
HOUSE BILL 2139

State of Washington

53rd Legislature

1994 Regular Session

By Representatives Eide, Dorn, Carlson, Brumsickle, Roland, Karahalios, Orr, Johanson, King, Wineberry, Basich, Romero, Springer, H. Myers, Thomas and Jones

Prefiled 12/21/93. Read first time 01/10/94. Referred to Committee on Education.

1 AN ACT Relating to mandatory school attendance; amending RCW
2 28A.225.010; creating a new section; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that the importance of
5 obtaining an education has increased significantly during the past
6 several decades. For a child to obtain a quality education, it is
7 important that instruction and assistance be provided to the child at
8 an early age. Children learn quickly when they are young, and if
9 instruction is not available they will likely fall behind their peers.
10 This instruction may be provided by parents in home-school settings, or
11 through more formal schooling opportunities.

12 The legislature further finds that while the majority of children
13 are regularly attending school or are being homeschooled by the age of
14 six, a small number of children are not. Under current law, children
15 are not required to attend school until they are eight years of age.
16 It is the intent of the legislature to lower the age of compulsory
17 education, and thereby better ensure that children are provided an
18 education at an early age.

1 **Sec. 2.** RCW 28A.225.010 and 1990 c 33 s 219 are each amended to
2 read as follows:

3 (1) All parents in this state of any child (~~(eight)~~) six years of
4 age by midnight August 31st and under eighteen years of age shall cause
5 such child to attend the public school of the district in which the
6 child resides and such child shall have the responsibility to and
7 therefore shall attend for the full time when such school may be in
8 session unless:

9 (a) The child is attending an approved private school for the same
10 time or is enrolled in an extension program as provided in RCW
11 28A.195.010(4);

12 (b) The child is receiving home-based instruction as provided in
13 subsection (4) of this section; or

14 (c) The school district superintendent of the district in which the
15 child resides shall have excused such child from attendance because the
16 child is physically or mentally unable to attend school, is attending
17 a residential school operated by the department of social and health
18 services, or has been temporarily excused upon the request of his or
19 her parents for purposes agreed upon by the school authorities and the
20 parent: PROVIDED, That such excused absences shall not be permitted if
21 deemed to cause a serious adverse effect upon the student's educational
22 progress: PROVIDED FURTHER, That students excused for such temporary
23 absences may be claimed as full time equivalent students to the extent
24 they would otherwise have been so claimed for the purposes of RCW
25 28A.150.250 and 28A.150.260 and shall not affect school district
26 compliance with the provisions of RCW 28A.150.220;

27 (d) The child is fifteen years of age or older and:

28 (i) The school district superintendent determines that such child
29 has already attained a reasonable proficiency in the branches required
30 by law to be taught in the first nine grades of the public schools of
31 this state;

32 (ii) The child is regularly and lawfully engaged in a useful or
33 remunerative occupation;

34 (iii) The child has already met graduation requirements in
35 accordance with state board of education rules and regulations; or

36 (iv) The child has received a certificate of educational competence
37 under rules and regulations established by the state board of education
38 under RCW 28A.305.190.

1 (2) A parent for the purpose of this chapter means a parent,
2 guardian, or person having legal custody of a child.

3 (3) An approved private school for the purposes of this chapter and
4 chapter 28A.200 RCW shall be one approved under regulations established
5 by the state board of education pursuant to RCW 28A.305.130.

6 (4) For the purposes of this chapter and chapter 28A.200 RCW,
7 instruction shall be home-based if it consists of planned and
8 supervised instructional and related educational activities, including
9 a curriculum and instruction in the basic skills of occupational
10 education, science, mathematics, language, social studies, history,
11 health, reading, writing, spelling, and the development of an
12 appreciation of art and music, provided for a number of hours
13 equivalent to the total annual program hours per grade level
14 established for approved private schools under RCW 28A.195.010 and
15 28A.195.040 and if such activities are:

16 (a) Provided by a parent who is instructing his or her child only
17 and are supervised by a certificated person. A certificated person for
18 purposes of this chapter and chapter 28A.200 RCW shall be a person
19 certified under chapter 28A.410 RCW. For purposes of this section,
20 "supervised by a certificated person" means: The planning by the
21 certificated person and the parent of objectives consistent with this
22 subsection; a minimum each month of an average of one contact hour per
23 week with the child being supervised by the certificated person; and
24 evaluation of such child's progress by the certificated person. The
25 number of children supervised by the certificated person shall not
26 exceed thirty for purposes of this subsection; or

27 (b) Provided by a parent who is instructing his or her child only
28 and who has either earned forty-five college level quarter credit hours
29 or its equivalent in semester hours or has completed a course in home-
30 based instruction at a postsecondary institution or a vocational-
31 technical institute; or

32 (c) Provided by a parent who is deemed sufficiently qualified to
33 provide home-based instruction by the superintendent of the local
34 school district in which the child resides.

35 (5) The legislature recognizes that home-based instruction is less
36 structured and more experiential than the instruction normally provided
37 in a classroom setting. Therefore, the provisions of subsection (4) of
38 this section relating to the nature and quantity of instructional and
39 related educational activities shall be liberally construed.

1 NEW SECTION. **Sec. 3.** This act shall take effect August 31, 1994.

--- END ---