
SENATE BILL 5349

State of Washington

53rd Legislature

1993 Regular Session

By Senators Pelz and Moyer

Read first time 01/25/93. Referred to Committee on Education.

1 AN ACT Relating to nomenclature of educational clinics; and
2 amending RCW 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.050,
3 28A.205.060, 28A.205.070, 28A.205.080, and 28A.205.090;

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

5 **Sec. 1.** RCW 28A.205.010 and 1990 c 33 s 180 are each amended to
6 read as follows:

7 (1) As used in this chapter, unless the context thereof shall
8 clearly indicate to the contrary:

9 (~~Education center~~) "Education center" means any private school
10 operated on a profit or nonprofit basis which does the following:

11 (a) Is devoted to the teaching of basic academic skills, including
12 specific attention to improvement of student motivation for achieving,
13 and employment orientation.

14 (b) Operates on a clinical, client centered basis. This shall
15 include, but not be limited to, performing diagnosis of individual
16 educational abilities, determination and setting of individual goals,
17 prescribing and providing individual courses of instruction therefor,
18 and evaluation of each individual client's progress in his or her
19 educational program.

1 (c) Conducts courses of instruction by professionally trained
2 personnel certificated by the state board of education according to
3 rules and regulations promulgated for the purposes of this chapter and
4 providing, for certification purposes, that a year's teaching
5 experience in an ((educational-clinic)) education center shall be
6 deemed equal to a year's teaching experience in a common or private
7 school.

8 (2) For purposes of this chapter, basic academic skills shall
9 include the study of mathematics, speech, language, reading and
10 composition, science, history, literature and political science or
11 civics; it shall not include courses of a vocational training nature
12 and shall not include courses deemed nonessential to the accrediting of
13 the common schools or the approval of private schools under RCW
14 28A.305.130.

15 (3) The state board of education shall certify an education
16 ((clinic)) center only upon application and (a) determination that such
17 school comes within the definition thereof as set forth in subsection
18 (1) above and (b) demonstration on the basis of actual educational
19 performance of such applicants' students which shows after
20 consideration of their students' backgrounds, educational gains that
21 are a direct result of the applicants' educational program. Such
22 certification may be withdrawn if the board finds that a ((clinic))
23 center fails to provide adequate instruction in basic academic skills.
24 No ((educational-clinic)) education center certified by the state board
25 of education pursuant to this section shall be deemed a common school
26 under RCW 28A.150.020 or a private school for the purposes of RCW
27 28A.195.010 through 28A.195.050.

28 **Sec. 2.** RCW 28A.205.020 and 1990 c 33 s 181 are each amended to
29 read as follows:

30 Only eligible common school dropouts shall be enrolled in a
31 certified ((educational-clinic)) education center for reimbursement by
32 the superintendent of public instruction as provided in RCW
33 28A.205.040. No person shall be considered an eligible common school
34 dropout who (1) has completed high school, (2) who has not reached his
35 or her thirteenth birthday or has passed his or her twentieth birthday,
36 or (3) shows proficiency beyond the high school level in a test
37 approved by the superintendent of public instruction to be given as
38 part of the initial diagnostic procedure, or (4) until one month has

1 passed after he or she has dropped out of any common school and the
2 (~~educational—clinic~~) education center has received written
3 verification from a school official of the common school last attended
4 in this state that such person is no longer in attendance at such
5 school, unless such (~~clinic~~) center has been requested to admit such
6 person by written communication of the board of directors or its
7 designee, of that common school, or unless such person is unable to
8 attend a particular common school because of disciplinary reasons,
9 including suspension and/or expulsion therefrom. The fact that any
10 person may be subject to RCW 28A.225.010 through 28A.225.150,
11 28A.200.010, and 28A.200.020 shall not affect his or her qualifications
12 as an eligible common school dropout under this chapter.

13 **Sec. 3.** RCW 28A.205.030 and 1990 c 33 s 182 are each amended to
14 read as follows:

15 The superintendent of public instruction shall adopt, by rules,
16 policies and procedures to permit a prior common school dropout to
17 reenter at the grade level appropriate to such individual's ability:
18 PROVIDED, That such individual shall be placed with the class he or she
19 would be in had he or she not dropped out and graduate with that class,
20 if the student's ability so permits notwithstanding any loss of credits
21 prior to reentry and if such student earns credits at the normal rate
22 subsequent to reentry.

23 Notwithstanding any other provision of law, any certified
24 (~~educational—clinic~~) education center student, upon completion of an
25 individual student program and irrespective of age, shall be eligible
26 to take the general educational development test as given throughout
27 the state.

28 **Sec. 4.** RCW 28A.205.050 and 1990 c 33 s 184 are each amended to
29 read as follows:

30 In accordance with chapter 34.05 RCW, the administrative procedure
31 act, the state board of education with respect to the matter of
32 certification, and the superintendent of public instruction with
33 respect to all other matters, shall have the power and duty to make the
34 necessary rules and regulations to carry out the purpose and intent of
35 this chapter.

36 Criteria as promulgated by the state board of education or
37 superintendent of public instruction for determining if any

1 ((~~educational-clinie~~)) education center is providing adequate
2 instruction in basic academic skills or demonstrating superior
3 performance in student educational gains for funding under RCW
4 28A.205.040 shall be subject to review by four members of the
5 legislature, one from each caucus of each house, including the chairs
6 of the respective education committees.

7 **Sec. 5.** RCW 28A.205.060 and 1985 c 434 s 2 are each amended to
8 read as follows:

9 The superintendent of public instruction shall prepare a report on
10 ((~~educational-clinics~~)) education centers that:

11 (1) Identifies a funding level that is adequate to fund the
12 enrollment served by ((~~educational-clinics~~)) education centers during
13 the previous fiscal year;

14 (2) Identifies locales in the state which are served by
15 ((~~educational-clinics~~)) education centers but where demand for
16 ((~~educational-clinie~~)) education center services will support
17 additional service, and recommends the funding level necessary to serve
18 such demand;

19 (3) Identifies locales in the state which are not served by
20 ((~~educational-clinics~~)) education centers but where demand will support
21 operation of ((~~elinics~~)) centers, and recommends the funding level
22 necessary to serve such demand; and

23 (4) Identifies locales in the state that are either underserved or
24 not served by existing public school programs for drop-outs or for
25 drop-out prevention, but where demand will support such services and
26 recommends the funding level necessary to serve such demand.

27 The report shall be submitted to the legislature by January 1 in
28 the year following June 27, 1985, and updates of the report shall be
29 submitted with each biennial budget request until such time as funding
30 levels reach the levels recommended in subsections (2) and (3) of this
31 section.

32 **Sec. 6.** RCW 28A.205.070 and 1990 c 33 s 185 are each amended to
33 read as follows:

34 In allocating funds appropriated for ((~~educational-clinics~~))
35 education centers, the superintendent of public instruction shall:

1 (1) Place priority upon stability and adequacy of funding for
2 (~~educational clinics~~) education centers that have demonstrated
3 superior performance as defined in RCW 28A.205.040(2).

4 (2) Initiate and maintain a competitive review process to select
5 new or expanded (~~elinie~~) center programs in unserved or underserved
6 areas. The criteria for review of competitive proposals for new or
7 expanded education(~~elinie~~) center services shall include but not be
8 limited to:

9 (a) The proposing organization shall have obtained certification
10 from the state board of education as provided in RCW 28A.205.010;

11 (b) The cost-effectiveness of the proposal as judged by the
12 criteria established in RCW 28A.97.100(1) and (2); and

13 (c) The availability of committed nonstate funds to support,
14 enrich, or otherwise enhance the basic program.

15 (3) In selecting areas for new or expanded (~~educational clinics~~)
16 education center programs, the superintendent of public instruction
17 shall consider factors including but not limited to:

18 (a) The proportion and total number of dropouts unserved by
19 existing (~~elinies~~) center programs, if any;

20 (b) The availability within the geographic area of programs other
21 than (~~educational clinics~~) education centers which address the basic
22 educational needs of dropouts; and

23 (c) Waiting lists or other evidence of demand for expanded
24 (~~educational clinic~~) education center programs.

25 (4) In the event of any curtailment of services resulting from
26 lowered legislative appropriations, the superintendent of public
27 instruction shall issue pro rata reductions to all (~~elinies~~) centers
28 funded at the time of the lowered appropriation. Individual
29 (~~elinies~~) centers may be exempted from such pro rata reductions if
30 the superintendent finds that such reductions would impair the
31 (~~elinie's~~) center's ability to operate at minimally acceptable levels
32 of service. In the event of such exceptions, the superintendent shall
33 determine an appropriate rate for reduction to permit the (~~elinie~~)
34 center to continue operation.

35 (5) In the event that an additional (~~elinie or clinics~~) center or
36 centers become certified and apply to the superintendent for funds to
37 be allocated from a legislative appropriation which does not increase
38 from the immediately preceding biennium, or does not increase
39 sufficiently to allow such additional (~~elinie or clinics~~) center or

1 centers to operate at minimally acceptable levels of service without
2 reducing the funds available to previously funded ((~~elinies~~)) centers,
3 the superintendent shall not provide funding for such additional
4 ((~~elinie or elinies~~)) center or centers from such appropriation.

5 **Sec. 7.** RCW 28A.205.080 and 1990 c 33 s 186 are each amended to
6 read as follows:

7 The legislature recognizes that ((~~educational elinies~~)) education
8 centers provide a necessary and effective service for students who have
9 dropped out of common school programs. ((~~Educational elinies~~))
10 Education centers have demonstrated success in preparing such youth for
11 productive roles in society and are an integral part of the state's
12 program to address the needs of students who have dropped out of
13 school. The superintendent of public instruction shall distribute
14 funds, consistent with legislative appropriations, allocated
15 specifically for ((~~educational elinies~~)) education centers in accord
16 with chapter 28A.205 RCW. The legislature encourages school districts
17 to explore cooperation with ((~~educational elinies~~)) education centers.

18 **Sec. 8.** RCW 28A.205.090 and 1990 c 33 s 187 are each amended to
19 read as follows:

20 The superintendent shall include the ((~~educational elinies~~))
21 education centers program in the biennial budget request. Contracts
22 between the superintendent of public instruction and the ((~~educational~~
23 ~~elinies~~)) education centers shall include quarterly plans which provide
24 for relatively stable student enrollment but take into consideration
25 anticipated seasonal variations in enrollment in the individual
26 ((~~elinies~~)) centers. Funds which are not expended by a ((~~elinie~~))
27 center during the quarter for which they were planned may be carried
28 forward to subsequent quarters of the fiscal year. The superintendent
29 shall make payments to the ((~~elinies~~)) centers on a monthly basis
30 pursuant to RCW 28A.205.040.

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