
SUBSTITUTE HOUSE BILL 1299

State of Washington

53rd Legislature

1993 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Pruitt, Forner, J. Kohl, Shin, Flemming, Carlson, Peery, Basich, Scott, Cothorn, Thibaudeau, Kessler, Holm, Karahalios, Eide, Linville, Johanson, G. Cole, Riley, Van Luven, Jacobsen, Wang, Leonard, Quall, Silver, Brumsickle, Thomas, H. Myers, Rayburn and L. Johnson; by request of Washington State School Directors Association, Board of Education and Superintendent of Public Instruction)

Read first time 02/26/93.

1 AN ACT Relating to student safety and discipline; amending RCW
2 9.41.280, 28A.225.210, 28A.225.215, 28A.225.225, 28A.175.090, and
3 28A.635.060; and prescribing penalties.

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

5 **Sec. 1.** RCW 9.41.280 and 1989 c 219 s 1 are each amended to read
6 as follows:

7 (1) It is unlawful for (~~(an elementary or secondary school student~~
8 ~~under the age of twenty-one knowingly)~~) a person to carry onto public
9 or private elementary or secondary school premises:

10 (a) Any firearm; or

11 (b) Any dangerous weapon as defined in RCW 9.41.250; or

12 (c) Any device commonly known as "nun-chu-ka sticks", consisting of
13 two or more lengths of wood, metal, plastic, or similar substance
14 connected with wire, rope, or other means; or

15 (d) Any device, commonly known as "throwing stars", which are
16 multi-pointed, metal objects designed to embed upon impact from any
17 aspect; or

1 (e) Any air gun, including any air pistol or air rifle, designed to
2 propel a BB, pellet, or other projectile by the discharge of compressed
3 air, carbon dioxide, or other gas.

4 (2) Any such ~~((student))~~ person violating subsection (1) of this
5 section is guilty of a gross misdemeanor.

6 Any violation of subsection (1) of this section by elementary or
7 secondary school students constitutes grounds for expulsion.

8 (3) Subsection (1) of this section does not apply to:

9 (a) Any student or employee of a private military academy; or

10 (b) Any ~~((student))~~ person engaged in military, law enforcement, or
11 school district security activities(~~(, sponsored by the federal or~~
12 ~~state governments while engaged in official duties))~~; or

13 (c) Any ~~((student))~~ person who is ~~((attending))~~ involved in a
14 convention, showing, demonstration, lecture, or firearms safety course
15 authorized by school authorities in which the firearms of collectors or
16 instructors are handled or displayed; or

17 (d) Any ~~((student))~~ person who possesses nun-chu-ka sticks,
18 throwing stars, or other dangerous weapons to be used in martial arts
19 classes authorized to be conducted on the school premises; ((or))

20 (e) Any ~~((student))~~ person while the ~~((student))~~ person is
21 participating in a firearms or air gun competition approved by the
22 school or school district;

23 (f) A person licensed under RCW 9.41.070, while picking up or
24 dropping off a student; or

25 (g) A person legally in possession of a firearm or other dangerous
26 weapon that is secured within an attended vehicle or concealed from
27 view within a locked, unattended vehicle, while picking up or dropping
28 off a student.

29 **Sec. 2.** RCW 28A.225.210 and 1990 c 33 s 235 are each amended to
30 read as follows:

31 Every school district shall admit on a tuition free basis all
32 persons of school age who reside within this state, and do not reside
33 within another school district carrying the grades for which they are
34 eligible to enroll: PROVIDED, That nothing in this section shall be
35 construed as affecting RCW 28A.225.220 or 28A.225.250. Nothing in this
36 section requires a school district to admit any person currently
37 subject to an expulsion or long-term suspension for a violation of RCW
38 9.41.280 in another school district.

1 **Sec. 3.** RCW 28A.225.215 and 1989 c 118 s 1 are each amended to
2 read as follows:

3 (1) A school district shall not require proof of residency or any
4 other information regarding an address for any child who is eligible by
5 reason of age for the services of the school district if the child does
6 not have a legal residence.

7 (2) A school district shall enroll a child without a legal
8 residence under subsection (1) of this section at the request of the
9 child or parent or guardian of the child. Nothing in this section
10 requires a school district to admit any person currently subject to an
11 expulsion or long-term suspension for a violation of RCW 9.41.280 in
12 another school district.

13 **Sec. 4.** RCW 28A.225.225 and 1990 1st ex.s. c 9 s 203 are each
14 amended to read as follows:

15 (1) All districts accepting applications from nonresident students
16 for admission to the district's schools shall consider equally all
17 applications received. Nothing in this section requires a school
18 district to admit any person currently subject to an expulsion or long-
19 term suspension for a violation of RCW 9.41.280 in another school
20 district. Each school district shall adopt a policy establishing
21 rational, fair, and equitable standards for acceptance and rejection of
22 applications by June 30, 1990.

23 (2) The district shall provide to applicants written notification
24 of the approval or denial of the application in a timely manner. If
25 the application is rejected, the notification shall include the reason
26 or reasons for denial and the right to appeal under RCW 28A.225.230(3).

27 **Sec. 5.** RCW 28A.175.090 and 1989 c 233 s 8 are each amended to
28 read as follows:

29 (1) Beginning with the 1989-1990 school year and concluding at the
30 end of the 1993-1994 school year, any student who has dropped out of
31 high school for six weeks or longer, or has returned from participation
32 in a substance abuse treatment program, or is about to become or is a
33 teen parent, or has returned from hospitalization due to a mental
34 health problem may choose to attend any other high school in the state
35 regardless of residence. Students may attend high school in a
36 nonresident school district only if they are accepted by the high
37 school and pursuant to policies and procedures of the nonresident

1 school district. Nothing in this section requires a school district to
2 admit any person currently subject to an expulsion or long-term
3 suspension for a violation of RCW 9.41.280 in another school district.
4 Receiving school districts may not charge nonresident students tuition.
5 Schools and districts are encouraged to accept students who choose to
6 transfer if they meet these conditions. Basic education funding
7 allocations from the state shall follow the students.

8 (2) The superintendent of public instruction shall report to the
9 legislature and the governor by December 1, 1994, on the student
10 enrollment patterns pursuant to the provisions of this section.

11 (3) This section shall expire December 31, 1994.

12 **Sec. 6.** RCW 28A.635.060 and 1989 c 269 s 6 are each amended to
13 read as follows:

14 (1) Any pupil who shall deface or otherwise injure any school
15 property, shall be liable to suspension and punishment. Any school
16 district whose property has been lost or willfully cut, defaced, or
17 injured, may withhold the grades, diploma, and transcripts of the pupil
18 responsible for the damage or loss until the pupil or the pupil's
19 parent or guardian has paid for the damages, unless the student is
20 transferring to another elementary or secondary educational
21 institution, in which case the student's permanent record shall be
22 released promptly to the receiving school. When the pupil and parent
23 or guardian are unable to pay for the damages, the school district
24 shall provide a program of voluntary work for the pupil in lieu of the
25 payment of monetary damages. Upon completion of voluntary work the
26 grades, diploma, and transcripts of the pupil shall be released. The
27 parent or guardian of such pupil shall be liable for damages as
28 otherwise provided by law.

29 (2) Before any penalties are assessed under this section, a school
30 district board of directors shall adopt procedures which insure that
31 pupils' rights to due process are protected.

32 (3) If the department of social and health services or a child-
33 placing agency licensed by the department has been granted custody of
34 a child, that child's records, if requested by the department or
35 agency, are not to be withheld for nonpayment of school fees or any
36 other reason.

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