of the state requirements listed above and such
19 additional requirements and electives as shall be established by each
20 district.

21 (5) In recognition of the statutory authority of the state board of
22 education to establish and enforce minimum high school graduation
23 requirements, the state board shall periodically reevaluate the
24 graduation requirements and shall report such findings to the
25 legislature in a timely manner as determined by the state board.

26 (6) Pursuant to any foreign language requirement established by the
27 state board of education or a local school district, or both, for
28 purposes of high school graduation, students who receive instruction in

1 sign language shall be considered to have satisfied the state or local
2 school district foreign language graduation requirement.

3 (7) If requested by the student and his or her family, a student
4 who has completed high school courses (~~((while in seventh and eighth~~
5 ~~grade))~~ before attending high school shall be given high school credit
6 which shall be applied to fulfilling high school graduation
7 requirements if:

8 (a) The course was taken with high school students, if the academic
9 level of the course exceeds the requirements for seventh and eighth
10 grade classes, and the student has successfully passed by completing
11 the same course requirements and examinations as the high school
12 students enrolled in the class; or

13 (b) The academic level of the course exceeds the requirements for
14 seventh and eighth grade classes and the course would qualify for high
15 school credit, because the course is similar or equivalent to a course
16 offered at a high school in the district as determined by the school
17 district board of directors.

18 (8) Students who have taken and successfully completed high school
19 courses under the circumstances in subsection (7) of this section shall
20 not be required to take an additional competency examination or perform
21 any other additional assignment to receive credit. Subsection (7) of
22 this section shall also apply to students enrolled in high school on
23 April 11, 1990, who took the courses (~~((while they were in seventh and~~
24 ~~eighth grade))~~ before attending high school.

25 PART VI

26 LEGISLATIVE OVERSIGHT

27 NEW SECTION. **Sec. 601.** The governor's council on education
28 reform and funding shall submit its proposed student learning goals to

1 the appropriate committees of the legislature by December 1, 1992. If
2 both houses of the legislature do not adopt a joint memorial or
3 legislation ratifying, or ratifying with amendment, the student
4 learning goals by July 1, 1993, section 101 and sections 301 through
5 308 of this act shall be null and void.