

SSB 5890 - S AMD 138

By Senators McDermott, McAuliffe, Hobbs, King

ADOPTED 03/10/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28A.185.030 and 1984 c 278 s 13 are each amended to
4 read as follows:

5 Local school districts may establish and operate, either separately
6 or jointly, programs for highly capable students. Such authority shall
7 include the right to employ and pay special instructors and to operate
8 such programs jointly with a public institution of higher education.
9 Local school districts which establish and operate programs for highly
10 capable students shall adopt identification procedures and provide
11 educational opportunities as follows, to the extent funds are
12 available:

13 (1) In accordance with rules (~~and regulations~~) adopted by the
14 superintendent of public instruction, school districts shall implement
15 procedures for nomination, assessment and selection of their most
16 highly capable students. Nominations shall be based upon data from
17 teachers, other staff, parents, students, and members of the community.
18 Assessment shall be based upon a review of each student's capability as
19 shown by multiple criteria intended to reveal, from a wide variety of
20 sources and data, each student's unique needs and capabilities.
21 Selection shall be made by a broadly based committee of professionals,
22 after consideration of the results of the multiple criteria assessment.

23 (2) Students selected pursuant to procedures outlined in this
24 section shall be provided, to the extent feasible, an educational
25 opportunity which takes into account each student's unique needs and
26 capabilities and the limits of the resources and program options
27 available to the district, including those options which can be
28 developed or provided by using funds allocated by the superintendent of
29 public instruction for that purpose.

1 **Sec. 2.** RCW 28A.215.010 and 2006 c 263 s 410 are each amended to
2 read as follows:

3 The board of directors of any school district shall have the power
4 to establish and maintain preschools and to provide before-and-after-
5 school and vacation care in connection with the common schools of said
6 district located at such points as the board shall deem most suitable
7 for the convenience of the public, for the care and instruction of
8 infants and children residing in said district. The board shall
9 establish such courses, activities, and rules(~~(, and regulations)~~)
10 governing preschools and before-and-after-school care as it may deem
11 best: PROVIDED, That these courses and activities (~~shall~~) are
12 encouraged to meet the minimum standard for such preschools as
13 established by the United States department of health, education and
14 welfare, or its successor agency, and the superintendent of public
15 instruction. Except as otherwise provided by state or federal law, the
16 board of directors may fix a reasonable charge for the care and
17 instruction of children attending such schools. The board may, if
18 necessary, supplement such funds as are received for the superintendent
19 of public instruction or any agency of the federal government, by an
20 appropriation from the general school fund of the district.

21 **Sec. 3.** RCW 28A.220.030 and 2000 c 115 s 9 are each amended to
22 read as follows:

23 (1) The superintendent of public instruction is authorized to
24 establish a section of traffic safety education, and through such
25 section shall: Define a "realistic level of effort" required to
26 provide an effective traffic safety education course, establish a level
27 of driving competency required of each student to successfully complete
28 the course, and ensure that an effective statewide program is
29 implemented and sustained, administer, supervise, and develop the
30 traffic safety education program and shall assist local school
31 districts in the conduct of their traffic safety education programs.
32 The superintendent shall adopt necessary rules (~~and regulations~~)
33 governing the operation and scope of the traffic safety education
34 program; and each school district shall submit a report in even-
35 numbered years to the superintendent on the condition of its traffic
36 safety education program: PROVIDED, That the superintendent shall

1 monitor the quality of the program and carry out the purposes of this
2 chapter.

3 (2) The board of directors of any school district maintaining a
4 secondary school which includes any of the grades 10 to 12, inclusive,
5 may establish and maintain a traffic safety education course. If a
6 school district elects to offer a traffic safety education course and
7 has within its boundaries a private accredited secondary school which
8 includes any of the grades 10 to 12, inclusive, to the extent funds are
9 available, at least one class in traffic safety education shall be
10 given at times other than regular school hours if there is sufficient
11 demand therefor.

12 (3) The board of directors of a school district, or combination of
13 school districts, may contract with any drivers' school licensed under
14 the provisions of chapter 46.82 RCW to teach the laboratory phase of
15 the traffic safety education course. Instructors provided by any such
16 contracting drivers' school must be properly qualified teachers of
17 traffic safety education under the joint qualification requirements
18 adopted by the superintendent of public instruction and the director of
19 licensing.

20 (4) The superintendent shall establish a required minimum number of
21 hours of continuing traffic safety education for traffic safety
22 education instructors. The superintendent may phase in the requirement
23 over not more than five years.

24 (5) By January 1, 2010, the superintendent shall survey districts
25 regarding the impact of the rules and minimum hours of training
26 established under the authority of this section. The superintendent
27 shall revise the rules and minimum hours based on that survey in order
28 to reduce the burden on school districts.

29 **Sec. 4.** RCW 28A.230.160 and 1990 c 33 s 241 are each amended to
30 read as follows:

31 During the school week preceding the eleventh day of November of
32 each year, there shall be presented in each common school as defined in
33 RCW 28A.150.020 educational activities suitable to the observance of
34 Veterans' Day.

35 The responsibility for the preparation and presentation of the
36 activities (~~(approximating at least sixty minutes total)~~) for
37 observance throughout the week shall be with the principal or head

1 teacher of each school building and such program shall embrace topics
2 tending to instill a loyalty and devotion to the institutions and laws
3 of this state and nation.

4 The superintendent of public instruction and each educational
5 service district superintendent, by advice and suggestion, shall aid in
6 the preparation of these activities if such aid be solicited.

7 **Sec. 5.** RCW 28A.230.205 and 2007 c 459 s 3 are each amended to
8 read as follows:

9 (1) To the extent funds are appropriated or are available for this
10 purpose, the superintendent of public instruction and other members of
11 the partnership created in RCW 28A.300.455 shall make available to
12 school districts the list of identified financial literacy skills and
13 knowledge, instructional materials, assessments, and other relevant
14 information.

15 (2)(a) Each school district is encouraged to provide its students
16 with an opportunity to master the financial literacy skills and
17 knowledge developed under RCW 28A.300.460.

18 (b) This subsection is suspended until July 1, 2011.

19 (3) For the purposes of RCW 28A.300.455(~~(1)~~) and 28A.300.460(~~(1)~~)
20 and this section, it is not necessary to evaluate and apply the office
21 of the superintendent of public instruction essential academic learning
22 requirements or to develop grade level expectations.

23 **Sec. 6.** RCW 28A.300.405 and 2000 c 210 s 4 are each amended to
24 read as follows:

25 (1) Consistent with the legislative findings in RCW 28A.300.390,
26 the legislature shall establish the Washington civil liberties public
27 education program. The program provides grants for the purpose of
28 establishing a legacy of remembrance as part of a continuing process of
29 recovery from the World War II exclusion and detention of individuals
30 of Japanese ancestry. The program is created to do one or both of the
31 following:

32 ~~((1))~~ (a) Educate the public regarding the history and the
33 lessons of the World War II exclusion, removal, and detention of
34 persons of Japanese ancestry through the development, coordination, and
35 distribution of new educational materials and the development of

1 curriculum materials to complement and augment resources currently
2 available on this subject matter; and

3 ~~((+2))~~ (b) Develop videos, plays, presentations, speaker bureaus,
4 and exhibitions for presentation to elementary schools, secondary
5 schools, community colleges, and to other interested parties.

6 (2) This section is suspended until July 1, 2011.

7 **Sec. 7.** RCW 28A.300.410 and 2000 c 210 s 5 are each amended to
8 read as follows:

9 (1) The superintendent of public instruction shall allocate grants
10 under the program established in RCW 28A.300.390 through 28A.300.415
11 from private donations or within amounts appropriated for this specific
12 purpose. The grants shall be awarded on a competitive basis.

13 (2) The superintendent of public instruction may contract with
14 independent review panelists and establish an advisory panel to
15 evaluate and make recommendations to the superintendent of public
16 instruction based on grant applications.

17 (3) The superintendent of public instruction shall select grant
18 recipients from applicants who meet all of the following criteria:

19 (a) The capability to administer and complete the proposed project
20 within specified deadlines and within the specified budget;

21 (b) The experience, knowledge, and qualifications necessary to
22 conduct quality educational activities regarding the exclusion and
23 detention of Japanese-Americans during World War II;

24 (c) Projects that relate the Japanese-American exclusion and
25 detention experience with civil rights included in the Declaration of
26 Independence and the Constitution so that this event may be illuminated
27 and understood in order to prevent similar violations of civil rights
28 in the future;

29 (d) Projects that are designed to maximize the long-term
30 educational impact of this chapter;

31 (e) Projects that build upon, contribute to, and expand upon the
32 existing body of educational and research materials on the exclusion
33 and detention of Japanese-Americans during World War II; and

34 (f) Projects that include the variety of experiences regarding the
35 exclusion and detention of Japanese-Americans and its impact before,
36 during, and after World War II including those Japanese-Americans who

1 served in the military and those who were interned in department of
2 justice camps.

3 (4) Applicants for grants under the program are encouraged to do
4 each of the following:

5 (a) Involve former detainees, those excluded from the military
6 area, and their descendants in the development and implementation of
7 projects;

8 (b) Develop a strategy and plan for raising the level of awareness
9 and understanding among the American public regarding the exclusion and
10 detention of Japanese-Americans during World War II so that the causes
11 and circumstances of this and similar events may be illuminated and
12 understood;

13 (c) Develop a strategy and plan for reaching the broad,
14 multicultural population through project activities;

15 (d) Develop local and regional consortia of organizations and
16 individuals engaged in similar educational, research, and development
17 efforts;

18 (e) Coordinate and collaborate with organizations and individuals
19 engaging in similar educational, research, and development endeavors to
20 maximize the effect of grants;

21 (f) Utilize creative and innovative methods and approaches in the
22 research, development, and implementation of their projects;

23 (g) Seek matching funds, in-kind contributions, or other sources of
24 support to supplement their proposal;

25 (h) Use a variety of media, including new technology, and the arts
26 to creatively and strategically appeal to a broad audience while
27 enhancing and enriching community-based educational efforts;

28 (i) Include in the grant application, scholarly inquiry related to
29 the variety of experiences and impact of the exclusion and detention of
30 persons of Japanese ancestry during World War II; and

31 (j) Add relevant materials to or catalogue relevant materials in
32 libraries and other repositories for the creation, publication, and
33 distribution of bibliographies, curriculum guides, oral histories, and
34 other resource directories and supporting the continued development of
35 scholarly work on this subject by making a broad range of archival,
36 library, and research materials more accessible to the American public.

37 (5) The superintendent of public instruction may adopt other
38 criteria as it deems appropriate for its review of grant proposals. In

1 reviewing projects for funding, scoring shall be based on an evaluation
2 of all application materials including narratives, attachments, support
3 letters, supplementary materials, and other materials that may be
4 requested of applicants.

5 (6)(a) In the review process, the superintendent of public
6 instruction shall assign the following order of priority to the
7 criteria set forth in subsection (3) of this section:

8 (i) Subsection (3)(a) through (d) of this section, inclusive, shall
9 be given highest priority; and

10 (ii) Subsection (3)(e) (~~((through and))~~) and (f) of this section,
11 inclusive, shall be given second priority.

12 (b) The superintendent of public instruction shall consider the
13 overall breadth and variety of the field of applicants to determine the
14 projects that would best fulfill its program and mission. Final grant
15 awards may be for the full amount of the grant requests or for a
16 portion of the grant request.

17 (7) The superintendent of public instruction shall determine the
18 types of applicants eligible to apply for grants under this program.

19 (8) The office may accept gifts, grants, or endowments from public
20 or private sources for the program and may spend any gifts, grants, or
21 endowments or income from public or private sources according to their
22 terms.

23 (9) Except to the extent private funds are available, this section
24 is suspended until July 1, 2011.

25 **Sec. 8.** RCW 28A.300.455 and 2007 c 459 s 1 are each amended to
26 read as follows:

27 (1) By September 30, 2004, the financial literacy public-private
28 partnership shall adopt a definition of financial literacy to be used
29 in educational efforts.

30 (2) (~~((By June 30, 2009,))~~) Beginning July 1, 2011, the financial
31 literacy public-private partnership shall identify strategies to
32 increase the financial literacy of public school students in our state.
33 To the extent funds are available, strategies to be considered by the
34 partnership shall include, but not be limited to:

35 (a) Identifying and making available to school districts:

36 (i) Important financial literacy skills and knowledge;

1 (ii) Ways in which teachers at different grade levels may integrate
2 financial literacy in mathematics, social studies, and other course
3 content areas;

4 (iii) Instructional materials and programs, including schoolwide
5 programs, that include the important financial literacy skills and
6 knowledge;

7 (iv) Assessments and other outcome measures that schools and
8 communities may use to determine whether students are financially
9 literate; and

10 (v) Other strategies for expanding and increasing the quality of
11 financial literacy instruction in public schools, including
12 professional development for teachers;

13 (b) Developing a structure and set of operating principles for the
14 financial literacy public-private partnership to assist interested
15 school districts in improving the financial literacy of their students
16 by providing such things as financial literacy instructional materials
17 and professional development; and

18 (c) Providing a report to the governor, the house and senate
19 financial institutions and education committees of the legislature, the
20 superintendent of public instruction, the state board of education, and
21 education stakeholder groups, on the results of work of the financial
22 literacy public-private partnership. An interim report shall be
23 submitted to the same parties by June 30, 2007, with a final report by
24 June 30, ~~((2009))~~ 2013.

25 **Sec. 9.** RCW 28A.320.128 and 2002 c 206 s 1 are each amended to
26 read as follows:

27 (1) ~~((By September 1, 2003,))~~ Each school district board of
28 directors shall ~~((adopt a))~~ have a policy that addresses ~~((the~~
29 ~~following issues:~~

30 ~~(a))~~ procedures for providing notice of threats of violence or
31 harm to the student or school employee who is the subject of the
32 threat. The policy shall define "threats of violence or harm(~~"~~

33 ~~(b) Procedures for disclosing information that is provided to the~~
34 ~~school administrators about a student's conduct, including but not~~
35 ~~limited to the student's prior disciplinary records, official juvenile~~
36 ~~court records, and history of violence, to classroom teachers, school~~

1 ~~staff, and school security who, in the judgment of the principal,~~
2 ~~should be notified; and~~

3 ~~(c) Procedures for determining whether or not any threats or~~
4 ~~conduct established in the policy may be grounds for suspension or~~
5 ~~expulsion of the student.~~

6 ~~(2) The superintendent of public instruction, in consultation with~~
7 ~~educators and representatives of law enforcement, classified staff, and~~
8 ~~organizations with expertise in violence prevention and intervention,~~
9 ~~shall adopt a model policy that includes the issues listed in~~
10 ~~subsection (1) of this section by January 1, 2003. The model policy~~
11 ~~shall be posted on the superintendent of public instruction's web site.~~
12 ~~The school districts, in drafting their own policies, shall review the~~
13 ~~model policy))."~~

14 ~~((+3))~~ (2) School districts, school district boards of directors,
15 school officials, and school employees providing notice in good faith
16 as required and consistent with the board's policies adopted under this
17 section are immune from any liability arising out of such notification.

18 ~~((+4))~~ (3) A person who intentionally and in bad faith or
19 maliciously, knowingly makes a false notification of a threat under
20 this section is guilty of a misdemeanor punishable under RCW 9A.20.021.

21 NEW SECTION. Sec. 10. The following acts or parts of acts, as now
22 existing or hereafter amended, are each repealed:

23 (1) RCW 28A.230.150 (Temperance and Good Citizenship Day--Aids in
24 programming) and 1969 ex.s. c 223 s 28A.02.090;

25 (2) RCW 28A.300.280 (Conflict resolution program) and 1994 sp.s. c
26 7 s 611; and

27 (3) RCW 28A.320.185 (School gardens or farms) and 2008 c 215 s 7.

28 NEW SECTION. Sec. 11. Sections 5 through 7 of this act expire
29 July 1, 2011.

30 NEW SECTION. Sec. 12. Sections 1 through 10 of this act are
31 necessary for the immediate preservation of the public peace, health,
32 or safety, or support of the state government and its existing public
33 institutions, and take effect immediately."

ADOPTED 03/10/2009

1 On page 1, line 1 of the title, after "system;" strike the
2 remainder of the title and insert "amending RCW 28A.185.030,
3 28A.215.010, 28A.220.030, 28A.230.160, 28A.230.205, 28A.300.405,
4 28A.300.410, 28A.300.455, and 28A.320.128; repealing RCW 28A.230.150,
5 28A.300.280, and 28A.320.185; providing an expiration date; and
6 declaring an emergency."

EFFECT: Removes from the bill the following:

(1) The section that redefines a "traffic safety education course" as any course of instruction in traffic safety education approved by the local school district;

(2) The section that requires schools to conduct or promote educational activities for disability awareness to the extent funds are available; and

(3) The section that repeals the requirement that the office of the superintendent of public instruction must develop a family preservation education program model curriculum to be available to each school board.

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