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HOUSE BILL 2211

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State of Washington                      52nd Legislature    1991 1st Special Session

By Representatives Jacobsen, Zellinsky, Beck, Cole, May, Hargrove, Heavey, H. Sommers, R. Fisher and Leonard.

Read first time June 12, 1991. Referred to Committee on Education.

1            AN    ACT    Relating   to   education;   amending   RCW   28A.150.220,  
2   28A.230.090, and 28A.410.080; adding a new section to chapter 28A.225  
3   RCW; adding a new section to chapter 28A.150 RCW; creating a new  
4   section; and declaring an emergency.

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

6            NEW SECTION.    **Sec. 1.**            The   legislature   finds   that   work  
7   stoppages by educational employees have the potential of significantly  
8   extending the school year into the summer months, which creates  
9   tremendous uncertainty for parents and students. In addition, school  
10   attendance after mid-June adversely affects student employment,  
11   cultural, and travel opportunities.

12            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 28A.225  
13   RCW to read as follows:

1 (1) As used in this section, "work stoppage" means any concerted  
2 action by employees or employee organizations to suspend, curtail,  
3 interrupt, withhold, or otherwise fail or refuse to perform fully their  
4 normal duties or services as public employees in connection with a  
5 controversy concerning terms, tenure, or conditions of their public  
6 employment, or concerning the association or representation of persons  
7 in negotiating, fixing, maintaining, changing, or seeking to arrange  
8 terms or conditions of their public employment, regardless of whether  
9 the disputants in the controversy stand in the proximate relation of  
10 employer and employee or whether the concerted action is directed  
11 against the employer school district.

12 (2) The last day of mandatory school attendance for students  
13 enrolled in the common schools of the state for each school year,  
14 beginning with the 1990-91 school year shall be June 21st of each  
15 school year, or if June 21st is a Saturday or a Sunday, the Friday  
16 before June 21st. If, as a result of a work stoppage by employees of  
17 the school or school district, a school or school district has not  
18 offered a one hundred eighty-day school year as of June 21st of any  
19 school year, the school or school district shall continue to offer an  
20 education program until the school or school district has offered an  
21 education program for one hundred eighty days. Students shall not be  
22 required to attend school after June 21st of any school year but may  
23 attend on a voluntary basis. The voluntary education program shall  
24 include transportation, meals, and other student services and programs  
25 generally offered during the school year.

26 (3) Students who have made satisfactory progress as of June 21st of  
27 each school year in a course that has been shortened by the ending of  
28 the school year on June 21st shall receive full credit for the course.  
29 The state board of education shall adopt rules and the school districts  
30 shall adopt policies to revise the definitions of required coursework

1 and coursework credits for courses taken during the school year to  
2 allow students who have made satisfactory progress in the courses taken  
3 during the school year to receive full credit for those courses.

4 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.150  
5 RCW to read as follows:

6 An education program offered by a school or school district under  
7 section 2 of this act shall be deemed to comply with the requirements  
8 of RCW 28A.150.220 regarding a one hundred eighty-day school year,  
9 total program hour offerings, and course mix and percentages. Schools  
10 or school districts offering an education program under section 2 of  
11 this act shall receive all funding they would otherwise be entitled to  
12 receive.

13 **Sec. 4.** RCW 28A.150.220 and 1990 c 33 s 105 are each amended to  
14 read as follows:

15 (1) For the purposes of this section and RCW 28A.150.250 and  
16 28A.150.260:

17 (a) The term "total program hour offering" shall mean those hours  
18 when students are provided the opportunity to engage in educational  
19 activity planned by and under the direction of school district staff,  
20 as directed by the administration and board of directors of the  
21 district, inclusive of intermissions for class changes, recess and  
22 teacher/parent-guardian conferences which are planned and scheduled by  
23 the district for the purpose of discussing students' educational needs  
24 or progress, and exclusive of time actually spent for meals.

25 (b) "Instruction in work skills" shall include instruction in one  
26 or more of the following areas: Industrial arts, home and family life  
27 education, business and office education, distributive education,  
28 agricultural education, health occupations education, vocational

1 education, trade and industrial education, technical education and  
2 career education.

3 (2) Except as provided in section 2 of this 1991 act, satisfaction  
4 of the basic education goal identified in RCW 28A.150.210 shall be  
5 considered to be implemented by the following program requirements:

6 (a) Each school district shall make available to students in  
7 kindergarten at least a total program offering of four hundred fifty  
8 hours. The program shall include reading, arithmetic, language skills  
9 and such other subjects and such activities as the school district  
10 shall determine to be appropriate for the education of the school  
11 district's students enrolled in such program;

12 (b) Each school district shall make available to students in grades  
13 one through three, at least a total program hour offering of two  
14 thousand seven hundred hours. A minimum of ninety-five percent of the  
15 total program hour offerings shall be in the basic skills areas of  
16 reading/language arts (which may include foreign languages),  
17 mathematics, social studies, science, music, art, health and physical  
18 education. The remaining five percent of the total program hour  
19 offerings may include such subjects and activities as the school  
20 district shall determine to be appropriate for the education of the  
21 school district's students in such grades;

22 (c) Each school district shall make available to students in grades  
23 four through six at least a total program hour offering of two thousand  
24 nine hundred seventy hours. A minimum of ninety percent of the total  
25 program hour offerings shall be in the basic skills areas of  
26 reading/language arts (which may include foreign languages),  
27 mathematics, social studies, science, music, art, health and physical  
28 education. The remaining ten percent of the total program hour  
29 offerings may include such subjects and activities as the school

1 district shall determine to be appropriate for the education of the  
2 school district's students in such grades;

3 (d) Each school district shall make available to students in grades  
4 seven through eight, at least a total program hour offering of one  
5 thousand nine hundred eighty hours. A minimum of eighty-five percent  
6 of the total program hour offerings shall be in the basic skills areas  
7 of reading/language arts (which may include foreign languages),  
8 mathematics, social studies, science, music, art, health and physical  
9 education. A minimum of ten percent of the total program hour  
10 offerings shall be in the area of work skills. The remaining five  
11 percent of the total program hour offerings may include such subjects  
12 and activities as the school district shall determine to be appropriate  
13 for the education of the school district's students in such grades;

14 (e) Each school district shall make available to students in grades  
15 nine through twelve at least a total program hour offering of four  
16 thousand three hundred twenty hours. A minimum of sixty percent of the  
17 total program hour offerings shall be in the basic skills areas of  
18 language arts, foreign language, mathematics, social studies, science,  
19 music, art, health and physical education. A minimum of twenty percent  
20 of the total program hour offerings shall be in the area of work  
21 skills. The remaining twenty percent of the total program hour  
22 offerings may include traffic safety or such subjects and activities as  
23 the school district shall determine to be appropriate for the education  
24 of the school district's students in such grades, with not less than  
25 one-half thereof in basic skills and/or work skills: PROVIDED, That  
26 each school district shall have the option of including grade nine  
27 within the program hour offering requirements of grades seven and eight  
28 so long as such requirements for grades seven through nine are  
29 increased to two thousand nine hundred seventy hours and such

1 requirements for grades ten through twelve are decreased to three  
2 thousand two hundred forty hours.

3 (3) In order to provide flexibility to the local school districts  
4 in the setting of their curricula, and in order to maintain the intent  
5 of this legislation, which is to stress the instruction of basic  
6 skills and work skills, any local school district may establish minimum  
7 course mix percentages that deviate by up to five percentage points  
8 above or below those minimums required by subsection (2) of this  
9 section, so long as the total program hour requirement is still met.

10 (4) Nothing contained in subsection (2) of this section shall be  
11 construed to require individual students to attend school for any  
12 particular number of hours per day or to take any particular courses.

13 (5) Each school district's kindergarten through twelfth grade basic  
14 educational program shall be accessible to all students who are five  
15 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
16 years of age and, except as provided in section 2 of this 1991 act  
17 shall consist of a minimum of one hundred eighty school days per school  
18 year in such grades as are conducted by a school district, and one  
19 hundred eighty half-days of instruction, or equivalent, in  
20 kindergarten: PROVIDED, That effective May 1, 1979, a school district  
21 may schedule the last five school days of the one hundred and eighty  
22 day school year for noninstructional purposes in the case of students  
23 who are graduating from high school, including, but not limited to, the  
24 observance of graduation and early release from school upon the request  
25 of a student, and all such students may be claimed as a full time  
26 equivalent student to the extent they could otherwise have been so  
27 claimed for the purposes of RCW 28A.150.250 and 28A.150.260.

28 (6) The state board of education shall adopt rules to implement and  
29 ensure compliance with the program requirements imposed by this  
30 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental

1 program approval requirements as the state board may establish:  
2 PROVIDED, That each school district board of directors shall establish  
3 the basis and means for determining and monitoring the district's  
4 compliance with the basic skills and work skills percentage and course  
5 requirements of this section. The certification of the board of  
6 directors and the superintendent of a school district that the district  
7 is in compliance with such basic skills and work skills requirements  
8 may be accepted by the superintendent of public instruction and the  
9 state board of education.

10 (7) Handicapped education programs, vocational-technical institute  
11 programs, state institution and state residential school programs, all  
12 of which programs are conducted for the common school age, kindergarten  
13 through secondary school program students encompassed by this section,  
14 shall be exempt from the basic skills and work skills percentage and  
15 course requirements of this section in order that the unique needs,  
16 abilities or limitations of such students may be met.

17 (8) Any school district may petition the state board of education  
18 for a reduction in the total program hour offering requirements for one  
19 or more of the grade level groupings specified in this section. The  
20 state board of education shall grant all such petitions that are  
21 accompanied by an assurance that the minimum total program hour  
22 offering requirements in one or more other grade level groupings will  
23 be exceeded concurrently by no less than the number of hours of the  
24 reduction.

25 **Sec. 5.** RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each  
26 amended to read as follows:

27 (1) The state board of education shall establish high school  
28 graduation requirements or equivalencies for students who commence the

1 ninth grade subsequent to July 1, 1985, that meet or exceed the  
2 following:

3	SUBJECT	CREDITS
4	English	3
5	Mathematics	2
6	Social Studies	
7	United States history	
8	and government	1
9	Washington state	
10	history and government	1/2
11	Contemporary world	
12	history, geography,	
13	and problems	1
14	Science (1 credit	
15	must be in	
16	laboratory science)	2
17	Occupational Education	1
18	Physical Education	2
19	Electives	5 1\2
20	Total	18

21 (2) For the purposes of this section one credit is equivalent to  
22 one year of study except as provided in section 2 of this 1991 act.

23 (3) The Washington state history and government requirement may be  
24 fulfilled by students in grades seven or eight or both. Students who  
25 have completed the Washington state history and government requirement  
26 in grades seven or eight or both shall be considered to have fulfilled  
27 the Washington state history and government requirement.

1 (4) A candidate for graduation must have in addition earned a  
2 minimum of 18 credits including all required courses. These credits  
3 shall consist of the state requirements listed above and such  
4 additional requirements and electives as shall be established by each  
5 district.

6 (5) In recognition of the statutory authority of the state board of  
7 education to establish and enforce minimum high school graduation  
8 requirements, the state board shall periodically reevaluate the  
9 graduation requirements and shall report such findings to the  
10 legislature in a timely manner as determined by the state board.

11 (6) Pursuant to any foreign language requirement established by the  
12 state board of education or a local school district, or both, for  
13 purposes of high school graduation, students who receive instruction in  
14 sign language shall be considered to have satisfied the state or local  
15 school district foreign language graduation requirement.

16 (7) If requested by the student and his or her family, a student  
17 who has completed high school courses while in seventh and eighth grade  
18 shall be given high school credit which shall be applied to fulfilling  
19 high school graduation requirements if:

20 (a) The course was taken with high school students and the student  
21 has successfully passed by completing the same course requirements and  
22 examinations as the high school students enrolled in the class; or

23 (b) The course would qualify for high school credit, because the  
24 course is similar or equivalent to a course offered at a high school in  
25 the district as determined by the school district board of directors.

26 (8) Students who have taken and successfully completed high school  
27 courses under the circumstances in subsection (7) of this section shall  
28 not be required to take an additional competency examination or perform  
29 any other additional assignment to receive credit. Subsection (7) of  
30 this section shall also apply to students enrolled in high school on

1 April 11, 1990, who took the courses while they were in seventh and  
2 eighth grade.

3 **Sec. 6.** RCW 28A.410.080 and 1969 ex.s. c 223 s 28A.01.025 are each  
4 amended to read as follows:

5 The school year for all matters pertaining to teacher certification  
6 or for computing experience in teaching shall consist of not fewer than  
7 one hundred eighty school days. An education program offered by a  
8 school or school district under section 2 of this 1991 act shall be  
9 deemed to comply with this section regarding one hundred eighty school  
10 days.

11 NEW SECTION. **Sec. 7.** This act is necessary for the immediate  
12 preservation of the public peace, health, or safety, or support of the  
13 state government and its existing public institutions, and shall take  
14 effect immediately.