

2 **ESSB 5169** - H COMM AMD
3 By Committee on Education

4 ADOPTED AS AMENDED 4/21/95

5 Strike everything after the enacting clause and insert the
6 following:

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16 **PART I - OBSOLETE REFERENCES**

17 **Sec. 101.** RCW 28A.150.360 and 1990 c 33 s 113 are each amended to
18 read as follows:

19 In the event of an unforeseen emergency, in the nature of either an
20 unavoidable cost to a district or unexpected variation in anticipated
21 revenues to a district, the state superintendent is authorized, for not
22 to exceed two years, to make such an adjustment in the allocation of
23 funds as is consistent with the intent of ((RCW 28A.150.100 through
24 28A.150.430)) this chapter, RCW 28A.160.150 through ((28A.160.220))
25 28A.160.210, 28A.300.170, and 28A.500.010 in providing an equal
26 educational opportunity for the children of such district or districts.

27 **Sec. 102.** RCW 28A.150.370 and 1990 c 33 s 114 are each amended to
28 read as follows:

1 In addition to those state funds provided to school districts for
2 basic education, the legislature shall appropriate funds for pupil
3 transportation, in accordance with ((RCW 28A.150.100 through
4 28A.150.430)) this chapter, RCW 28A.160.150 through ((28A.160.220))
5 28A.160.210, 28A.300.170, and 28A.500.010, and for programs for
6 handicapped students, in accordance with RCW 28A.155.010 through
7 28A.155.100. The legislature may appropriate funds to be distributed
8 to school districts for population factors such as urban costs,
9 enrollment fluctuations and for special programs, including but not
10 limited to, vocational-technical institutes, compensatory programs,
11 bilingual education, urban, rural, racial and disadvantaged programs,
12 programs for gifted students, and other special programs.

13 **Sec. 103.** RCW 28A.150.380 and 1990 c 33 s 115 are each amended to
14 read as follows:

15 The state legislature shall, at each regular session in an odd-
16 numbered year, appropriate from the state general fund for the current
17 use of the common schools such amounts as needed for state support to
18 the common schools during the ensuing biennium as provided in ((RCW
19 28A.150.100 through 28A.150.430)) this chapter, RCW 28A.160.150 through
20 ((28A.160.220)) 28A.160.210, 28A.300.170, and 28A.500.010.

21 **Sec. 104.** RCW 28A.215.010 and 1969 ex.s. c 223 s 28A.34.010 are
22 each amended to read as follows:

23 The board of directors of any school district shall have the power
24 to establish and maintain ((nursery schools)) preschools and to provide
25 before-and-after-school and vacation care in connection with the common
26 schools of said district located at such points as the board shall deem
27 most suitable for the convenience of the public, for the care and
28 instruction of infants and children residing in said district. The
29 board shall establish such courses, activities, rules, and regulations
30 governing ((nursery schools)) preschools and before-and-after-school
31 care as it may deem best: PROVIDED, That these courses and activities
32 shall meet the minimum standard for such ((nursery schools)) preschools
33 as established by the United States Department of Health, Education and
34 Welfare, or its successor agency, and the state board of education.
35 Except as otherwise provided by state or federal law, the board of
36 directors may fix a reasonable charge for the care and instruction of
37 children attending such schools. The board may, if necessary,

1 supplement such funds as are received for the superintendent of public
2 instruction or any agency of the federal government, by an
3 appropriation from the general school fund of the district.

4 **Sec. 105.** RCW 28A.215.040 and 1973 1st ex.s. c 154 s 45 are each
5 amended to read as follows:

6 Every board of directors shall have power to establish, equip and
7 maintain ((~~nursery schools~~)) preschools and/or provide before-and-
8 after-school care for children of working parents, in cooperation with
9 the federal government or any of its agencies, when in their judgment
10 the best interests of their district will be subserved thereby.

11 **Sec. 106.** RCW 28A.315.680 and 1991 c 363 s 29 and 1991 c 288 ss 7
12 and 8 are each reenacted and amended to read as follows:

13 The school boards of any school district of the first class having
14 within its boundaries a city with a population of four hundred thousand
15 people or more shall establish the director district boundaries.
16 Appointment of a board member to fill any vacancy existing for a new
17 director district prior to the next regular school election shall be by
18 the school board. Prior to the next regular election in the school
19 district and the filing of declarations of candidacy therefor, the
20 incumbent school board shall designate said director districts by
21 number. Directors appointed to fill vacancies as above provided shall
22 be subject to election, one for a six-year term, and one for a two-year
23 term and thereafter the term of their respective successors shall be
24 for four years. The term of office of incumbent members of the board
25 of such district shall not be affected by RCW 28A.315.450, 28A.315.460,
26 28A.315.570, 28A.315.670, and 28A.315.680(~~(, and 29.21.180)~~).

27 **Sec. 107.** RCW 28A.625.010 and 1990 c 33 s 513 are each amended to
28 read as follows:

29 RCW 28A.625.020 through ((~~28A.625.070 and 28B.15.547~~)) 28A.625.065
30 may be known and cited as the Washington award for excellence in
31 education program act.

32 **Sec. 108.** RCW 28A.625.050 and 1991 c 255 s 8 are each amended to
33 read as follows:

34 The superintendent of public instruction shall adopt rules under
35 chapter 34.05 RCW to carry out the purposes of RCW 28A.625.010 through

1 ((28A.625.070)) 28A.625.065. These rules shall include establishing
2 the selection criteria for the Washington award for excellence in
3 education program. The superintendent is encouraged to consult with
4 teachers, educational staff associates, principals, administrators,
5 classified employees, superintendents, and school board members in
6 developing the selection criteria. Notwithstanding the provisions of
7 RCW 28A.625.020 (1) and (2), such rules may allow for the selection of
8 individuals whose teaching or administrative duties, or both, may
9 encompass multiple grade level or building assignments, or both.

10 **Sec. 109.** RCW 28A.630.868 and 1993 c 335 s 5 are each amended to
11 read as follows:

12 (1) The superintendent of public instruction shall administer RCW
13 ((28A.630.860)) 28A.630.861 through 28A.630.880.

14 (2) The school-to-work transitions projects may be conducted for up
15 to six years, if funds are provided.

16 **Sec. 110.** RCW 28A.630.870 and 1993 c 335 s 6 are each amended to
17 read as follows:

18 (1) The superintendent of public instruction may accept, receive,
19 and administer for the purposes of RCW ((28A.630.860)) 28A.630.861
20 through 28A.630.880 such gifts, grants, and contributions as may be
21 provided from public and private sources for the purposes of RCW
22 ((28A.630.860)) 28A.630.861 through 28A.630.880.

23 (2) The school-to-work transitions program account is hereby
24 established in the custody of the state treasurer. The superintendent
25 of public instruction shall deposit in the account all moneys received
26 under this section. Moneys in the account may be spent only for the
27 purposes of ((28A.630.860)) RCW 28A.630.861 through 28A.630.880.
28 Disbursements from this account shall be on the authorization of the
29 superintendent of public instruction or the superintendent's designee.
30 The account is subject to the allotment procedure provided under
31 chapter 43.88 RCW, but no appropriation is required for disbursements.

32 **Sec. 111.** RCW 28A.630.874 and 1993 c 335 s 7 are each amended to
33 read as follows:

34 (1) The superintendent of public instruction, in coordination with
35 the state board of education, the state board for community and
36 technical colleges, the work force training and education coordinating

1 board, and the higher education coordinating board, shall provide
2 technical assistance to selected schools and shall develop a process
3 that coordinates and facilitates linkages among participating school
4 districts, secondary schools, junior high schools, middle schools,
5 technical colleges, and colleges and universities.

6 (2) The superintendent of public instruction and the state board of
7 education may adopt rules under chapter 34.05 RCW as necessary to
8 implement its duties under RCW (~~(28A.630.860)~~) 28A.630.861 through
9 28A.630.880.

10 **Sec. 112.** RCW 28A.630.880 and 1993 c 335 s 10 are each amended to
11 read as follows:

12 RCW (~~(28A.630.860)~~) 28A.630.861 through 28A.630.880 may be known
13 and cited as the school-to-work transitions program.

14 NEW SECTION. **Sec. 113.** RCW 28A.310.380 and 1975 1st ex.s. c 275
15 s 32, 1971 ex.s. c 282 s 23, & 1969 ex.s. c 176 s 16 are each repealed.

16 **PART II - OBSOLETE SECTIONS**

17 **Sec. 201.** RCW 28A.205.050 and 1993 c 211 s 4 are each amended to
18 read as follows:

19 In accordance with chapter 34.05 RCW, the administrative procedure
20 act, the state board of education with respect to the matter of
21 certification, and the superintendent of public instruction with
22 respect to all other matters, shall have the power and duty to make the
23 necessary rules (~~(and regulations)~~) to carry out the purpose and intent
24 of this chapter.

25 (~~(Criteria as promulgated by the state board of education or
26 superintendent of public instruction for determining if any education
27 center is providing adequate instruction in basic academic skills or
28 demonstrating superior performance in student educational gains for
29 funding under RCW 28A.205.040 shall be subject to review by four
30 members of the legislature, one from each caucus of each house,
31 including the chairs of the respective education committees.)~~)

32 **Sec. 202.** RCW 28A.630.400 and 1991 c 285 s 2 are each amended to
33 read as follows:

1 (1) The state board of education and the state board for community
2 and technical colleges ((education)), in consultation with the
3 superintendent of public instruction, the higher education coordinating
4 board, the state apprenticeship training council, and community
5 colleges, shall ~~((work cooperatively to develop by September 1, 1992,~~
6 ~~an educational paraprofessional))~~ adopt rules as necessary under
7 chapter 34.05 RCW to implement the paraeducator associate of arts
8 degree.

9 (2) As used in this section, ~~((an "educational paraprofessional"))~~
10 a "paraeducator" is an individual who has completed an associate of
11 arts degree for ~~((an educational paraprofessional))~~ a paraeducator.
12 The ~~((educational paraprofessional))~~ paraeducator may be hired by a
13 school district to assist certificated instructional staff in the
14 direct instruction of children in small and large groups,
15 individualized instruction, testing of children, recordkeeping, and
16 preparation of materials. The ~~((educational paraprofessional))~~
17 paraeducator shall work under the direction of instructional
18 certificated staff.

19 (3) The training program for ~~((an educational paraprofessional))~~ a
20 paraeducator associate of arts degree shall include, but is not limited
21 to, the general requirements for receipt of an associate of arts degree
22 and training in the areas of introduction to childhood education,
23 orientation to handicapped children, fundamentals of childhood
24 education, creative activities for children, instructional materials
25 for children, fine art experiences for children, the psychology of
26 learning, introduction to education, child health and safety, child
27 development and guidance, first aid, and a practicum in a school
28 setting.

29 (4) ~~((In developing the program,))~~ Consideration shall be given to
30 transferability of credit earned in this program to teacher preparation
31 programs at colleges and universities.

32 ~~((5) The agencies identified under subsection (1) of this section
33 shall adopt rules as necessary under chapter 34.05 RCW to implement
34 this section.))~~

35 NEW SECTION. Sec. 203. The following acts or parts of acts are
36 each repealed:

37 (1) RCW 28A.170.010 and 1987 c 518 s 205;

- 1 (2) RCW 28A.170.020 and 1990 c 33 s 153, 1989 c 233 s 5, & 1987 c
2 518 s 206;
- 3 (3) RCW 28A.170.030 and 1987 c 518 s 207;
- 4 (4) RCW 28A.170.040 and 1990 c 33 s 154 & 1987 c 518 s 208;
- 5 (5) RCW 28A.170.060 and 1994 c 245 s 5, 1989 c 271 s 113, & 1987 c
6 518 s 210;
- 7 (6) RCW 28A.170.070 and 1990 c 33 s 155 & 1987 c 518 s 211;
- 8 (7) RCW 28A.175.060 and 1987 c 518 s 218;
- 9 (8) RCW 28A.210.050 and 1969 ex.s. c 223 s 28A.31.060;
- 10 (9) RCW 28A.225.190 and 1969 ex.s. c 223 s 28A.58.220;
- 11 (10) RCW 28A.405.150 and 1990 c 33 s 388, 1988 c 241 s 1, 1986 c 73
12 s 1, & 1985 c 420 s 7;
- 13 (11) RCW 28A.405.160 and 1990 c 33 s 389 & 1985 c 420 s 8;
- 14 (12) RCW 28A.415.290 and 1993 c 336 s 406;
- 15 (13) RCW 28A.630.090 and 1990 c 33 s 524 & 1987 c 401 s 11;
- 16 (14) RCW 28A.630.091 and 1987 c 401 s 13;
- 17 (15) RCW 28A.630.750 and 1991 c 346 s 1;
- 18 (16) RCW 28A.630.753 and 1991 c 346 s 2;
- 19 (17) RCW 28A.630.756 and 1991 c 346 s 3;
- 20 (18) RCW 28A.630.759 and 1991 c 346 s 4;
- 21 (19) RCW 28A.630.762 and 1991 c 346 s 5;
- 22 (20) RCW 28A.630.765 and 1991 c 346 s 6;
- 23 (21) RCW 28A.630.768 and 1991 c 346 s 7;
- 24 (22) RCW 28A.630.771 and 1991 c 346 s 8;
- 25 (23) RCW 28A.630.774 and 1991 c 346 s 9;
- 26 (24) RCW 28A.630.777 and 1991 c 346 s 10;
- 27 (25) RCW 28A.630.780 and 1991 c 346 s 11;
- 28 (26) RCW 28A.630.783 and 1991 c 346 s 12;
- 29 (27) RCW 28A.630.786 and 1991 c 346 s 13;
- 30 (28) RCW 28A.630.789 and 1991 c 346 s 14; and
- 31 (29) RCW 28A.630.800 and 1985 c 349 s 3.

32 **Sec. 204.** RCW 28A.170.075 and 1990 c 33 s 156 are each amended to
33 read as follows:

34 (1) The legislature finds that the provision of drug and alcohol
35 counseling and related prevention and intervention services in schools
36 will enhance the classroom environment for students and teachers, and
37 better enable students to realize their academic and personal
38 potentials.

1 (2) The legislature finds that it is essential that resources be
2 made available to school districts to provide early drug and alcohol
3 prevention and intervention services to students and their families; to
4 assist in referrals to treatment providers; and to strengthen the
5 transition back to school for students who have had problems of drug
6 and alcohol abuse.

7 (3) (~~(New and existing)~~) Substance abuse awareness programs funded
8 (~~(pursuant to RCW 28A.170.010 through 28A.170.070)~~) under this chapter
9 do not fall within the definition of basic education for purposes of
10 Article IX of the state Constitution and the state's funding duty
11 thereunder.

12 (4) The legislature intends to provide grants for drug and alcohol
13 abuse prevention and intervention in schools, targeted to those schools
14 with the highest concentrations of students at risk.

15 **Sec. 205.** RCW 28A.170.090 and 1990 c 33 s 158 are each amended to
16 read as follows:

17 (1) The superintendent of public instruction shall select school
18 districts and cooperatives of school districts to receive grants for
19 drug and alcohol abuse prevention and intervention programs for
20 students in kindergarten through twelfth grade, from funds appropriated
21 by the legislature for this purpose. The minimum annual grant amount
22 per district or cooperative of districts shall be twenty thousand
23 dollars. Factors to be used in selecting proposals for funding and in
24 determining grant awards shall be developed in consultation with the
25 substance abuse advisory committee appointed under RCW 28A.170.050,
26 with the intent of targeting funding to districts with high-risk
27 populations. These factors may include:

28 (a) Characteristics of the school attendance areas to be served,
29 such as the number of students from low-income families, truancy rates,
30 juvenile justice referrals, and social services caseloads;

31 (b) The total number of students who would have access to services;
32 and

33 (c) Participation of community groups and law enforcement agencies
34 in drug and alcohol abuse prevention and intervention activities.

35 (2) The application procedures for grants under this section shall
36 (~~(be consistent with the application procedures for other grants for~~
37 ~~substance abuse awareness programs under RCW 28A.170.020, including)~~)
38 include provisions for comprehensive planning, establishment of a

1 school and community substance abuse advisory committee, and
2 documentation of the district's needs assessment. Planning and
3 application for grants under this section may be integrated with the
4 development of other substance abuse awareness programs by school
5 districts(~~(, and other grants under RCW 28A.170.010 through 28A.170.040~~
6 ~~shall not require a separate application)~~). School districts shall, to
7 the maximum extent feasible, coordinate the use of grants provided
8 under this section with other funding available for substance abuse
9 awareness programs. School districts should allocate resources giving
10 emphasis to drug and alcohol abuse intervention services for students
11 in grades five through nine. Grants may be used to provide services
12 for students who are enrolled in approved private schools.

13 (3) School districts receiving grants under this section shall be
14 required to establish a means of accessing formal assessment services
15 for determining treatment needs of students with drug and alcohol
16 problems. The grant applications submitted by districts shall identify
17 the districts' plan for meeting this requirement.

18 (4) School districts receiving grants under this section shall be
19 required to perform biennial evaluations of their drug and alcohol
20 abuse prevention and intervention programs, and to report on the
21 results of these evaluations to the superintendent of public
22 instruction.

23 (5) The superintendent of public instruction may adopt rules to
24 implement RCW 28A.170.080 (~~(through 28A.170.100)~~) and 28A.170.090.

25 PART III - RECODIFICATIONS OR TECHNICAL CHANGES

26 **Sec. 301.** RCW 28A.610.010 and 1990 c 33 s 505 are each amended to
27 read as follows:

28 (1) Parents can be the most effective teachers for their children.
29 Providing illiterate or semiliterate parents with opportunities to
30 acquire basic skills and child development knowledge will enhance their
31 ability to assist and support their children in the learning process,
32 and will enhance children's learning experiences in the formal
33 education environment by providing children with the motivation and
34 positive home environment which contribute to enhanced academic
35 performance.

36 (2) (~~(RCW 28A.610.020 through 28A.610.060)~~) This chapter may be
37 known and cited as project even start.

1 **Sec. 302.** RCW 28A.610.020 and 1990 c 33 s 506 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definition in
4 this section shall apply throughout ~~((RCW 28A.610.030 through~~
5 ~~28A.610.060)) this chapter.~~

6 "Parent" or "parents" means a parent who has less than an eighth
7 grade ability in one or more of the basic skill areas of reading,
8 language arts, or mathematics, as measured by a standardized test, and
9 who has a child or children enrolled in: (1) The state early childhood
10 education and assistance program; (2) a federal head start program; (3)
11 a state or federally funded elementary school basic skills program
12 serving students who have scored below the national average on a
13 standardized test in one or more of the basic skill areas of reading,
14 language arts, or mathematics; or (4) a cooperative ~~((nursery school))~~
15 preschool at a community or technical college ~~((or vocational technical~~
16 ~~institute))~~.

17 **Sec. 303.** RCW 28A.610.030 and 1990 c 33 s 507 are each amended to
18 read as follows:

19 (1) The ~~((superintendent of public instruction))~~ state board for
20 community and technical colleges, in consultation with the department
21 of community, trade, and economic development, the department of social
22 and health services, the ~~((state board for community education))~~
23 superintendent of public instruction, and community-based, nonprofit
24 providers of adult literacy services, shall develop an adult literacy
25 program to serve eligible parents as defined under RCW 28A.610.020.
26 The program shall give priority to serving parents with children who
27 have not yet enrolled in school or are in grades kindergarten through
28 three.

29 (2) In addition to providing basic skills instruction to eligible
30 parents, the program may include other program components which may
31 include transportation, child care, and such other directly necessary
32 activities as may be necessary to accomplish the purposes of ~~((RCW~~
33 ~~28A.610.020 through 28A.610.060)) this chapter.~~

34 (3) Parents who elect to participate in training or work programs,
35 as a condition of receiving public assistance, shall have the hours
36 spent in parent participation programs, conducted as part of a federal
37 head start program, or the state early childhood education and
38 assistance program under RCW 28A.215.100 through 28A.215.200 and

1 28A.215.900 through 28A.215.908, or parent literacy programs under
2 (~~RCW 28A.610.020 through 28A.610.060~~) this chapter, counted toward
3 the fulfillment of their work and training obligation for the receipt
4 of public assistance.

5 (4) State funds as may be appropriated for project even start shall
6 be used solely to expand and complement, but not supplant, federal
7 funds for adult literary programs.

8 (5) The (~~superintendent of public instruction~~) state board for
9 community and technical colleges shall adopt rules as necessary to
10 carry out the purposes of (~~RCW 28A.610.020 through 28A.610.060~~) this
11 chapter.

12 **Sec. 304.** RCW 28A.600.--- and 1995 c . . . (SSB 5440) s 2 are each
13 amended to read as follows:

14 (1) Any elementary or secondary school student who is determined to
15 have carried a firearm onto, or to have possessed a firearm on, public
16 elementary or secondary school premises, public school-provided
17 transportation, or areas of facilities while being used exclusively by
18 public schools, shall be expelled from school for not less than one
19 year under RCW 28A.600.010. The superintendent of the school district,
20 educational service district, state school for the deaf, or state
21 school for the blind may modify the expulsion of a student on a case-
22 by-case basis.

23 (2) For purposes of this section, "firearm" means a firearm as
24 defined in 18 U.S.C. Sec. 921, and a "firearm" as defined in RCW
25 9.41.010.

26 (3) This section shall be construed in a manner consistent with the
27 individuals with disabilities education act, 20 U.S.C. Sec. 1401 et
28 seq.

29 (4) Nothing in this section prevents a public school district,
30 educational service district, the state school for the deaf, or the
31 state school for the blind if it has expelled a student from such
32 student's regular school setting from providing educational services to
33 the student in an alternative setting.

34 (5) This section does not apply to:

35 (a) Any student while engaged in military education authorized by
36 school authorities in which rifles are used but not other firearms; or

37 (b) Any student while involved in a convention, showing,
38 demonstration, lecture, or firearms safety course authorized by school

1 authorities in which the rifles of collectors or instructors are
2 handled or displayed but not other firearms; or

3 (c) Any student while participating in a rifle competition
4 authorized by school authorities.

5 NEW SECTION. **Sec. 305.** The following sections are each recodified
6 as new sections in chapter 28A.410 RCW:

7 RCW 28A.405.010

8 RCW 28A.405.025

9 NEW SECTION. **Sec. 306.** The following sections are recodified as
10 a new chapter in Title 28B RCW:

11 RCW 28A.610.010

12 RCW 28A.610.020

13 RCW 28A.610.030

14 RCW 28A.610.040

15 RCW 28A.610.050

16 NEW SECTION. **Sec. 307.** The following acts or parts of acts are
17 each repealed:

18 (1) RCW 28A.175.070 and 1994 c 245 s 6 & 1987 c 518 s 219;

19 (2) RCW 28A.210.005 and 1989 1st ex.s. c 9 s 239;

20 (3) RCW 28A.215.300 and 1986 c 150 s 1;

21 (4) RCW 28A.215.310 and 1990 c 33 s 216 & 1986 c 150 s 2;

22 (5) RCW 28A.215.320 and 1986 c 150 s 3;

23 (6) RCW 28A.215.330 and 1990 c 33 s 217 & 1986 c 150 s 4; and

24 (7) RCW 28A.234.010 and 1993 sp.s. c 4 s 15.

25 **Sec. 308.** RCW 28A.215.020 and 1990 c 33 s 210 are each amended to
26 read as follows:

27 Expenditures under federal funds and/or state appropriations made
28 to carry out the purposes of RCW 28A.215.010 through 28A.215.050 (~~and~~
29 ~~28A.215.300 through 28A.215.330~~) shall be made by warrants issued by
30 the state treasurer upon order of the superintendent of public
31 instruction. The state board of education shall make necessary rules
32 and regulations to carry out the purpose of RCW 28A.215.010.

33 **Sec. 309.** RCW 28A.215.030 and 1990 c 33 s 211 are each amended to
34 read as follows:

1 In the event the legislature appropriates any moneys to carry out
2 the purposes of RCW 28A.215.010 through 28A.215.050 ((and ~~28A.215.300~~
3 ~~through 28A.215.330~~)), allocations therefrom may be made to school
4 districts for the purpose of underwriting allocations made or requested
5 from federal funds until such federal funds are available. Any school
6 district may allocate a portion of its funds for the purpose of
7 carrying out the provisions of RCW 28A.215.010 through 28A.215.050
8 ((and ~~28A.215.300 through 28A.215.330~~)) pending the receipt of
9 reimbursement from funds made available by acts of congress.

10 **Sec. 310.** RCW 28A.215.050 and 1990 c 33 s 212 are each amended to
11 read as follows:

12 As a supplement to the authority otherwise granted by RCW
13 28A.215.010 through 28A.215.050 ((and ~~28A.215.300 through 28A.215.330~~))
14 respecting the care or instruction, or both, of children in general,
15 the board of directors of any school district may only utilize funds
16 outside the state basic education appropriation and the state school
17 transportation appropriation to:

18 (1) Contract with public and private entities to conduct all or any
19 portion of the management and operation of a child care program at a
20 school district site or elsewhere;

21 (2) Establish charges based upon costs incurred under this section
22 and provide for the reduction or waiver of charges in individual cases
23 based upon the financial ability of the parents or legal guardians of
24 enrolled children to pay the charges, or upon their provision of other
25 valuable consideration to the school district; and

26 (3) Transport children enrolled in a child care program to the
27 program and to related sites using district-owned school buses and
28 other motor vehicles, or by contracting for such transportation and
29 related services: PROVIDED, That no child three years of age or
30 younger shall be transported under the provisions of this section
31 unless accompanied by a parent or guardian.

32 **PART IV - UNFUNDED PROGRAMS**

33 **Sec. 401.** RCW 28A.405.120 and 1985 c 420 s 3 are each amended to
34 read as follows:

35 School districts shall require each administrator, each principal,
36 or other supervisory personnel who has responsibility for evaluating

1 classroom teachers to have training in evaluation procedures. ((The
2 superintendent of public instruction shall provide technical assistance
3 to the local school districts and to the educational service districts
4 in providing training to evaluators.))

5 NEW SECTION. **Sec. 402.** The following acts or parts of acts are
6 each repealed:

7 (1) RCW 28A.175.020 and 1987 c 518 s 213;

8 (2) RCW 28A.175.030 and 1990 c 33 s 160, 1989 c 209 s 1, & 1987 c
9 518 s 214;

10 (3) RCW 28A.175.040 and 1990 c 33 s 161, 1989 c 209 s 2, & 1987 c
11 518 s 215;

12 (4) RCW 28A.175.050 and 1990 c 33 s 162 & 1987 c 518 s 217;

13 (5) RCW 28A.240.010 and 1990 c 33 s 248 & 1985 c 422 s 2;

14 (6) RCW 28A.240.020 and 1985 c 422 s 1;

15 (7) RCW 28A.240.030 and 1990 c 33 s 249 & 1985 c 422 s 3;

16 (8) RCW 28A.300.110 and 1990 c 33 s 255, 1987 1st ex.s. c 2 s 208,
17 1987 c 197 s 1, & 1984 c 278 s 5;

18 (9) RCW 28A.300.180 and 1989 c 146 s 3;

19 (10) RCW 28A.300.200 and 1991 c 128 s 13 & 1990 c 243 s 9;

20 (11) RCW 28A.415.110 and 1991 c 258 s 3;

21 (12) RCW 28A.415.115 and 1991 c 258 s 4;

22 (13) RCW 28A.415.220 and 1993 c 217 s 1 & 1991 c 252 s 1;

23 (14) RCW 28A.600.425 and 1992 c 196 s 2;

24 (15) RCW 28A.600.430 and 1992 c 196 s 3;

25 (16) RCW 28A.600.435 and 1992 c 196 s 4;

26 (17) RCW 28A.600.440 and 1992 c 196 s 5;

27 (18) RCW 28A.600.445 and 1992 c 196 s 6;

28 (19) RCW 28A.600.450 and 1992 c 196 s 7;

29 (20) RCW 28A.615.060 and 1989 c 310 s 1;

30 (21) RCW 28A.625.300 and 1985 c 349 s 4;

31 (22) RCW 28A.630.070 and 1990 c 148 s 2;

32 (23) RCW 28A.630.075 and 1990 c 148 s 3;

33 (24) RCW 28A.630.300 and 1987 c 349 s 1;

34 (25) RCW 28A.630.320 and 1990 c 33 s 534 & 1987 c 349 s 3;

35 (26) RCW 28A.630.330 and 1990 c 33 s 535 & 1987 c 349 s 4; and

36 (27) RCW 28A.630.390 and 1987 c 349 s 7.

1 **Sec. 403.** RCW 28A.415.105 and 1991 c 258 s 2 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout RCW ((~~28A.415.110~~)) 28A.415.125 through
5 28A.415.140.

6 (1) "Cooperating organizations" means that at least one school
7 district, one college or university, and one educational service
8 district are involved jointly with the development of a student
9 teaching center.

10 (2) "Cooperating teacher" means a teacher who holds a continuing
11 certificate and supervises and coaches a student teacher.

12 (3) "Field experience" means opportunities for observation,
13 tutoring, microteaching, extended practicums, and clinical and
14 laboratory experiences which do not fall within the meaning of student
15 teaching.

16 (4) "School setting" means a classroom in a public, common school
17 in the state of Washington.

18 (5) "Student teacher" means a candidate for initial teacher
19 certification who is in a state board of education-approved, or
20 regionally or nationally accredited teacher preparation program in a
21 school setting as part of the field-based component of their
22 preparation program.

23 (6) "Student teaching" means the full quarter or semester in a
24 school setting during which the student teacher observes the
25 cooperating teacher, participates in instructional activities, and
26 assumes both part-time and full-time teaching responsibilities under
27 the supervision of the cooperating teacher.

28 (7) "Student teaching center" means the program established to
29 provide student teachers in a geographic region of the state with
30 special support and training as part of their teacher preparation
31 program.

32 (8) "Supervisor or university supervisor" means the regular or
33 adjunct faculty member, or college or university-approved designee, who
34 assists and supervises the work of cooperating teachers and student
35 teachers.

36 **Sec. 404.** RCW 28B.90.005 and 1993 c 181 s 1 are each amended to
37 read as follows:

1 The legislature finds that it has previously declared in RCW
2 28B.107.005 that it is important to the economic future of the state to
3 promote international awareness and understanding, and in RCW 1.20.100
4 (~~and 28A.630.300~~), that the state's economy and economic well-being
5 depends heavily on foreign trade and international exchange.

6 The legislature finds that it is appropriate that such policies
7 should be implemented by encouraging universities and colleges
8 domiciled in foreign countries to establish branch campuses in
9 Washington and that it is also important to those foreign colleges and
10 universities that their status as authorized foreign degree-granting
11 institutions be recognized by this state to facilitate the
12 establishment and operation of such branch campuses.

13 In the furtherance of such policy, the legislature adopts the
14 foreign degree-granting institution approved branch campus act.

15 NEW SECTION. **Sec. 405.** RCW 28A.415.120 and 1991 c 258 s 5 are
16 each repealed.

17 **PART V - REPORTS**

18 **Sec. 501.** RCW 28A.215.170 and 1994 c 166 s 9 are each amended to
19 read as follows:

20 (~~The governor shall report to the legislature before each regular
21 session of the legislature convening in an odd-numbered year, on the
22 current status of the program, the state-wide need for early childhood
23 program services, and the plans to address these needs. The department
24 shall consult with the office of the superintendent of public
25 instruction in the preparation of the biennial report and on all issues
26 of mutual concern addressed in the report.~~

27 ~~The governor's report shall include specific recommendations on at
28 least the following issues:~~

29 ~~(1) The desired relationships of a state-funded early childhood
30 education and assistance program with the common school system;~~

31 ~~(2) The types of children and their needs that the program should
32 serve;~~

33 ~~(3) The appropriate level of state support for implementing a
34 comprehensive early childhood education and assistance program for all
35 eligible children, including related programs to prepare instructors
36 and provide facilities, equipment, and transportation;~~

1 ~~(4) The state administrative structure necessary to implement the~~
2 ~~program; and~~

3 ~~(5) The establishment of a system))~~ The department shall annually
4 report to the governor and the legislature on the findings of the
5 longitudinal study undertaken to examine and monitor the effectiveness
6 of early childhood educational and assistance services for eligible
7 children to measure, among other elements, if possible, how the average
8 level of performance of children completing this program compare to the
9 average level of performance of all state students in their grade
10 level, and to the average level of performance of those eligible
11 students who did not have access to this program. The evaluation
12 system shall examine how the percentage of these children needing
13 access to special education or remedial programs compares to the
14 overall percentage of children needing such services and compares to
15 the percentage of eligible students who did not have access to this
16 program needing such services.

17 **Sec. 502.** RCW 28A.320.200 and 1990 c 33 s 333 are each amended to
18 read as follows:

19 (1) Each school district board of directors shall develop a
20 schedule and process by which each public school within its
21 jurisdiction shall undertake self-study procedures on a regular basis:
22 PROVIDED, That districts may allow two or more elementary school
23 buildings in the district to undertake jointly the self-study process.
24 Each school may follow the accreditation process developed by the state
25 board of education under RCW 28A.305.130(6), although no school is
26 required to file for actual accreditation, or the school may follow a
27 self-study process developed locally. The initial self-study process
28 within each district shall begin by September 1, 1986, and should be
29 completed for all schools within a district by the end of the 1990-91
30 school year.

31 (2) Any self-study process must include the participation of staff,
32 parents, members of the community, and students, where appropriate to
33 their age.

34 (3) The self-study process that is used must focus upon the quality
35 and appropriateness of the school's educational program and the results
36 of its operational effort. The primary emphasis throughout the process
37 shall be placed upon:

38 (a) Achieving educational excellence and equity;

1 (b) Building stronger links with the community; and
2 (c) Reaching consensus upon educational expectations through
3 community involvement and corresponding school management.

4 (4) The state board of education shall adopt rules governing
5 procedural criteria. Such rules should be flexible so as to
6 accommodate local goals and circumstances. The rules may allow for
7 waiver of the self-study for economic reasons and may also allow for
8 waiver of the initial self-study if a district or its schools have
9 participated successfully in an official accreditation process or in a
10 similar assessment of educational programs within the last three years.
11 The self-study process shall be conducted on a cyclical basis every
12 seven years following the initial 1990-91 period.

13 (5) The superintendent of public instruction shall provide training
14 to assist districts in their self-studies.

15 ~~((6) Each district shall report every two years to the
16 superintendent of public instruction on the scheduling and
17 implementation of their self study activities. The report shall
18 include information about how the district and each school within the
19 district have addressed the issue of class size and staffing
20 patterns.))~~

21 **Sec. 503.** RCW 28A.330.100 and 1991 c 116 s 17 are each amended to
22 read as follows:

23 Every board of directors of a school district of the first class,
24 in addition to the general powers for directors enumerated in this
25 title, shall have the power:

26 (1) To employ for a term of not exceeding three years a
27 superintendent of schools of the district, and for cause to dismiss him
28 or her; and to fix his or her duties and compensation.

29 (2) To employ, and for cause dismiss one or more assistant
30 superintendents and to define their duties and fix their compensation.

31 (3) To employ a business manager, attorneys, architects, inspectors
32 of construction, superintendents of buildings and a superintendent of
33 supplies, all of whom shall serve at the board's pleasure, and to
34 prescribe their duties and fix their compensation.

35 (4) To employ, and for cause dismiss, supervisors of instruction
36 and to define their duties and fix their compensation.

1 (5) To prescribe a course of study and a program of exercises which
2 shall be consistent with the course of study prepared by the state
3 board of education for the use of the common schools of this state.

4 (6) To, in addition to the minimum requirements imposed by this
5 title establish and maintain such grades and departments, including
6 night, high, kindergarten, vocational training and, except as otherwise
7 provided by law, industrial schools, and schools and departments for
8 the education and training of any class or classes of handicapped
9 youth, as in the judgment of the board, best shall promote the
10 interests of education in the district.

11 (7) To determine the length of time over and above one hundred
12 eighty days that school shall be maintained: PROVIDED, That for
13 purposes of apportionment no district shall be credited with more than
14 one hundred and eighty-three days' attendance in any school year; and
15 to fix the time for annual opening and closing of schools and for the
16 daily dismissal of pupils before the regular time for closing schools.

17 (8) To maintain a shop and repair department, and to employ, and
18 for cause dismiss, a foreman and the necessary help for the maintenance
19 and conduct thereof.

20 (9) To provide free textbooks and supplies for all children
21 attending school.

22 (10) To require of the officers or employees of the district to
23 give a bond for the honest performance of their duties in such penal
24 sum as may be fixed by the board with good and sufficient surety, and
25 to cause the premium for all bonds required of all such officers or
26 employees to be paid by the district: PROVIDED, That the board may, by
27 written policy, allow that such bonds may include a deductible proviso
28 not to exceed two percent of the officer's or employee's annual salary.

29 (11) To prohibit all secret fraternities and sororities among the
30 students in any of the schools of the said districts.

31 (12) To appoint a practicing physician, resident of the school
32 district, who shall be known as the school district medical inspector,
33 and whose duty it shall be to decide for the board of directors all
34 questions of sanitation and health affecting the safety and welfare of
35 the public schools of the district who shall serve at the board's
36 pleasure(~~(; the school district medical inspector or authorized~~
37 ~~deputies shall make monthly inspections of each school in the district~~
38 ~~and report the condition of the same to the board of education and~~

1 ~~board of health~~): PROVIDED, That children shall not be required to
2 submit to vaccination against the will of their parents or guardian.

3 **Sec. 504.** RCW 28A.400.306 and 1992 c 159 s 9 are each amended to
4 read as follows:

5 The state patrol shall accept fingerprints obtained under this
6 chapter only if it can ensure that the patrol will not retain a record
7 of the fingerprints after the check is complete. It shall not forward
8 fingerprints obtained under this chapter to the federal bureau of
9 investigation unless it can ensure that the federal bureau of
10 investigation will not retain a record of the fingerprints after the
11 check is complete. (~~The state patrol shall report to the house of
12 representatives appropriations committee and the senate ways and means
13 committee on measures taken to implement this section before accepting
14 any fingerprints obtained under this chapter.~~)

15 **Sec. 505.** RCW 28A.630.885 and 1994 c 245 s 13 are each amended to
16 read as follows:

17 (1) The Washington commission on student learning is hereby
18 established. The primary purposes of the commission are to identify
19 the knowledge and skills all public school students need to know and be
20 able to do based on the student learning goals in RCW 28A.150.210, to
21 develop student assessment and school accountability systems, to review
22 current school district data reporting requirements and make
23 recommendations on what data is necessary for the purposes of
24 accountability and meeting state information needs, and to take other
25 steps necessary to develop a performance-based education system. The
26 commission shall include three members of the state board of education,
27 three members appointed by the governor before July 1, 1992, and five
28 members appointed no later than June 1, 1993, by the governor elected
29 in the November 1992 election. The governor shall appoint a chair from
30 the commission members, and fill any vacancies in gubernatorial
31 appointments that may occur. The state board of education shall fill
32 any vacancies of state board of education appointments that may occur.
33 In making the appointments, educators, business leaders, and parents
34 shall be represented, and nominations from state-wide education,
35 business, and parent organizations shall be requested. Efforts shall
36 be made to ensure that the commission reflects the racial and ethnic
37 diversity of the state's K-12 student population and that the major

1 geographic regions in the state are represented. Appointees shall be
2 qualified individuals who are supportive of educational restructuring,
3 who have a positive record of service, and who will devote sufficient
4 time to the responsibilities of the commission to ensure that the
5 objectives of the commission are achieved.

6 (2) The commission shall establish advisory committees. Membership
7 of the advisory committees shall include, but not necessarily be
8 limited to, professionals from the office of the superintendent of
9 public instruction and the state board of education, and other state
10 and local educational practitioners and student assessment specialists.

11 (3) The commission, with the assistance of the advisory committees,
12 shall:

13 (a) Develop essential academic learning requirements based on the
14 student learning goals in RCW 28A.150.210. Essential academic learning
15 requirements shall be developed, to the extent possible, for each of
16 the student learning goals in RCW 28A.150.210. Goals one and two shall
17 be considered primary. Essential academic learning requirements for
18 RCW 28A.150.210(1), goal one, and the mathematics component of RCW
19 28A.150.210(2), goal two, shall be completed no later than March 1,
20 1995. Essential academic learning requirements that incorporate the
21 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and
22 four, shall be completed no later than March 1, 1996. To the maximum
23 extent possible, the commission shall integrate goal four and the
24 knowledge and skill areas in the other goals in the development of the
25 essential academic learning requirements;

26 (b)(i) The commission shall present to the state board of education
27 and superintendent of public instruction a state-wide academic
28 assessment system for use in the elementary, middle, and high school
29 years designed to determine if each student has mastered the essential
30 academic learning requirements identified in (a) of this subsection.
31 The academic assessment system shall include a variety of assessment
32 methods, including performance-based measures that are criterion-
33 referenced. Performance standards for determining if a student has
34 successfully completed an assessment shall be initially determined by
35 the commission in consultation with the advisory committees required in
36 subsection (2) of this section.

37 (ii) The assessment system shall be designed so that the results
38 under the assessment system are used by educators as tools to evaluate
39 instructional practices, and to initiate appropriate educational

1 support for students who have not mastered the essential academic
2 learning requirements at the appropriate periods in the student's
3 educational development.

4 (iii) Assessments measuring the essential academic learning
5 requirements developed for RCW 28A.150.210(1), goal one, and the
6 mathematics component of RCW 28A.150.210(2), goal two, shall be
7 initially implemented by the state board of education and
8 superintendent of public instruction no later than the 1996-97 school
9 year, unless the legislature takes action to delay or prevent
10 implementation of the assessment system and essential academic learning
11 requirements. Assessments measuring the essential academic learning
12 requirements developed for RCW 28A.150.210 (2), (3), and (4), goals
13 two, three, and four, shall be initially implemented by the state board
14 of education and superintendent of public instruction no later than the
15 1997-98 school year, unless the legislature takes action to delay or
16 prevent implementation of the assessment system and essential academic
17 learning requirements. To the maximum extent possible, the commission
18 shall integrate knowledge and skill areas in development of the
19 assessments.

20 (iv) Before the 2000-2001 school year, participation by school
21 districts in the assessment system shall be optional. School districts
22 that desire to participate before the 2000-2001 school year shall
23 notify the superintendent of public instruction in a manner determined
24 by the superintendent. Beginning in the 2000-2001 school year, all
25 school districts shall be required to participate in the assessment
26 system.

27 (v) The state board of education and superintendent of public
28 instruction may modify the essential academic learning requirements and
29 academic assessment system, as needed, in subsequent school years.

30 (vi) The commission shall develop assessments that are directly
31 related to the essential academic learning requirements, and are not
32 biased toward persons with different learning styles, racial or ethnic
33 backgrounds, or on the basis of gender;

34 (c) After a determination is made by the state board of education
35 that the high school assessment system has been implemented and that it
36 is sufficiently reliable and valid, successful completion of the high
37 school assessment shall lead to a certificate of mastery. The
38 certificate of mastery shall be obtained by most students at about the
39 age of sixteen, and is evidence that the student has successfully

1 mastered the essential academic learning requirements during his or her
2 educational career. The certificate of mastery shall be required for
3 graduation but shall not be the only requirement for graduation. The
4 commission shall make recommendations to the state board of education
5 regarding the relationship between the certificate of mastery and high
6 school graduation requirements. Upon achieving the certificate of
7 mastery, schools shall provide students with the opportunity to
8 continue to pursue career and educational objectives through
9 educational pathways that emphasize integration of academic and
10 vocational education. Educational pathways may include, but are not
11 limited to, programs such as work-based learning, school-to-work
12 transition, tech prep, vocational-technical education, running start,
13 and preparation for technical college, community college, or university
14 education;

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

18 (e) Consider methods to address the unique needs of highly capable
19 students when developing the assessments in (b) and (c) of this
20 subsection;

21 (f) Develop recommendations on the time, support, and resources,
22 including technical assistance, needed by schools and school districts
23 to help students achieve the essential academic learning requirements.
24 These recommendations shall include an estimate for the legislature,
25 superintendent of public instruction, and governor on the expected cost
26 of implementing the academic assessment system;

27 (g) Develop recommendations for consideration by the higher
28 education coordinating board for adopting college and university
29 entrance requirements for public school students that are consistent
30 with the essential academic learning requirements and the certificate
31 of mastery;

32 (h) Review current school district data reporting requirements for
33 the purposes of accountability and meeting state information needs.
34 The commission on student learning shall report recommendations to the
35 joint select committee on education restructuring by September 15,
36 1996, on:

37 (i) What data is necessary to compare how school districts are
38 performing before the essential academic learning requirements and the
39 assessment system are implemented with how school districts are

1 performing after the essential academic learning requirements and the
2 assessment system are implemented; and

3 (ii) What data is necessary pertaining to school district reports
4 under the accountability systems developed by the commission on student
5 learning under this section;

6 (i) By December 1, 1998, recommend to the legislature, governor,
7 state board of education, and superintendent of public instruction:

8 (i) A state-wide accountability system to monitor and evaluate
9 accurately and fairly the level of learning occurring in individual
10 schools and school districts. The accountability system shall be
11 designed to recognize the characteristics of the student population of
12 schools and school districts such as gender, race, ethnicity,
13 socioeconomic status, and other factors. The system shall include
14 school-site, school district, and state-level accountability reports;

15 (ii) A school assistance program to help schools and school
16 districts that are having difficulty helping students meet the
17 essential academic learning requirements;

18 (iii) A system to intervene in schools and school districts in
19 which significant numbers of students persistently fail to learn the
20 essential academic learning requirements; and

21 (iv) An awards program to provide incentives to school staff to
22 help their students learn the essential academic learning requirements,
23 with each school being assessed individually against its own baseline.
24 Incentives shall be based on the rate of percentage change of students
25 achieving the essential academic learning requirements. School staff
26 shall determine how the awards will be spent.

27 It is the intent of the legislature to begin implementation of
28 programs in this subsection (3)((h)) (i) on September 1, 2000;

29 ((i)) (j) Report annually by December 1st to the legislature, the
30 governor, the superintendent of public instruction, and the state board
31 of education on the progress, findings, and recommendations of the
32 commission; and

33 ((j)) (k) Make recommendations to the legislature and take other
34 actions necessary or desirable to help students meet the student
35 learning goals.

36 (4) The commission shall coordinate its activities with the state
37 board of education and the office of the superintendent of public
38 instruction.

1 (5) The commission shall seek advice broadly from the public and
2 all interested educational organizations in the conduct of its work,
3 including holding periodic regional public hearings.

4 (6) The commission shall select an entity to provide staff support
5 and the office of the superintendent of public instruction shall
6 provide administrative oversight and be the fiscal agent for the
7 commission. The commission may direct the office of the superintendent
8 of public instruction to enter into subcontracts, within the
9 commission's resources, with school districts, teachers, higher
10 education faculty, state agencies, business organizations, and other
11 individuals and organizations to assist the commission in its
12 deliberations.

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

15 **Sec. 506.** RCW 28A.630.952 and 1994 c 245 s 4 are each amended to
16 read as follows:

17 (1) In addition to the duties in RCW 28A.630.951, the joint select
18 committee on education restructuring shall review all laws pertaining
19 to K-12 public education and to educator preparation and certification
20 with the intent of identifying laws that inhibit the achievement of the
21 new system of performance-based education. The select committee shall
22 report to the legislature by November 15, 1994. The laws pertaining to
23 home schooling and private schools shall not be reviewed in this study.

24 (2) The joint select committee on education restructuring shall
25 review ~~((current))~~ the school district data reporting requirements for
26 the purposes of accountability and meeting state information needs
27 reported by the commission on student learning under RCW 28A.630.885.
28 The joint select committee shall report its recommendations to the
29 legislature by January 1996 ~~((on:~~

30 ~~((a) What data is necessary to compare how school districts are~~
31 ~~performing before the essential academic learning requirements and the~~
32 ~~assessment system are implemented with how school districts are~~
33 ~~performing after the essential academic learning requirements and the~~
34 ~~assessment system are implemented; and~~

35 ~~((b) What data is necessary pertaining to school district reports~~
36 ~~under the accountability systems developed by the commission on student~~
37 ~~learning under RCW 28A.630.885(3)(h)).~~

1 **Sec. 507.** RCW 28A.650.015 and 1994 c 245 s 2 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction, to the extent funds
4 are appropriated, shall develop and implement a Washington state K-12
5 education technology plan. The technology plan(~~(, which)~~) shall be
6 (~~completed by September 1, 1994, and~~) updated on at least a biennial
7 basis, shall be developed to coordinate and expand the use of education
8 technology in the common schools of the state. The plan shall be
9 consistent with applicable provisions of chapter 43.105 RCW. The plan,
10 at a minimum, shall address:

11 (a) The provision of technical assistance to schools and school
12 districts for the planning, implementation, and training of staff in
13 the use of technology in curricular and administrative functions;

14 (b) The continued development of a network to connect school
15 districts, institutions of higher learning, and other sources of on-
16 line information; and

17 (c) Methods to equitably increase the use of education technology
18 by students and school personnel throughout the state.

19 (2) The superintendent of public instruction shall appoint an
20 educational technology advisory committee to assist in the development
21 and implementation of the technology plan in subsection (1) of this
22 section. The committee shall include, but is not limited to, persons
23 representing: The state board of education, the commission on student
24 learning, the department of information services, educational service
25 districts, school directors, school administrators, school principals,
26 teachers, classified staff, higher education faculty, parents,
27 students, business, labor, scientists and mathematicians, the higher
28 education coordinating board, the work force training and education
29 coordinating board, and the state library.

30 NEW SECTION. **Sec. 508.** The following acts or parts of acts are
31 each repealed:

32 (1) RCW 28A.205.060 and 1993 c 211 s 5 & 1985 c 434 s 2;

33 (2) RCW 28A.225.180 and 1990 c 33 s 233 & 1969 ex.s. c 223 s
34 28A.58.215;

35 (3) RCW 28A.225.320 and 1990 1st ex.s. c 9 s 210;

36 (4) RCW 28A.300.210 and 1991 c 201 s 18;

37 (5) RCW 28A.335.310 and 1993 c 461 s 3; and

38 (6) RCW 28A.340.050 and 1990 c 33 s 370 & 1988 c 268 s 7.

PART VI - PERMISSIVE LANGUAGE

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Sec. 601. RCW 28A.180.080 and 1990 c 33 s 167 are each amended to read as follows:

The superintendent of public instruction shall prepare and submit biennially to the governor and the legislature a budget request for bilingual instruction programs. Moneys appropriated by the legislature for the purposes of RCW 28A.180.010 through 28A.180.080 shall be allocated by the superintendent of public instruction to school districts for the sole purpose of operating an approved bilingual instruction program; priorities for funding shall exist for the early elementary grades. No moneys shall be allocated pursuant to this section to fund more than three school years of bilingual instruction for each eligible pupil within a district: PROVIDED, That such moneys may be allocated to fund more than three school years of bilingual instruction for any pupil who fails to demonstrate improvement in English language skills adequate to remove impairment of learning when taught only in English. The superintendent of public instruction shall set standards and approve a test for the measurement of such English language skills. ~~((School districts are hereby empowered to accept grants, gifts, donations, devices and other gratuities from private and public sources to aid in accomplishing the purposes of RCW 28A.180.010 through 28A.180.080.))~~

Sec. 602. RCW 28A.225.220 and 1993 c 336 s 1008 are each amended to read as follows:

(1) Any board of directors may make agreements with adults choosing to attend school ~~((: PROVIDED, That unless such arrangements are approved by the state superintendent of public instruction, a reasonable tuition charge, fixed by the state superintendent of public instruction, shall be paid by such students as best may be accommodated therein))~~, and may charge the adults reasonable tuition.

(2) A district is strongly encouraged to honor the request of a parent or guardian for his or her child to attend a school in another district.

(3) A district shall release a student to a nonresident district that agrees to accept the student if:

1 (a) A financial, educational, safety, or health condition affecting
2 the student would likely be reasonably improved as a result of the
3 transfer; or

4 (b) Attendance at the school in the nonresident district is more
5 accessible to the parent's place of work or to the location of child
6 care; or

7 (c) There is a special hardship or detrimental condition.

8 (4) A district may deny the request of a resident student to
9 transfer to a nonresident district if the release of the student would
10 adversely affect the district's existing desegregation plan.

11 (5) For the purpose of helping a district assess the quality of its
12 education program, a resident school district may request an optional
13 exit interview or questionnaire with the parents or guardians of a
14 child transferring to another district. No parent or guardian may be
15 forced to attend such an interview or complete the questionnaire.

16 (6) Beginning with the 1993-94 school year, school districts may
17 not charge transfer fees or tuition for nonresident students enrolled
18 under subsection (3) of this section and RCW 28A.225.225.
19 Reimbursement of a high school district for cost of educating high
20 school pupils of a nonhigh school district shall not be deemed a
21 transfer fee as affecting the apportionment of current state school
22 funds.

23 **Sec. 603.** RCW 28A.225.250 and 1969 c 130 s 11 are each amended to
24 read as follows:

25 ~~((Notwithstanding any other provision of law,))~~ (1) The state
26 superintendent of public instruction is directed and authorized to
27 develop and adopt rules ((and regulations to implement such voluntary,
28 tuition free attendance programs among school districts that he))
29 governing cooperative programs between and among school districts and
30 educational service districts that the superintendent deems necessary
31 ~~((for the expressed purpose of))~~ to assure:

32 ~~((1) Providing educational opportunities, including vocational~~
33 ~~skills programs, not otherwise provided;~~

34 ~~(2) Avoiding unnecessary duplication of specialized or unusually~~
35 ~~expensive educational programs and facilities; or~~

36 ~~(3) Improving racial balance within and among school districts:~~
37 ~~PROVIDED, That no voluntary, tuition free attendance program among~~
38 ~~school districts developed by the superintendent of public instruction~~

1 shall be instituted unless such program receives the approval of the
2 boards of directors of the districts))

3 (a) Correct calculation of state apportionment payments;

4 (b) Proper budgeting and accounting for interdistrict cooperative
5 program revenues and expenditures;

6 (c) Reporting of student, personnel, and fiscal data to meet state
7 needs; and

8 (d) Protection of the right of residents of Washington under
9 twenty-one years of age to a tuition-free program of basic education.

10 (2) Unless specifically authorized in law, interdistrict
11 cooperative programs shall not be designed to systematically increase
12 state allocation above amounts required if services were provided by
13 the resident school district.

14 **Sec. 604.** RCW 28A.335.160 and 1990 c 33 s 359 are each amended to
15 read as follows:

16 Any school district may cooperate with one or more school districts
17 in the ~~((following:~~

18 ~~(1)The)) joint financing, planning, construction, equipping and~~
19 ~~operating of any educational facility otherwise authorized by law:~~
20 ~~PROVIDED, That any cooperative financing plan involving the~~
21 ~~construction of school plant facilities must be approved by the state~~
22 ~~board of education pursuant to such rules as may now or hereafter be~~
23 ~~promulgated relating to state approval of school construction.~~

24 ~~((2) The joint maintenance and operation of educational programs~~
25 ~~or services (a) either as a part of the operation of a joint facility~~
26 ~~or otherwise, (b) either on a full or part time attendance basis, and~~
27 ~~(c) either on a regular one hundred eighty day school year or extended~~
28 ~~school year: PROVIDED, That any such joint program or service must be~~
29 ~~operated pursuant to a written agreement approved by the superintendent~~
30 ~~of public instruction pursuant to rules and regulations promulgated~~
31 ~~therefor. In establishing rules and regulations the state~~
32 ~~superintendent shall consider, among such other factors as the~~
33 ~~superintendent deems appropriate, the economic feasibility of said~~
34 ~~services and programs, the educational and administrative scope of said~~
35 ~~agreement and the need for said programs or services.~~

36 Notwithstanding any other provision of the law, the state
37 superintendent of public instruction shall establish rules and
38 regulations for the apportionment of attendance credits for such

1 ~~students as are enrolled in a jointly operated facility or program,~~
2 ~~including apportionment for approved part time and extended school year~~
3 ~~attendance.)~~)

4 NEW SECTION. **Sec. 605.** The following acts or parts of acts are
5 each repealed:

6 (1) RCW 28A.170.100 and 1991 c 116 s 24, 1990 c 33 s 159, & 1989 c
7 271 s 313;

8 (2) RCW 28A.175.080 and 1989 c 233 s 7;

9 (3) RCW 28A.180.050 and 1984 c 124 s 4, & 1979 c 95 s 4;

10 (4) RCW 28A.180.070 and 1990 c 33 s 166 & 1984 c 124 s 6; and

11 (5) RCW 28A.415.050 and 1985 c 419 s 2.

12 **PART VII - MANDATES ON SCHOOL DISTRICT OPERATIONS**

13 **Sec. 701.** RCW 28A.405.070 and 1989 c 206 s 1 are each amended to
14 read as follows:

15 ~~((In filling a position))~~ Effective December 31, 1995, school and
16 educational service districts shall ~~((consider applications from two~~
17 ~~individuals wishing to share a job. All announcements of job openings~~
18 ~~shall contain a statement indicating the district will accept~~
19 ~~applications from individuals wishing to share the position. Job~~
20 ~~sharing shall be available to certificated staff))~~ have a policy on the
21 sharing of jobs by district employees.

22 **Sec. 702.** RCW 28A.405.460 and 1991 c 116 s 15 are each amended to
23 read as follows:

24 All certificated employees of school districts shall be allowed a
25 reasonable lunch period of not less than thirty continuous minutes per
26 day during the regular school lunch periods and during which they shall
27 have no assigned duties: PROVIDED, That local districts may work out
28 other arrangements with the consent of all affected parties.

29 NEW SECTION. **Sec. 703.** RCW 28A.400.150 and 1990 c 33 s 380 & 1969
30 ex.s. c 223 s 28A.58.170 are each repealed.

31 **PART VIII - MISCELLANEOUS**

1 28A.405.025, 28A.610.010, 28A.610.020, 28A.610.030, 28A.610.040, and
2 28A.610.050; repealing RCW 28A.310.380, 28A.170.010, 28A.170.020,
3 28A.170.030, 28A.170.040, 28A.170.060, 28A.170.070, 28A.175.060,
4 28A.210.050, 28A.225.190, 28A.405.150, 28A.405.160, 28A.415.290,
5 28A.630.090, 28A.630.091, 28A.630.750, 28A.630.753, 28A.630.756,
6 28A.630.759, 28A.630.762, 28A.630.765, 28A.630.768, 28A.630.771,
7 28A.630.774, 28A.630.777, 28A.630.780, 28A.630.783, 28A.630.786,
8 28A.630.789, 28A.630.800, 28A.175.070, 28A.210.005, 28A.215.300,
9 28A.215.310, 28A.215.320, 28A.215.330, 28A.234.010, 28A.175.020,
10 28A.175.030, 28A.175.040, 28A.175.050, 28A.240.010, 28A.240.020,
11 28A.240.030, 28A.300.110, 28A.300.180, 28A.300.200, 28A.415.110,
12 28A.415.115, 28A.415.220, 28A.600.425, 28A.600.430, 28A.600.435,
13 28A.600.440, 28A.600.445, 28A.600.450, 28A.615.060, 28A.625.300,
14 28A.630.070, 28A.630.075, 28A.630.300, 28A.630.320, 28A.630.330,
15 28A.630.390, 28A.415.120, 28A.205.060, 28A.225.180, 28A.225.320,
16 28A.300.210, 28A.335.310, 28A.340.050, 28A.170.100, 28A.175.080,
17 28A.180.050, 28A.180.070, 28A.415.050, and 28A.400.150; and providing
18 expiration dates."

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