
HOUSE BILL 2546

State of Washington

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Read first time 01/20/92. Referred to Committee on Education.

1 AN ACT Relating to education; amending RCW 28A.305.140,
2 28A.150.210, 28A.150.220, 28A.150.290, 28A.195.010, and 28A.230.090;
3 adding new sections to chapter 28A.630 RCW; adding a new section to
4 chapter 28A.150 RCW; adding a new section to chapter 28A.320 RCW;
5 creating a new section; repealing RCW 28A.320.210, 28A.320.200, and
6 28A.230.110; providing an effective date; and providing expiration
7 dates.

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

9 NEW SECTION. **Sec. 1.** The legislature finds that the
10 educational needs of students when they leave the public school system
11 has increased dramatically in the past two decades. If young people
12 are to prosper in our democracy and if our nation is to grow
13 economically, it is imperative that the overall level of learning
14 achieved by students be significantly increased.

1 To achieve this higher level of learning, the legislature finds
2 that the state of Washington needs to develop a performance-based
3 school system. Instead of maintaining burdensome state accountability
4 laws and rules that dictate educational offerings, the state needs to
5 hold schools accountable for their performance based on what their
6 students learn.

7 The legislature further finds moving toward a performance-based
8 accountability system will require repealing state laws and rules that
9 inhibit the freedom of school boards and professional educators to
10 carry out their work, and also will require that significantly more
11 decisions be made at the school district and school building levels.
12 In addition, it will be necessary to identify what essential skills,
13 knowledge, and attitudes are expected of all students, and to develop
14 an assessment system to determine if these essential learnings have
15 been achieved.

16 PART I

17 COMMISSION ON STUDENT LEARNING

18 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.630
19 RCW to read as follows:

20 (1) The Washington commission on student learning is hereby
21 established. The governor shall appoint nine persons to the commission
22 and shall appoint a chair from the commissioners. In making the
23 appointments, the governor shall ensure that educators, business
24 leaders, and parents are represented, and shall request nominations
25 from state-wide education, business, and parent organizations. In
26 addition, the commission shall include the superintendent of public
27 instruction or the superintendent's designee. When making
28 appointments, the governor shall ensure that the commission reflects

1 the cultural diversity of the state's K-12 student population and that
2 the major geographic regions in the state are represented. The
3 governor shall select the most qualified individuals available who are
4 supportive of educational restructuring, who have a positive record of
5 service, and who will devote sufficient time to the responsibilities of
6 the commission to ensure that the objectives of the commission are
7 achieved.

8 (2) The commission shall establish technical advisory committees.
9 Membership of the technical advisory committees shall include, but not
10 necessarily be limited to, both state and local educational
11 practitioners and student assessment specialists.

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

14 (a) Identify what all elementary and secondary students need to
15 know and be able to do. In developing these essential learnings, the
16 commission shall incorporate the student learning goals identified by
17 the council on education reform and funding;

18 (b) By December 1, 1995, present to the state board of education
19 and superintendent of public instruction a state-wide assessment system
20 for use in the elementary grades designed to determine if each student
21 has mastered the essential learnings identified in (a) of this
22 subsection. The assessment system shall include a variety of
23 methodologies, including performance-based measures. The assessment
24 system shall be designed so that the results under the assessment
25 system are used by educators as tools to evaluate instructional
26 practices, and to initiate appropriate educational support for students
27 who do not master the essential learnings. Mastery of each component
28 of the essential learnings shall be required before students progress
29 in subsequent components of the essential learnings. The state board
30 of education and superintendent of public instruction shall implement

1 the elementary assessment system beginning in the 1996-97 school year,
2 unless the legislature takes action to delay or prevent implementation
3 of the assessment system. The state board of education and
4 superintendent of public instruction may modify the assessment system,
5 as needed, in subsequent school years;

6 (c) By December 1, 1996, present to the state board of education
7 and superintendent of public instruction a state-wide assessment system
8 for use in the secondary grades designed to determine if each student
9 has mastered the essential learnings identified for secondary students
10 in (a) of this subsection. The assessment system shall use a variety
11 of methodologies, including performance-based measures, to determine if
12 students have mastered the essential learnings, and shall lead to a
13 certificate of mastery. The assessment system shall be designed so
14 that the results are used by educators to evaluate instructional
15 practices, and to initiate appropriate educational support for students
16 who do not master the essential learnings. The commission shall
17 recommend to the state board of education whether the certificate of
18 mastery should take the place of the graduation requirements or be
19 required for graduation in addition to graduation requirements. The
20 state board of education and superintendent of public instruction shall
21 implement the secondary assessment system beginning in the 1997-98
22 school year, unless the legislature takes action to delay or prevent
23 implementation of the assessment system. The state board of education
24 and superintendent of public instruction may modify the assessment
25 system, as needed, in subsequent school years;

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

29 (e) Develop strategies that will assist educators in helping
30 students master the essential learnings;

1 (f) Develop recommendations for the repeal or amendment of federal,
2 state, and local laws, rules, budgetary language, regulations, and
3 other factors that inhibit schools from adopting strategies designed to
4 help students achieve the essential learnings;

5 (g) Develop recommendations on the time, support, and resources,
6 including technical assistance, needed by schools and school districts
7 to help students achieve the essential learnings. These
8 recommendations shall include an estimate for the legislature,
9 superintendent of public instruction, and governor on the expected cost
10 of implementing the elementary and secondary assessment systems during
11 the 1995-97 biennium and beyond;

12 (h) Develop recommendations for consideration by the higher
13 education coordinating board for adopting college and university
14 entrance requirements that would assist schools in adopting strategies
15 designed to help students achieve the essential learnings;

16 (i) By December 1, 1996, recommend to the legislature, state board
17 of education, and superintendent of public instruction a state-wide
18 accountability system to evaluate accurately and fairly the level of
19 learning occurring in individual schools and school districts. The
20 commission also shall recommend to the legislature steps that should be
21 taken to assist school districts and schools in which learning is
22 significantly below expected levels of performance as measured by the
23 assessment systems established under this section;

24 (j) Report annually by December 1st to the legislature on the
25 progress, findings, and recommendations of the commission; and

26 (k) Complete other tasks, as appropriate.

27 (4) The commission shall seek advice broadly from the public and
28 all interested educational organizations in the conduct of its work,
29 including holding periodic regional public hearings.

1 (5) The commission shall select an entity to provide staff support
2 and the office of financial management shall contract with that entity.
3 The commission may direct the office of financial management to enter
4 into subcontracts with school districts, teachers, higher education
5 faculty, state agencies, business organizations, and other individuals
6 and organizations to assist the commission in its deliberations.

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

9 NEW SECTION. **Sec. 102.** Section 101 of this act shall expire
10 September 1, 1998.

11 PART II

12 TECHNICAL ASSISTANCE FOR EDUCATIONAL RESTRUCTURING

13 NEW SECTION. **Sec. 201.** A new section is added to chapter 28A.630
14 RCW to read as follows:

15 Subject to available funds, the superintendent of public
16 instruction, upon request from a school or school district, shall
17 provide or contract to provide technical assistance in areas including,
18 but not limited to, curriculum development, instructional strategies,
19 assessment of student performance, and program evaluation.

20 PART III

21 INTERIM WAIVERS OF BASIC EDUCATION REQUIREMENTS

22 **Sec. 301.** RCW 28A.305.140 and 1990 c 33 s 267 are each amended
23 to read as follows:

24 ~~((The state board of education may grant waivers to school~~
25 ~~districts from the provisions of)) (1) The self-study process~~

1 requirements under RCW 28A.320.200, the teacher classroom contact
2 requirements under RCW 28A.150.260(4), and the program hour offerings
3 requirements under RCW 28A.150.200 through 28A.150.220 ((on the basis
4 that such waiver or waivers are necessary to implement successfully a
5 local plan to provide for all students in the district an effective
6 education system that is designed to enhance the educational program
7 for each student. The local plan may include alternative ways to
8 provide effective educational programs for students who experience
9 difficulty with the regular education program.

10 The state board shall adopt criteria to evaluate the need for the
11 waiver or waivers)) shall be waived for school districts or individual
12 schools within a district if the school district submits to the state
13 board of education a plan for restructuring its educational program, or
14 the educational program of individual schools within the district that
15 includes:

16 (a) Specific standards for increased student learning that the
17 district expects to achieve;

18 (b) How the district plans to achieve the higher standards,
19 including timelines for implementation;

20 (c) How the district plans to determine if the higher standards are
21 met;

22 (d) Evidence that the board of directors, teachers, administrators,
23 and classified employees are committed to working cooperatively in
24 implementing the plan;

25 (e) Evidence that opportunities were provided for parents and
26 citizens to be involved in the development of the plan; and

27 (f) Identification of the state requirements that will be waived.

28 (2) Waivers granted by the state board of education under this
29 section shall be renewed every three years upon the state board of
30 education receiving a renewal request from the school district board of

1 directors. Before filing the request, the school district shall
2 conduct at least one public meeting to evaluate the educational
3 programs that were implemented as a result of the waivers. The request
4 to the state board of education shall include information regarding the
5 activities and programs implemented as a result of the waivers, whether
6 the higher standards for students are being achieved, and a summary of
7 the comments received at the public meeting or meetings.

8 (3) If a school district intends to waive the program hour
9 offerings under RCW 28A.150.220, it shall make available to students
10 enrolled in kindergarten at least a total instructional offering of
11 four hundred fifty hours. Each school district also shall make
12 available to students enrolled in grades one through twelve at least a
13 district-wide annual average total instructional hour offering of one
14 thousand hours. A school district may schedule the last thirty
15 instructional hours of any school year for noninstructional purposes in
16 the case of students who are graduating from high school, including,
17 but not limited to, the observance of graduation and early release from
18 school upon the request of a student, and all such students may be
19 claimed as full-time equivalent students to the extent they could
20 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
21 28A.150.260. The state board of education may define alternatives to
22 classroom instructional time for students in grades nine through twelve
23 enrolled in alternative learning experiences. The state board of
24 education shall establish rules to determine annual average
25 instructional hours for districts having fewer than twelve grades. The
26 program shall include instruction in the essential learnings under
27 section 101 of this 1992 act and other subjects and activities the
28 school district determines to be appropriate.

29 (4) "Instructional hours" means those hours students are provided
30 the opportunity to engage in educational activity planned by and under

1 the direction of school district staff, as directed by the
2 administration and board of directors of the district, inclusive of
3 intermissions for class changes, recess, and teacher/parent-guardian
4 conferences that are planned and scheduled by the district for the
5 purpose of discussing students' educational needs or progress, and
6 exclusive of time actually spent for meals.

7 NEW SECTION. Sec. 302. RCW 28A.320.210 and 1990 c 33 s 334,
8 1988 c 256 s 1, 1987 c 505 s 9, 1986 c 137 s 1, 1984 c 278 s 3, 1977
9 ex.s. c 305 s 1, & 1975-'76 2nd ex.s. c 90 s 1 are each repealed.

10 PART IV

11 BASIC EDUCATION AMENDMENTS--EFFECTIVE 1998

12 **Sec. 401.** RCW 28A.150.210 and 1977 ex.s. c 359 s 2 are each
13 amended to read as follows:

14 The goal of the Basic Education Act for the schools of the state of
15 Washington set forth in this (~~(1977 amendatory act)~~) chapter shall be
16 to provide students with the opportunity to (~~(achieve those skills~~
17 ~~which are generally recognized as requisite to learning. Those skills~~
18 ~~shall include the ability:~~

19 ~~(1) To distinguish, interpret and make use of words, numbers and~~
20 ~~other symbols, including sound, colors, shapes and textures;~~

21 ~~(2) To organize words and other symbols into acceptable verbal and~~
22 ~~nonverbal forms of expression, and numbers into their appropriate~~
23 ~~functions;~~

24 ~~(3) To perform intellectual functions such as problem solving,~~
25 ~~decision making, goal setting, selecting, planning, predicting,~~
26 ~~experimenting, ordering and evaluating; and~~

1 ~~(4) To use various muscles necessary for coordinating physical and~~
2 ~~mental functions))~~ master the essential learnings necessary for their
3 roles as citizens and potential participants in the economic
4 marketplace and in the marketplace of ideas identified by the
5 commission established in section 101 of this 1992 act.

6 NEW SECTION. **Sec. 402.** A new section is added to chapter 28A.150
7 RCW to read as follows:

8 Unless the context clearly requires otherwise, the definition in
9 this section applies throughout RCW 28A.150.200 through 28A.150.295.

10 "Instructional hours" means those hours students are provided the
11 opportunity to engage in educational activity planned by and under the
12 direction of school district staff, as directed by the administration
13 and board of directors of the district, inclusive of intermissions for
14 class changes, recess, and teacher/parent-guardian conferences that are
15 planned and scheduled by the district for the purpose of discussing
16 students' educational needs or progress, and exclusive of time actually
17 spent for meals.

18 **Sec. 403.** RCW 28A.150.220 and 1990 c 33 s 105 are each amended to
19 read as follows:

20 (1) ~~((For the purposes of this section and RCW 28A.150.250 and~~
21 ~~28A.150.260:~~

22 ~~(a) The term "total program hour offering" shall mean those hours~~
23 ~~when students are provided the opportunity to engage in educational~~
24 ~~activity planned by and under the direction of school district staff,~~
25 ~~as directed by the administration and board of directors of the~~
26 ~~district, inclusive of intermissions for class changes, recess and~~
27 ~~teacher/parent-guardian conferences which are planned and scheduled by~~

1 ~~the district for the purpose of discussing students' educational needs~~
2 ~~or progress, and exclusive of time actually spent for meals.~~

3 ~~(b) "Instruction in work skills" shall include instruction in one~~
4 ~~or more of the following areas: Industrial arts, home and family life~~
5 ~~education, business and office education, distributive education,~~
6 ~~agricultural education, health occupations education, vocational~~
7 ~~education, trade and industrial education, technical education and~~
8 ~~career education.~~

9 ~~(2))~~ Satisfaction of the basic education ~~((goal))~~ program
10 requirements identified in RCW 28A.150.210 shall be considered to be
11 implemented by the following program ~~((requirements))~~:

12 (a) Each school district shall make available to students enrolled
13 in kindergarten at least a total ~~((program))~~ instructional offering of
14 four hundred fifty hours. The program shall include ~~((reading,~~
15 ~~arithmetic, language skills))~~ instruction in the essential learnings
16 under section 101 of this 1992 act and such other subjects and such
17 activities as the school district shall determine to be appropriate for
18 the education of the school district's students enrolled in such
19 program;

20 (b) Each school district shall make available to students enrolled
21 in grades one through ~~((three))~~ twelve, at least a district-wide annual
22 average total ~~((program))~~ instructional hour offering of ~~((two thousand~~
23 ~~seven hundred))~~ one thousand hours. ~~((A minimum of ninety-five percent~~
24 ~~of the total program hour offerings))~~ The state board of education may
25 define alternatives to classroom instructional time for students in
26 grades nine through twelve enrolled in alternative learning
27 experiences. The state board of education shall establish rules to
28 determine annual average instructional hours for districts including
29 fewer than twelve grades. The program shall ~~((be in the basic skills~~
30 ~~areas of reading/language arts (which may include foreign languages),~~

1 mathematics, social studies, science, music, art, health and physical
2 education. The remaining five percent of the total program hour
3 offerings may include such subjects and activities as the school
4 district shall determine to be appropriate for the education of the
5 school district's students in such grades;

6 (c) Each school district shall make available to students in grades
7 four through six at least a total program hour offering of two thousand
8 nine hundred seventy hours. A minimum of ninety percent of the total
9 program hour offerings shall be in the basic skills areas of
10 reading/language arts (which may include foreign languages),
11 mathematics, social studies, science, music, art, health and physical
12 education. The remaining ten percent of the total program hour
13 offerings may include such subjects and activities as the school
14 district shall determine to be appropriate for the education of the
15 school district's students in such grades;

16 (d) Each school district shall make available to students in grades
17 seven through eight, at least a total program hour offering of one
18 thousand nine hundred eighty hours. A minimum of eighty five percent
19 of the total program hour offerings shall be in the basic skills areas
20 of reading/language arts (which may include foreign languages),
21 mathematics, social studies, science, music, art, health and physical
22 education. A minimum of ten percent of the total program hour
23 offerings shall be in the area of work skills. The remaining five
24 percent of the total program hour offerings may include such subjects
25 and activities as the school district shall determine to be appropriate
26 for the education of the school district's students in such grades;

27 (e) Each school district shall make available to students in grades
28 nine through twelve at least a total program hour offering of four
29 thousand three hundred twenty hours. A minimum of sixty percent of the
30 total program hour offerings shall be in the basic skills areas of

1 language arts, foreign language, mathematics, social studies, science,
2 music, art, health and physical education. A minimum of twenty percent
3 of the total program hour offerings shall be in the area of work
4 skills. The remaining twenty percent of the total program hour
5 offerings may include traffic safety or such subjects and activities as
6 the school district shall determine to be appropriate for the education
7 of the school district's students in such grades, with not less than
8 one half thereof in basic skills and/or work skills: PROVIDED, That
9 each school district shall have the option of including grade nine
10 within the program hour offering requirements of grades seven and eight
11 so long as such requirements for grades seven through nine are
12 increased to two thousand nine hundred seventy hours and such
13 requirements for grades ten through twelve are decreased to three
14 thousand two hundred forty hours.

15 (3) In order to provide flexibility to the local school districts
16 in the setting of their curricula, and in order to maintain the intent
17 of this legislation, which is to stress the instruction of basic skills
18 and work skills, any local school district may establish minimum course
19 mix percentages that deviate by up to five percentage points above or
20 below those minimums required by subsection (2) of this section, so
21 long as the total program hour requirement is still met)) include the
22 essential learnings under section 101 of this 1992 act and such other
23 subjects and such activities as the school district shall determine to
24 be appropriate for the education of the school district's students
25 enrolled in such group.

26 ((+4)) (2) Nothing contained in subsection ((+2)) (1) of this
27 section shall be construed to require individual students to attend
28 school for any particular number of hours per day or to take any
29 particular courses.

1 ~~((5))~~ (3) Each school district's kindergarten through twelfth
2 grade basic educational program shall be accessible to all students who
3 are five years of age, as provided by RCW 28A.225.160, and less than
4 twenty-one years of age and shall consist of a minimum of one hundred
5 eighty school days per school year in such grades as are conducted by
6 a school district, and one hundred eighty half-days of instruction, or
7 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a
8 school district may schedule the last five school days of the one
9 hundred and eighty day school year for noninstructional purposes in the
10 case of students who are graduating from high school, including, but
11 not limited to, the observance of graduation and early release from
12 school upon the request of a student, and all such students may be
13 claimed as a full time equivalent student to the extent they could
14 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
15 28A.150.260.

16 ~~((6))~~ (4) The state board of education shall adopt rules to
17 implement and ensure compliance with the program requirements imposed
18 by this section, RCW 28A.150.250 and 28A.150.260, and such related
19 supplemental program approval requirements as the state board may
20 establish(~~(:~~—PROVIDED, That each school district board of directors
21 shall establish the basis and means for determining and monitoring the
22 district's compliance with the basic skills and work skills percentage
23 and course requirements of this section. The certification of the
24 board of directors and the superintendent of a school district that the
25 district is in compliance with such basic skills and work skills
26 requirements may be accepted by the superintendent of public
27 instruction and the state board of education.

28 ~~(7) Handicapped education programs, vocational technical institute
29 programs, state institution and state residential school programs, all
30 of which programs are conducted for the common school age, kindergarten~~

1 through secondary school program students encompassed by this section,
2 shall be exempt from the basic skills and work skills percentage and
3 course requirements of this section in order that the unique needs,
4 abilities or limitations of such students may be met.

5 (8) Any school district may petition the state board of education
6 for a reduction in the total program hour offering requirements for one
7 or more of the grade level groupings specified in this section. The
8 state board of education shall grant all such petitions that are
9 accompanied by an assurance that the minimum total program hour
10 offering requirements in one or more other grade level groupings will
11 be exceeded concurrently by no less than the number of hours of the
12 reduction)).

13 **Sec. 404.** RCW 28A.150.290 and 1990 c 33 s 111 are each amended to
14 read as follows:

15 (1) The superintendent of public instruction shall have the power
16 and duty to make such rules and regulations as are necessary for the
17 proper administration of this chapter and RCW 28A.160.150 through
18 28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the
19 provisions thereof, and in addition to require such reports as may be
20 necessary to carry out his or her duties under this chapter and RCW
21 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010.

22 (2) The superintendent of public instruction shall have the
23 authority to make rules and regulations which establish the terms and
24 conditions for allowing school districts to receive state basic
25 education moneys as provided in RCW 28A.150.250 when said districts are
26 unable to fulfill for one or more schools as officially scheduled the
27 requirement of a full school year of one hundred eighty days or the
28 annual average total ((program)) instructional hour offering((, teacher
29 contact hour, or course mix and percentage requirements)) imposed by

1 RCW 28A.150.220 and 28A.150.260 due to one or more of the following
2 conditions:

3 (a) An unforeseen natural event, including, but not necessarily
4 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or
5 volcanic eruption that has the direct or indirect effect of rendering
6 one or more school district facilities unsafe, unhealthy, inaccessible,
7 or inoperable; and

8 (b) An unforeseen mechanical failure or an unforeseen action or
9 inaction by one or more persons, including negligence and threats, that
10 (i) is beyond the control of both a school district board of directors
11 and its employees and (ii) has the direct or indirect effect of
12 rendering one or more school district facilities unsafe, unhealthy,
13 inaccessible, or inoperable. Such actions, inactions or mechanical
14 failures may include, but are not necessarily limited to, arson,
15 vandalism, riots, insurrections, bomb threats, bombings, delays in the
16 scheduled completion of construction projects, and the discontinuance
17 or disruption of utilities such as heating, lighting and water:
18 PROVIDED, That an unforeseen action or inaction shall not include any
19 labor dispute between a school district board of directors and any
20 employee of the school district.

21 A condition is foreseeable for the purposes of this subsection to
22 the extent a reasonably prudent person would have anticipated prior to
23 August first of the preceding school year that the condition probably
24 would occur during the ensuing school year because of the occurrence of
25 an event or a circumstance which existed during such preceding school
26 year or a prior school year. A board of directors of a school district
27 is deemed for the purposes of this subsection to have knowledge of
28 events and circumstances which are a matter of common knowledge within
29 the school district and of those events and circumstances which can be
30 discovered upon prudent inquiry or inspection.

1 (3) The superintendent of public instruction shall make every
2 effort to reduce the amount of paperwork required in administration of
3 this chapter and RCW 28A.160.150 through 28A.160.220, 28A.300.170, and
4 28A.500.010; to simplify the application, monitoring and evaluation
5 processes used; to eliminate all duplicative requests for information
6 from local school districts; and to make every effort to integrate and
7 standardize information requests for other state education acts and
8 federal aid to education acts administered by the superintendent of
9 public instruction so as to reduce paperwork requirements and
10 duplicative information requests.

11 **Sec. 405.** RCW 28A.195.010 and 1990 c 33 s 176 are each amended to
12 read as follows:

13 The legislature hereby recognizes that private schools should be
14 subject only to those minimum state controls necessary to ((insure))
15 ensure the health and safety of all the students in the state and to
16 ((insure)) ensure a sufficient basic education to meet usual graduation
17 requirements. The state, any agency or official thereof, shall not
18 restrict or dictate any specific educational or other programs for
19 private schools except as hereinafter in this section provided.

20 Principals of private schools or superintendents of private school
21 districts shall file each year with the state superintendent of public
22 instruction a statement certifying that the minimum requirements
23 hereinafter set forth are being met, noting any deviations. After
24 review of the statement, the state superintendent will notify schools
25 or school districts of those deviations which must be corrected. In
26 case of major deviations, the school or school district may request and
27 the state board of education may grant provisional status for one year
28 in order that the school or school district may take action to meet the
29 requirements. Minimum requirements shall be as follows:

1 (1) The minimum school year for instructional purposes shall
2 consist of no less than one hundred eighty school days or the
3 equivalent in annual minimum ~~((program))~~ instructional hour offerings
4 as prescribed in RCW 28A.150.220.

5 ~~((The school day shall be the same as that required in RCW
6 28A.150.030 and 28A.150.220, except that the percentages of total
7 program hour offerings as prescribed in RCW 28A.150.220 for basic
8 skills, work skills, and optional subjects and activities shall not
9 apply to private schools or private sectarian schools.~~

10 ~~(3))~~ All classroom teachers shall hold appropriate Washington
11 state certification except as follows:

12 (a) Teachers for religious courses or courses for which no
13 counterpart exists in public schools shall not be required to obtain a
14 state certificate to teach those courses.

15 (b) In exceptional cases, people of unusual competence but without
16 certification may teach students so long as a certified person
17 exercises general supervision. Annual written statements shall be
18 submitted to the office of the superintendent of public instruction
19 reporting and explaining such circumstances.

20 ~~((4))~~ (3) An approved private school may operate an extension
21 program for parents, guardians, or persons having legal custody of a
22 child to teach children in their custody. The extension program shall
23 require at a minimum that:

24 (a) The parent, guardian, or custodian be under the supervision of
25 an employee of the approved private school who is certified under
26 chapter 28A.410 RCW;

27 (b) The planning by the certified person and the parent, guardian,
28 or person having legal custody include objectives consistent with this
29 subsection and subsections (1), ~~((2))~~ (4), (5), and (6)~~((, and (7))~~
30 of this section;

1 (c) The certified person spend a minimum average each month of one
2 contact hour per week with each student under his or her supervision
3 who is enrolled in the approved private school extension program;

4 (d) Each student's progress be evaluated by the certified person;
5 and

6 (e) The certified employee shall not supervise more than thirty
7 students enrolled in the approved private school's extension program.

8 ~~((+5))~~ (4) Appropriate measures shall be taken to safeguard all
9 permanent records against loss or damage.

10 ~~((+6))~~ (5) The physical facilities of the school or district shall
11 be adequate to meet the program offered by the school or district:
12 PROVIDED, That each school building shall meet reasonable health and
13 fire safety requirements. A residential dwelling of the parent,
14 guardian, or custodian shall be deemed to be an adequate physical
15 facility when a parent, guardian, or person having legal custody is
16 instructing his or her child under subsection ~~((+4))~~ (3) of this
17 section.

18 ~~((+7))~~ (6) Private school curriculum shall include, but not be
19 limited to, instruction ~~((of))~~ in the ~~((basic skills of occupational~~
20 ~~education, science, mathematics, language, social studies, history,~~
21 ~~health, reading, writing, spelling, and the development of appreciation~~
22 ~~of art and music, all in sufficient units for meeting))~~ essential
23 learnings under section 101 of this 1992 act and meet state board of
24 education graduation requirements.

25 ~~((+8))~~ (7) Each school or school district shall be required to
26 maintain up-to-date policy statements related to the administration and
27 operation of the school or school district.

28 All decisions of policy, philosophy, selection of books, teaching
29 material, curriculum, except as provided in subsection ~~((+7) above~~
30 ~~provided))~~ (6) of this section, school rules and administration, or

1 other matters not specifically referred to in this section, shall be
2 the responsibility of the administration and administrators of the
3 particular private school involved.

4 NEW SECTION. **Sec. 406.** Sections 401 through 405 of this act
5 shall take effect September 1, 1998. However, these sections shall not
6 take effect if, by September 1, 1998, a law is enacted stating that a
7 school accountability and assessment system is not in place.

8 NEW SECTION. **Sec. 407.** RCW 28A.320.200 and 1990 c 33 s 333,
9 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2 are each repealed
10 effective September 1, 1998. However, this section shall not take
11 effect if, by September 1, 1998, a law is enacted stating that a school
12 accountability and assessment system is not in place.

13 NEW SECTION. **Sec. 408.** Section 301 of this act shall expire
14 September 1, 1998. However, this section shall not take effect if, by
15 September 1, 1998, a law is enacted stating that a school
16 accountability and assessment system is not in place.

17 PART V

18 SCHOOL BOARD POWERS

19 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.320
20 RCW to read as follows:

21 (1) The board of directors of each school district may exercise the
22 following:

23 (a) The broad discretionary power to determine and adopt written
24 policies not in conflict with other law that provide for the

1 development and implementation of programs, activities, services, or
2 practices that the board determines will:

3 (i) Promote the education of kindergarten through twelfth grade
4 students in the public schools; or

5 (ii) Promote the effective, efficient, or safe management and
6 operation of the school district;

7 (b) Such powers as are expressly authorized by law; and

8 (c) Such powers as are necessarily or fairly implied in the powers
9 expressly authorized by law.

10 (2) Before adopting a policy under subsection (1)(a) of this
11 section, the school district board of directors shall comply with the
12 notice requirements of the open public meetings act, chapter 42.30 RCW,
13 and shall in addition include in that notice a statement that sets
14 forth or reasonably describes the proposed policy. The board of
15 directors shall provide a reasonable opportunity for public written and
16 oral comment and consideration of the comment by the board of
17 directors.

18 PART VI

19 HIGH SCHOOL GRADUATION REQUIREMENTS

20 **Sec. 601.** RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each
21 amended to read as follows:

22 (1) The state board of education shall establish high school
23 graduation requirements or equivalencies for students (~~who commence~~
24 ~~the ninth grade subsequent to July 1, 1985, that meet or exceed the~~
25 ~~following:~~

26 ~~SUBJECT~~ ~~CREDITS~~

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

18 (2) For the purposes of this section one credit is equivalent to
19 one year of study.

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

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

1 ~~((+5+))~~ (2) In recognition of the statutory authority of the state
2 board of education to establish and enforce minimum high school
3 graduation requirements, the state board shall periodically reevaluate
4 the graduation requirements and shall report such findings to the
5 legislature in a timely manner as determined by the state board.

6 ~~((+6+))~~ (3) Pursuant to any foreign language requirement
7 established by the state board of education or a local school district,
8 or both, for purposes of high school graduation, students who receive
9 instruction in sign language shall be considered to have satisfied the
10 state or local school district foreign language graduation requirement.

11 ~~((+7+))~~ (4) If requested by the student and his or her family, a
12 student who has completed high school courses ~~((while in seventh and
13 eighth grade))~~ before attending high school shall be given high school
14 credit which shall be applied to fulfilling high school graduation
15 requirements if:

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

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

22 ~~((+8+))~~ (5) Students who have taken and successfully completed high
23 school courses under the circumstances in subsection ~~((+7+))~~ (4) of
24 this section shall not be required to take an additional competency
25 examination or perform any other additional assignment to receive
26 credit. Subsection ~~((+7+))~~ (4) of this section shall also apply to
27 students enrolled in high school on April 11, 1990, who took the
28 courses ~~((while they were in seventh and eighth grade))~~ before
29 attending high school.

1 NEW SECTION. **Sec. 602.** RCW 28A.230.110 and 1990 c 33 s 239 &
2 1985 c 384 s 1 are each repealed.