
HOUSE BILL 1366

State of Washington

67th Legislature

2021 Regular Session

By Representatives Caldier and Chase

Read first time 01/25/21. Referred to Committee on Education.

1 AN ACT Relating to requiring school districts to prioritize the
2 resumption of in-person instruction to certain students following an
3 emergency; adding a new section to chapter 28A.320 RCW; and declaring
4 an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.320
7 RCW to read as follows:

8 (1) School districts that have discontinued the provision of in-
9 person instruction to all or most students in response to an
10 emergency must, when resuming in-person instruction through a phased,
11 hybrid, or otherwise noncomprehensive process, prioritize the
12 offering and delivery of in-person instruction to the following:

13 (a) Students in foster care;

14 (b) Students experiencing homelessness;

15 (c) Students recently released from a juvenile rehabilitation
16 facility or other facility providing education services to students
17 in an institutional setting;

18 (d) Students with plans developed under section 504 of the
19 rehabilitation act of 1973; and

20 (e) Students who have 10 or more unexcused absences within any
21 month during the current school year.

1 (2) For purposes of this section, "emergency" means a natural
2 event, mechanical failure, or an action or inaction by one or more
3 persons, including negligence and threats, that: (a) Is beyond the
4 control of both a school district and its employees; and (b) has the
5 direct or indirect effect of rendering one or more school district
6 facilities unsafe, unhealthy, inaccessible, or inoperable. An
7 emergency does not include any labor dispute between a school
8 district board of directors and any employee of the school district.

9 NEW SECTION. **Sec. 2.** This act is necessary for the immediate
10 preservation of the public peace, health, or safety, or support of
11 the state government and its existing public institutions, and takes
12 effect immediately.

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