

---

**SUBSTITUTE SENATE BILL 6177**

---

**State of Washington**

**52nd Legislature**

**1992 Regular Session**

**By** Senate Committee on Education (originally sponsored by Senators Skratek, Bailey, Rinehart, Murray, Pelz and A. Smith)

Read first time 02/07/92.

1       AN ACT Relating to community schools; amending RCW 28A.305.140 and  
2 28A.150.260; adding new sections to chapter 28A.240 RCW; adding a new  
3 section to chapter 28A.150 RCW; repealing RCW 28A.240.010, 28A.240.020,  
4 and 28A.240.030; and making appropriations.

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

6       NEW SECTION.   **Sec. 1.**       The legislature finds that in order to  
7 achieve the goal of reforming the public schools, each citizen of the  
8 state must accept the commitment of developing our most important  
9 resource, our children. The legislature further finds that part of  
10 building this commitment includes having persons enrolled in school and  
11 persons working in the field of education form partnerships with other  
12 persons in the community. To build a learning community, with the  
13 local school as a community focus, and develop this commitment, the  
14 legislature intends:

1 (1) That school boards of directors, school administrators,  
2 teachers, staff, employee unions, students, and members of the  
3 community find new ways of working collaboratively, and changing  
4 existing policies and agreements where appropriate;

5 (2) To encourage the creation of site-based councils, where  
6 parents, teachers, staff, students, and citizens will join to make  
7 decisions for our schools;

8 (3) To give school districts and schools broad discretion in  
9 establishing their site-based councils;

10 (4) To enable parents, teachers, staff, students, and citizens to  
11 have the time to participate in school governance; and

12 (5) To encourage the creation of community schools, by coordinating  
13 a wide array of community services at the local school.

14 NEW SECTION. **Sec. 2.** (1) A school district board of directors  
15 may adopt a policy authorizing site-based councils.

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

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

20 (b) Membership of the site-based council including the principal,  
21 certificated and classified staff, students, parents, and persons in  
22 the community. Existing organizations may be used to form the site-  
23 based council;

24 (c) Designation of activities with which site-based councils may  
25 become involved, such as: Development of school improvement plans,  
26 student assessments, parent involvement, and developing community  
27 schools;

28 (d) Delegation of authority to site-based councils to adopt their  
29 own bylaws and charter; and

1 (e) Provisions for educating members of site-based councils to  
2 ensure that all members are knowledgeable about school funding,  
3 educational programs, and options for change.

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

7 (4) Each school district board of directors that adopts a policy  
8 authorizing site-based councils shall provide, by resolution, plans for  
9 attendance policies that are consistent with the requirements of any  
10 desegregation plan in order to promote stability for schools with site-  
11 based councils.

12 NEW SECTION. **Sec. 3.** If modifications to existing local  
13 bargaining agreements are necessary to implement school site-based  
14 councils, those modifications shall be clearly stated in the written  
15 agreement between the school district board of directors and the  
16 exclusive bargaining representative for district certificated  
17 instructional staff, and the exclusive bargaining representative for  
18 district classified staff.

19 NEW SECTION. **Sec. 4.** (1) Schools with site-based councils may  
20 receive funds to provide resources for restructuring their educational  
21 programs. The superintendent of public instruction shall allocate  
22 funds, as may be appropriated for this purpose, to school districts to  
23 distribute to the schools with site-based councils.

24 (2) School districts shall submit reports about the plans and use  
25 of funds to the superintendent of public instruction. The  
26 superintendent of public instruction may transmit information to other  
27 schools and school districts through the state clearinghouse for  
28 educational information and assistance.

1        NEW SECTION.    **Sec. 5.**    Each site-based council shall adopt a plan  
2 for student community service.

3        NEW SECTION.    **Sec. 6.**        (1) Subject to available funds, the  
4 superintendent of public instruction, upon request from a school or  
5 school district, shall provide or contract to provide the following:

6            (a) Technical assistance to implement site-based councils under  
7 section 2 of this act;

8            (b) Technical assistance in the development of community schools  
9 under section 2 of this act, including strategies for pooling state and  
10 local resources; and

11           (c) Technical assistance in areas including, but not limited to,  
12 curriculum development, instructional strategies, assessment of student  
13 performance, and program evaluation.

14           (2) The superintendent of public instruction shall provide for the  
15 sharing of information between schools adopting site-based councils and  
16 schools and districts not adopting site-based councils.

17           (3) To the extent possible, the superintendent shall ensure that  
18 agency staff work collaboratively with teachers, students, and parents,  
19 local schools and districts, state and local government, and community  
20 agencies, to promote local educational awareness and restructuring.  
21 The state clearinghouse for educational information and assistance  
22 should be used as a focus within the agency to provide training and  
23 information to agency staff teams for the purposes of this section.

24        **Sec. 7.**    RCW 28A.305.140 and 1990 c 33 s 267 are each amended  
25 to read as follows:

26           (~~The state board of education may grant waivers to school~~  
27 ~~districts from the provisions of~~) (1) The self-study process  
28 requirements under RCW 28A.320.200, the teacher classroom contact

1 requirements under RCW 28A.150.260(4), and the minimum one hundred  
2 eighty day school year requirement and program hour offerings under RCW  
3 28A.150.200 through 28A.150.220 ((on the basis that such waiver or  
4 waivers are necessary to implement successfully a local plan to provide  
5 for all students in the district an effective education system that is  
6 designed to enhance the educational program for each student. The  
7 local plan may include alternative ways to provide effective  
8 educational programs for students who experience difficulty with the  
9 regular education program.

10 The state board shall adopt criteria to evaluate the need for the  
11 waiver or waivers)) shall be waived for school districts or individual  
12 schools within a district if the school district submits to the state  
13 board of education a plan for restructuring its educational program, or  
14 the educational program of individual schools within the district that  
15 includes:

16 (a) Adoption of policies for site-based councils;

17 (b) Specific standards for increased student learning that the  
18 district expects to achieve;

19 (c) How the district plans to achieve the higher standards,  
20 including timelines for implementation;

21 (d) How the district plans to determine if the higher standards are  
22 met;

23 (e) Evidence that the board of directors, teachers, administrators,  
24 classified employees, and community members are committed to working  
25 cooperatively in implementing the plan;

26 (f) Evidence that opportunities were provided for parents and  
27 citizens to be involved in the development of the plan; and

28 (g) Identification of the state requirements that will be waived.

29 (2) Waivers granted by the state board of education under this  
30 section shall be renewed every two years upon the state board of

1 education receiving a renewal request from the school district board of  
2 directors. Before filing the request, the school district shall  
3 conduct at least one public meeting to evaluate the educational  
4 programs that were implemented as a result of the waivers. The request  
5 to the state board of education shall include information regarding the  
6 activities and programs implemented as a result of the waivers and a  
7 summary of the comments received at the public meeting or meetings.

8 (3) If a school district intends to waive the program hour  
9 offerings under RCW 28A.150.220, it shall make available to students  
10 enrolled in kindergarten at least a total instructional offering of  
11 four hundred fifty hours. Each school district also shall make  
12 available to students enrolled in grades one through twelve at least a  
13 district-wide annual average total instructional hour offering of one  
14 thousand hours. The state board of education may define alternatives  
15 to classroom instructional time for students in grades nine through  
16 twelve enrolled in alternative learning experiences. The state board  
17 of education shall establish rules to determine annual average  
18 instructional hours for districts having fewer than twelve grades.

19 NEW SECTION. Sec. 8. A new section is added to chapter 28A.150  
20 RCW to read as follows:

21 The superintendent of public instruction shall work with  
22 appropriate organizations to ensure that teachers, administrators, and  
23 school boards are aware of the waivers available under RCW 28A.305.140.

24 **Sec. 9.** RCW 28A.150.260 and 1991 c 116 s 10 are each amended to  
25 read as follows:

26 The basic education allocation for each annual average full time  
27 equivalent student shall be determined in accordance with the following  
28 procedures:

1 (1) The governor shall and the superintendent of public instruction  
2 may recommend to the legislature a formula based on a ratio of students  
3 to staff for the distribution of a basic education allocation for each  
4 annual average full time equivalent student enrolled in a common  
5 school. The distribution formula shall have the primary objective of  
6 equalizing educational opportunities and shall provide appropriate  
7 recognition of the following costs among the various districts within  
8 the state:

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

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

11 (c) Classified staff and their related costs;

12 (d) Nonsalary costs;

13 (e) Extraordinary costs of remote and necessary schools and small  
14 high schools, including costs of additional certificated and classified  
15 staff; and

16 (f) The attendance of students pursuant to RCW 28A.335.160 and  
17 28A.225.250 who do not reside within the servicing school district.

18 (2)(a) This formula for distribution of basic education funds shall  
19 be reviewed biennially by the superintendent and governor. The  
20 recommended formula shall be subject to approval, amendment or  
21 rejection by the legislature. The formula shall be for allocation  
22 purposes only. While the legislature intends that the allocations for  
23 additional instructional staff be used to increase the ratio of such  
24 staff to students, nothing in this section shall require districts to  
25 reduce the number of administrative staff below existing levels.

26 (b) (~~Commencing with the 1988-89 school year,~~) The formula  
27 adopted by the legislature shall reflect the following ratios at a  
28 minimum: (i) Forty-nine certificated instructional staff to one  
29 thousand annual average full time equivalent students enrolled in  
30 grades kindergarten through three; (ii) forty-six certificated

1 instructional staff to one thousand annual average full time equivalent  
2 students in grades four through twelve; (iii) four certificated  
3 administrative staff to one thousand annual average full time  
4 equivalent students in grades kindergarten through twelve; and (iv)  
5 sixteen and sixty-seven one-hundredths classified personnel to one  
6 thousand annual average full time equivalent students enrolled in  
7 grades kindergarten through twelve.

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



1 (3)(a) Certificated instructional staff shall include those persons  
2 employed by a school district who are nonsupervisory employees within  
3 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,  
4 people of unusual competence but without certification may teach  
5 students so long as a certificated person exercises general  
6 supervision: PROVIDED, FURTHER, That the hiring of such  
7 noncertificated people shall not occur during a labor dispute and such  
8 noncertificated people shall not be hired to replace certificated  
9 employees during a labor dispute.

10 (b) Certificated administrative staff shall include all those  
11 persons who are chief executive officers, chief administrative  
12 officers, confidential employees, supervisors, principals, or assistant  
13 principals within the meaning of RCW 41.59.020(4).

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

1 hours for individual teachers in that district may be waived by the  
2 state board of education if the waiver is necessary to implement a  
3 locally approved plan for educational excellence and the waiver is  
4 limited to those individual teachers approved in the local plan for  
5 educational excellence. The state board of education shall develop  
6 criteria to evaluate the need for the waiver. Granting of the waiver  
7 shall depend upon verification that: (a) The students' classroom  
8 instructional time will not be reduced; and (b) the teacher's expertise  
9 is critical to the success of the local plan for excellence.) Waivers  
10 from contact hours may be requested under RCW 28A.305.140.

11 NEW SECTION. Sec. 10. The following acts or parts of acts are  
12 each repealed:

- 13 (1) RCW 28A.240.010 and 1990 c 33 s 248 & 1985 c 422 s 2;  
14 (2) RCW 28A.240.020 and 1985 c 422 s 1; and  
15 (3) RCW 28A.240.030 and 1990 c 33 s 249 & 1985 c 422 s 3.

16 NEW SECTION. Sec. 11. Sections 1 through 6 of this act are  
17 each added to chapter 28A.240 RCW.

18 NEW SECTION. Sec. 12. The sum of twenty-four thousand five  
19 hundred dollars, or as much thereof as may be necessary, is  
20 appropriated for the biennium ending June 30, 1993, from the general  
21 fund to the superintendent of public instruction for the purposes of  
22 section 4 of this act.

23 NEW SECTION. Sec. 13. The sum of twenty-four thousand five  
24 hundred dollars, or as much thereof as may be necessary, is  
25 appropriated for the biennium ending June 30, 1993, from the general  
26 fund to the superintendent of public instruction for the purposes of

1 section 6 of this act.