

2 **SSB 5953 - H AMD 0377 ADOPTED 03/06/92**

3 By Representatives Peery, Brough, Betrozoff, and G. Fisher

4

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

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

13 To achieve this higher level of learning, the legislature finds
14 that the state of Washington needs to develop a performance-based
15 school system. Instead of maintaining burdensome state accountability
16 laws and rules that dictate educational offerings, the state needs to
17 hold schools accountable for their performance based on what their
18 students learn.

19 The legislature further finds moving toward a performance-based
20 accountability system will require repealing state laws and rules that
21 inhibit the freedom of school boards and professional educators to
22 carry out their work, and also will require that significantly more
23 decisions be made at the school district and school building levels.
24 In addition, it will be necessary to set high expectations for
25 students, to identify what is expected of all students, and to develop
26 a rigorous academic assessment system to determine if these
27 expectations have been achieved.

1 part of their baccalaureate degree. If the major is in early childhood
2 education, elementary education, or special education, the candidate
3 must have at least thirty quarter hours or twenty semester hours in one
4 academic field.

5 ~~((2) The state board of education shall study the impact of
6 eliminating the major in education under subsection (1) of this section
7 and submit a report to the legislature by January 15, 1990. The report
8 shall include a recommendation on whether the major in education under
9 subsection (1) of this section should be eliminated.~~

10 ~~(3) The initial certificate shall be valid for two years.~~

11 ~~(4) Certificate holders may renew the certificate for a three year
12 period by providing proof of acceptance and enrollment in an approved
13 masters degree program. A second renewal, for a period of two years,
14 may be granted upon recommendation of the degree granting institution
15 and if the certificate holder can demonstrate substantial progress
16 toward the completion of the masters degree and that the degree will be
17 completed within the two year extension period. Under no circumstances
18 may an initial certificate be valid for a period of more than seven
19 years.))"~~

20 **"Sec. 102.** RCW 28A.410.050 and 1989 c 29 s 2 are each amended to
21 read as follows:

22 ~~((1) The state board of education shall implement rules providing
23 that all teachers performing instructional duties and acquiring
24 professional level certificate status after August 31, 1992, shall
25 possess, as a requirement of professional status, a masters degree in
26 teaching, or a masters degree in the arts, sciences, and/or humanities.~~

27 ~~(2))~~ The state board of education shall develop and adopt rules
28 establishing baccalaureate and masters degree equivalency standards for

1 vocational instructors performing instructional duties and acquiring
2 (~~professional level~~) certification after August 31, 1992."

3 "Sec. 103. RCW 28A.405.220 and 1990 c 33 s 391 are each amended to
4 read as follows:

5 Notwithstanding the provisions of RCW 28A.405.210, every person
6 employed by a school district in a teaching or other nonsupervisory
7 certificated position shall be subject to nonrenewal of employment
8 contract as provided in this section during the first two years of
9 employment by such district, unless the employee has previously
10 completed at least two years of certificated employment in another
11 school district in the state of Washington, in which case the employee
12 shall be subject to nonrenewal of employment contract pursuant to this
13 section during the first year of employment with the new district.
14 Employees as defined in this section shall hereinafter be referred to
15 as "provisional employees".

16 In the event the superintendent of the school district determines
17 that the employment contract of any provisional employee should not be
18 renewed by the district for the next ensuing term such provisional
19 employee shall be notified thereof in writing on or before May 15th
20 preceding the commencement of such school term, which notification
21 shall state the reason or reasons for such determination. Such notice
22 shall be served upon the provisional employee personally, or by
23 certified or registered mail, or by leaving a copy of the notice at the
24 place of his or her usual abode with some person of suitable age and
25 discretion then resident therein. The determination of the
26 superintendent shall be subject to the evaluation requirements of RCW
27 28A.405.100.

28 Every such provisional employee so notified, at his or her request
29 made in writing and filed with the superintendent of the district

1 within ten days after receiving such notice, shall be given the
2 opportunity to meet informally with the superintendent for the purpose
3 of requesting the superintendent to reconsider his or her decision.
4 Such meeting shall be held no later than ten days following the receipt
5 of such request, and the provisional employee shall be given written
6 notice of the date, time and place of meeting at least three days prior
7 thereto. At such meeting the provisional employee shall be given the
8 opportunity to refute any facts upon which the superintendent's
9 determination was based and to make any argument in support of his or
10 her request for reconsideration.

11 Within ten days following the meeting with the provisional
12 employee, the superintendent shall either reinstate the provisional
13 employee or shall submit to the school district board of directors for
14 consideration at its next regular meeting a written report recommending
15 that the employment contract of the provisional employee be nonrenewed
16 and stating the reason or reasons therefor. A copy of such report
17 shall be delivered to the provisional employee at least three days
18 prior to the scheduled meeting of the board of directors. In taking
19 action upon the recommendation of the superintendent, the board of
20 directors shall consider any written communication which the
21 provisional employee may file with the secretary of the board at any
22 time prior to that meeting.

23 The board of directors shall notify the provisional employee in
24 writing of its final decision within ten days following the meeting at
25 which the superintendent's recommendation was considered. The decision
26 of the board of directors to nonrenew the contract of a provisional
27 employee shall be final and not subject to appeal.

28 This section applies to any person employed by a school district in
29 a teaching or other nonsupervisory certificated position after June 25,
30 1976. This section provides the exclusive means for nonrenewing the

1 employment contract of a provisional employee and no other provision of
2 law shall be applicable thereto, including, without limitation, RCW
3 28A.405.210 and chapter 28A.645 RCW."

4 "NEW SECTION. Sec. 104. The state board of education, in
5 conjunction with the governor's council on education reform and
6 funding, shall study the current requirements for the certification of
7 teachers and administrators, and shall prepare a report to the
8 legislature that includes options for improving the current
9 certification system. The report, at a minimum, shall analyze
10 postinitial certification requirements, including the continuing
11 education, endorsement, and the fifth-year requirements, and shall
12 analyze the merits of requiring teachers and administrators to develop
13 personal education plans after they have obtained their initial
14 certificates. The report shall be submitted to the appropriate
15 committees of the house of representatives and senate by December 1,
16 1992."

17 "NEW SECTION. Sec. 105. Section 103 of this act shall take
18 effect July 1, 1992."

19 "PART II

20 COMMISSION ON STUDENT LEARNING"

21 "NEW SECTION. Sec. 201. A new section is added to chapter 28A.630
22 RCW to read as follows:

23 Unless the context clearly requires otherwise, the definitions in
24 this section apply throughout sections 201 and 202 of this act.

25 (1) "Academic assessment system" or "assessment system" means a
26 series of academic examinations and performance-based assessments

1 developed by the commission on student learning to determine if
2 students have mastered the essential academic learning requirements.

3 (2) "Essential academic learning requirements" means the academic
4 and technical knowledge and skills identified by the commission on
5 student learning, as reviewed and amended by the legislature and state
6 board of education, that students are expected to know and be able to
7 do at specified intervals in their schooling. The essential academic
8 learning requirements, at a minimum, shall include knowledge and skills
9 in reading, writing, speaking, science, history, geography,
10 mathematics, and critical thinking."

11 "NEW SECTION. Sec. 202. A new section is added to chapter 28A.630
12 RCW to read as follows:

13 (1) The governor's council on education reform and funding shall
14 submit its proposed student learning goals to the appropriate
15 committees of the legislature by December 1, 1992. If both houses of
16 the legislature do not adopt a joint memorial or legislation ratifying,
17 or ratifying with amendment, the student learning goals by July 1,
18 1993, section 202 and sections 501 through 507 of this act shall be
19 null and void.

20 (2) The Washington commission on student learning is hereby
21 established. The primary purposes of the commission are to identify
22 what all students need to know and be able to do based on the student
23 learning goals of the governor's council on education reform and
24 funding, to develop student assessment and school accountability
25 systems, and to take other steps necessary to develop a performance-
26 based education system. The commission shall include three members of
27 the state board of education, three members appointed by the governor
28 before July 1, 1992, and three members appointed no later than February
29 1, 1993, by the governor elected in the November 1992 election. In

1 making the appointments, educators, business leaders, and parents shall
2 be represented, and nominations from state-wide education, business,
3 and parent organizations shall be requested. Efforts shall be made to
4 ensure that the commission reflects the cultural diversity of the
5 state's K-12 student population and that the major geographic regions
6 in the state are represented. Appointees shall be qualified
7 individuals who are supportive of educational restructuring, who have
8 a positive record of service, and who will devote sufficient time to
9 the responsibilities of the commission to ensure that the objectives of
10 the commission are achieved.

11 (3) The commission shall begin its substantive work subject to
12 subsection (1) of this section.

13 (4) The commission shall establish technical advisory committees.
14 Membership of the technical advisory committees shall include, but not
15 necessarily be limited to, professionals from the office of the
16 superintendent of public instruction and the state board of education,
17 and other state and local educational practitioners and student
18 assessment specialists.

19 (5) The commission, with the assistance of the technical advisory
20 committees, shall:

21 (a) Identify what all elementary and secondary students need to
22 know and be able to do. At a minimum, these essential academic
23 learning requirements shall include reading, writing, speaking,
24 science, history, geography, mathematics, and critical thinking. In
25 developing these essential academic learning requirements, the
26 commission shall incorporate the student learning goals identified by
27 the council on education reform and funding;

28 (b) By December 1, 1995, present to the state board of education
29 and superintendent of public instruction a state-wide academic
30 assessment system for use in the elementary grades designed to

1 determine if each student has mastered the essential academic learning
2 requirements identified in (a) of this subsection. The academic
3 assessment system shall include a variety of methodologies, including
4 performance-based measures. The assessment system shall be designed so
5 that the results under the assessment system are used by educators as
6 tools to evaluate instructional practices, and to initiate appropriate
7 educational support for students who do not master the essential
8 academic learning requirements. Mastery of each component of the
9 essential academic learning requirements shall be required before
10 students progress in subsequent components of the essential academic
11 learning requirements. The state board of education and superintendent
12 of public instruction shall implement the elementary academic
13 assessment system beginning in the 1996-97 school year, unless the
14 legislature takes action to delay or prevent implementation of the
15 assessment system and essential academic learning requirements. The
16 state board of education and superintendent of public instruction may
17 modify the academic assessment system, as needed, in subsequent school
18 years;

19 (c) By December 1, 1996, present to the state board of education
20 and superintendent of public instruction a state-wide academic
21 assessment system for use in the secondary grades designed to determine
22 if each student has mastered the essential academic learning
23 requirements identified for secondary students in (a) of this
24 subsection. The academic assessment system shall use a variety of
25 methodologies, including performance-based measures, to determine if
26 students have mastered the essential academic learning requirements,
27 and shall lead to a certificate of mastery. The certificate of mastery
28 shall be required for graduation. The assessment system shall be
29 designed so that the results are used by educators to evaluate
30 instructional practices, and to initiate appropriate educational

1 support for students who do not master the essential academic learning
2 requirements. The commission shall recommend to the state board of
3 education whether the certificate of mastery should take the place of
4 the graduation requirements or be required for graduation in addition
5 to graduation requirements. The state board of education and
6 superintendent of public instruction shall implement the secondary
7 academic assessment system beginning in the 1997-98 school year, unless
8 the legislature takes action to delay or prevent implementation of the
9 assessment system and essential academic learning requirements. The
10 state board of education and superintendent of public instruction may
11 modify the assessment system, as needed, in subsequent school years;

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

15 (e) Develop strategies that will assist educators in helping
16 students master the essential academic learning requirements;

17 (f) Establish a center the primary role of which is to plan,
18 implement, and evaluate a high quality professional development
19 process. The quality schools center shall: Have an advisory council
20 composed of educators, parents, and community and business leaders; use
21 best practices research regarding instruction, management, curriculum
22 development, and assessment; coordinate its activities with the office
23 of the superintendent of public instruction and the state board of
24 education; employ and contract with individuals who have a commitment
25 to quality reform; prepare a six-year plan to be updated every two
26 years; and be able to accept resources and funding from private and
27 public sources;

28 (g) Develop recommendations for the repeal or amendment of federal,
29 state, and local laws, rules, budgetary language, regulations, and

1 other factors that inhibit schools from adopting strategies designed to
2 help students achieve the essential academic learning requirements;

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

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

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

23 (k) Report annually by December 1st to the legislature and the
24 state board of education on the progress, findings, and recommendations
25 of the commission; and

26 (l) Complete other tasks, as appropriate.

27 (6) The commission shall coordinate its activities with the state
28 board of education and the office of the superintendent of public
29 instruction.

1 (7) 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 (8) The commission shall select an entity to provide staff support
5 and the office of financial management shall contract with that entity.
6 The commission may direct the office of financial management to enter
7 into subcontracts with school districts, teachers, higher education
8 faculty, state agencies, business organizations, and other individuals
9 and organizations to assist the commission in its deliberations.

10 (9) Members of the commission shall be reimbursed for travel
11 expenses as provided in RCW 43.03.050 and 43.03.060."

12 "NEW SECTION. **Sec. 203.** Section 202 of this act shall expire
13 September 1, 1998."

14 "PART III
15 SCHOOL BOARD POWERS"

16 "NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.320
17 RCW to read as follows:

18 (1) The board of directors of each school district may exercise the
19 following:

20 (a) The broad discretionary power to determine and adopt written
21 policies not in conflict with other law that provide for the
22 development and implementation of programs, activities, services, or
23 practices that the board determines will:

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

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

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

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

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

12 "Sec. 302. RCW 28A.305.140 and 1990 c 33 s 267 are each amended
13 to read as follows:

14 (~~The state board of education may grant waivers to school~~
15 ~~districts from the provisions of~~) (1) The self-study process
16 requirements under RCW 28A.320.200, the teacher classroom contact
17 requirements under RCW 28A.150.260(4), and the program hour offerings
18 requirements under RCW 28A.150.200 through 28A.150.220 (~~on the basis~~
19 ~~that such waiver or waivers are necessary to implement successfully a~~
20 ~~local plan to provide for all students in the district an effective~~
21 ~~education system that is designed to enhance the educational program~~
22 ~~for each student. The local plan may include alternative ways to~~
23 ~~provide effective educational programs for students who experience~~
24 ~~difficulty with the regular education program.~~

25 ~~The state board shall adopt criteria to evaluate the need for the~~
26 ~~waiver or waivers~~) shall be waived for school districts or individual
27 schools within a district if the school district submits to the state
28 board of education a plan for restructuring its educational program, or

1 the educational program of individual schools within the district that
2 includes:

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

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

7 (c) How the district plans to determine if the higher standards are
8 met;

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

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

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

15 (2) Waivers granted by the state board of education under this
16 section shall be renewed every three years upon the state board of
17 education receiving a renewal request from the school district board of
18 directors. Before filing the request, the school district shall
19 conduct at least one public meeting to evaluate the educational
20 programs that were implemented as a result of the waivers. The request
21 to the state board of education shall include information regarding the
22 activities and programs implemented as a result of the waivers, whether
23 the higher standards for students are being achieved, and a summary of
24 the comments received at the public meeting or meetings.

25 (3) If a school district intends to waive the program hour
26 offerings under RCW 28A.150.220, it shall make available to students
27 enrolled in kindergarten at least a total instructional offering of
28 four hundred fifty hours. Each school district also shall make
29 available to students enrolled in grades one through twelve at least a
30 district-wide annual average total instructional hour offering of one

1 thousand hours. A school district may schedule the last thirty
2 instructional hours of any school year for noninstructional purposes in
3 the case of students who are graduating from high school, including,
4 but not limited to, the observance of graduation and early release from
5 school upon the request of a student, and all such students may be
6 claimed as full-time equivalent students to the extent they could
7 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
8 28A.150.260. The state board of education may define alternatives to
9 classroom instructional time for students in grades nine through twelve
10 enrolled in alternative learning experiences. The state board of
11 education shall establish rules to determine annual average
12 instructional hours for districts having fewer than twelve grades. The
13 program shall include instruction in the essential academic learning
14 requirements under section 202 of this act and other subjects and
15 activities the school district determines to be appropriate.

16 (4) "Instructional hours" means those hours students are provided
17 the opportunity to engage in educational activity planned by and under
18 the direction of school district staff, as directed by the
19 administration and board of directors of the district, inclusive of
20 intermissions for class changes, recess, and teacher/parent-guardian
21 conferences that are planned and scheduled by the district for the
22 purpose of discussing students' educational needs or progress, and
23 exclusive of time actually spent for meals."

24 **"Sec. 303.** RCW 28A.150.260 and 1991 c 116 s 10 are each amended to
25 read as follows:

26 The basic education allocation for each annual average full time
27 equivalent student shall be determined in accordance with the following
28 procedures:

1 (1) The governor shall and the superintendent of public instruction
2 may recommend to the legislature a formula based on a ratio of students
3 to staff for the distribution of a basic education allocation for each
4 annual average full time equivalent student enrolled in a common
5 school. The distribution formula shall have the primary objective of
6 equalizing educational opportunities and shall provide appropriate
7 recognition of the following costs among the various districts within
8 the state:

9 (a) Certificated instructional staff and their related costs;

10 (b) Certificated administrative staff and their related costs;

11 (c) Classified staff and their related costs;

12 (d) Nonsalary costs;

13 (e) Extraordinary costs of remote and necessary schools and small
14 high schools, including costs of additional certificated and classified
15 staff; and

16 (f) The attendance of students pursuant to RCW 28A.335.160 and
17 28A.225.250 who do not reside within the servicing school district.

18 (2)(a) This formula for distribution of basic education funds shall
19 be reviewed biennially by the superintendent and governor. The
20 recommended formula shall be subject to approval, amendment or
21 rejection by the legislature. The formula shall be for allocation
22 purposes only. While the legislature intends that the allocations for
23 additional instructional staff be used to increase the ratio of such
24 staff to students, nothing in this section shall require districts to
25 reduce the number of administrative staff below existing levels.

26 (b) (~~Commencing with the 1988-89 school year,~~) The formula
27 adopted by the legislature shall reflect the following ratios at a
28 minimum: (i) Forty-nine certificated instructional staff to one
29 thousand annual average full time equivalent students enrolled in
30 grades kindergarten through three; (ii) forty-six certificated

1 instructional staff to one thousand annual average full time equivalent
2 students in grades four through twelve; (iii) four certificated
3 administrative staff to one thousand annual average full time
4 equivalent students in grades kindergarten through twelve; and (iv)
5 sixteen and sixty-seven one-hundredths classified personnel to one
6 thousand annual average full time equivalent students enrolled in
7 grades kindergarten through twelve.

8 (c) In the event the legislature rejects the distribution formula
9 recommended by the governor, without adopting a new distribution
10 formula, the distribution formula for the previous school year shall
11 remain in effect: PROVIDED, That the distribution formula developed
12 pursuant to this section shall be for state apportionment and
13 equalization purposes only and shall not be construed as mandating
14 specific operational functions of local school districts other than
15 those program requirements identified in RCW 28A.150.220 and
16 28A.150.100. The enrollment of any district shall be the annual
17 average number of full time equivalent students and part time students
18 as provided in RCW 28A.150.350, enrolled on the first school day of
19 each month and shall exclude full time equivalent handicapped students
20 recognized for the purposes of allocation of state funds for programs
21 under RCW 28A.155.010 through 28A.155.100. The definition of full time
22 equivalent student shall be determined by rules and regulations of the
23 superintendent of public instruction: PROVIDED, That the definition
24 shall be included as part of the superintendent's biennial budget
25 request: PROVIDED, FURTHER, That any revision of the present
26 definition shall not take effect until approved by the house
27 appropriations committee and the senate ways and means committee:
28 PROVIDED, FURTHER, That the office of financial management shall make
29 a monthly review of the superintendent's reported full time equivalent
30 students in the common schools in conjunction with RCW 43.62.050.

1 (3)(a) Certificated instructional staff shall include those persons
2 employed by a school district who are nonsupervisory employees within
3 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
4 people of unusual competence but without certification may teach
5 students so long as a certificated person exercises general
6 supervision: PROVIDED, FURTHER, That the hiring of such
7 noncertificated people shall not occur during a labor dispute and such
8 noncertificated people shall not be hired to replace certificated
9 employees during a labor dispute.

10 (b) Certificated administrative staff shall include all those
11 persons who are chief executive officers, chief administrative
12 officers, confidential employees, supervisors, principals, or assistant
13 principals within the meaning of RCW 41.59.020(4).

14 (4) Each annual average full time equivalent certificated classroom
15 teacher's direct classroom contact hours shall average at least twenty-
16 five hours per week. Direct classroom contact hours shall be exclusive
17 of time required to be spent for preparation, conferences, or any other
18 nonclassroom instruction duties. Up to two hundred minutes per week
19 may be deducted from the twenty-five contact hour requirement, at the
20 discretion of the school district board of directors, to accommodate
21 authorized teacher/parent-guardian conferences, recess, passing time
22 between classes, and informal instructional activity. Implementing
23 rules to be adopted by the state board of education pursuant to RCW
24 28A.150.220(~~(6)~~) (4) shall provide that compliance with the direct
25 contact hour requirement shall be based upon teachers' normally
26 assigned weekly instructional schedules, as assigned by the district
27 administration. Additional record-keeping by classroom teachers as a
28 means of accounting for contact hours shall not be required.
29 (~~However, upon request from the board of directors of any school~~
30 ~~district, the provisions relating to direct classroom contact hours for~~

1 individual teachers in that district may be waived by the state board
2 of education if the waiver is necessary to implement a locally approved
3 plan for educational excellence and the waiver is limited to those
4 individual teachers approved in the local plan for educational
5 excellence. The state board of education shall develop criteria to
6 evaluate the need for the waiver. Granting of the waiver shall depend
7 upon verification that: (a) The students' classroom instructional time
8 will not be reduced; and (b) the teacher's expertise is critical to the
9 success of the local plan for excellence.) Waivers from contact hours
10 may be requested under RCW 28A.305.140."

11 "NEW SECTION. Sec. 304. RCW 28A.320.210 and 1990 c 33 s 334,
12 1988 c 256 s 1, 1987 c 505 s 9, 1986 c 137 s 1, 1984 c 278 s 3, 1977
13 ex.s. c 305 s 1, & 1975-'76 2nd ex.s. c 90 s 1 are each repealed."

14 "PART IV
15 STUDENT ASSESSMENT AND LEARNING OPPORTUNITIES"

16 "NEW SECTION. Sec. 401. A new section is added to chapter 28A.230
17 RCW to read as follows:

18 (1) If students' scores on the test or assessments under RCW
19 28A.230.190, 28A.230.230, and 28A.230.240 indicate that students need
20 help in identified areas, the school district shall adjust the
21 curriculum in the identified areas.

22 (2) Each school district shall notify the parents of each student
23 of their child's performance on the test and assessments conducted
24 under this chapter."

25 "Sec. 402. RCW 28A.230.090 and 1990 1st ex.s. c 9 s 301 are each
26 amended to read as follows:

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

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

23 (2) ~~For the purposes of this section one credit is equivalent to~~
24 ~~one year of study.~~

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

1 ~~in grades seven or eight or both shall be considered to have fulfilled~~
2 ~~the Washington state history and government requirement.~~

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

8 ~~((+5))~~ (2) In recognition of the statutory authority of the state
9 board of education to establish and enforce minimum high school
10 graduation requirements, the state board shall periodically reevaluate
11 the graduation requirements and shall report such findings to the
12 legislature in a timely manner as determined by the state board.

13 ~~((+6))~~ (3) Pursuant to any foreign language requirement
14 established by the state board of education or a local school district,
15 or both, for purposes of high school graduation, students who receive
16 instruction in sign language shall be considered to have satisfied the
17 state or local school district foreign language graduation requirement.

18 ~~((+7))~~ (4) If requested by the student and his or her family, a
19 student who has completed high school courses ~~((while in seventh and~~
20 ~~eighth grade))~~ before attending high school shall be given high school
21 credit which shall be applied to fulfilling high school graduation
22 requirements if:

23 (a) The course was taken with high school students, if the academic
24 level of the course exceeds the requirements for seventh and eighth
25 grade classes, and the student has successfully passed by completing
26 the same course requirements and examinations as the high school
27 students enrolled in the class; or

28 (b) The academic level of the course exceeds the requirements for
29 seventh and eighth grade classes and the course would qualify for high
30 school credit, because the course is similar or equivalent to a course

1 offered at a high school in the district as determined by the school
2 district board of directors.

3 ~~((+8+))~~ (5) Students who have taken and successfully completed high
4 school courses under the circumstances in subsection ~~((+7+))~~ (4) of
5 this section shall not be required to take an additional competency
6 examination or perform any other additional assignment to receive
7 credit. Subsection ~~((+7+))~~ (4) of this section shall also apply to
8 students enrolled in high school on April 11, 1990, who took the
9 courses ~~((while they were in seventh and eighth grade))~~ before
10 attending high school."

11 "NEW SECTION. Sec. 403. RCW 28A.230.110 and 1990 c 33 s 240 &
12 1985 c 384 s 4 are each repealed."

13 "PART V
14 BASIC EDUCATION AMENDMENTS--EFFECTIVE 1998"

15 "Sec. 501. RCW 28A.150.210 and 1977 ex.s. c 359 s 2 are each
16 amended to read as follows:

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

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

24 ~~(2) To organize words and other symbols into acceptable verbal and~~
25 ~~nonverbal forms of expression, and numbers into their appropriate~~
26 ~~functions;~~

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

4 ~~(4) To use various muscles necessary for coordinating physical and~~
5 ~~mental functions))~~ master the essential academic learning requirements
6 necessary for their roles as citizens and potential participants in the
7 economic marketplace and in the marketplace of ideas identified by the
8 commission established in section 202 of this act."

9 "NEW SECTION. Sec. 502. A new section is added to chapter 28A.150
10 RCW to read as follows:

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

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

21 "**Sec. 503.** RCW 28A.150.220 and 1990 c 33 s 105 are each amended to
22 read as follows:

23 (1) ~~((For the purposes of this section and RCW 28A.150.250 and~~
24 ~~28A.150.260:~~

25 ~~(a) The term "total program hour offering" shall mean those hours~~
26 ~~when students are provided the opportunity to engage in educational~~
27 ~~activity planned by and under the direction of school district staff,~~
28 ~~as directed by the administration and board of directors of the~~

1 ~~district, inclusive of intermissions for class changes, recess and~~
2 ~~teacher/parent guardian conferences which are planned and scheduled by~~
3 ~~the district for the purpose of discussing students' educational needs~~
4 ~~or progress, and exclusive of time actually spent for meals.~~

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

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

14 (a) Each school district shall make available to students enrolled
15 in kindergarten at least a total ~~((program))~~ instructional offering of
16 four hundred fifty hours. The program shall include ~~((reading,~~
17 ~~arithmetic, language skills))~~ instruction in the essential academic
18 learning requirements under section 202 of this act and such other
19 subjects and such activities as the school district shall determine to
20 be appropriate for the education of the school district's students
21 enrolled in such program;

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

1 ~~fewer than twelve grades. The program shall ((be in the basic skills~~
2 ~~areas of reading/language arts (which may include foreign languages),~~
3 ~~mathematics, social studies, science, music, art, health and physical~~
4 ~~education. The remaining five percent of the total program hour~~
5 ~~offerings may include such subjects and activities as the school~~
6 ~~district shall determine to be appropriate for the education of the~~
7 ~~school district's students in such grades;~~

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

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

29 ~~(e) Each school district shall make available to students in grades~~
30 ~~nine through twelve at least a total program hour offering of four~~

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

17 (3) In order to provide flexibility to the local school districts
18 in the setting of their curricula, and in order to maintain the intent
19 of this legislation, which is to stress the instruction of basic skills
20 and work skills, any local school district may establish minimum course
21 mix percentages that deviate by up to five percentage points above or
22 below those minimums required by subsection (2) of this section, so
23 long as the total program hour requirement is still met)) include the
24 essential academic learning requirements under section 202 of this act
25 and such other subjects and such activities as the school district
26 shall determine to be appropriate for the education of the school
27 district's students enrolled in such group.

28 ((+4)) (2) Nothing contained in subsection ((+2)) (1) of this
29 section shall be construed to require individual students to attend

1 school for any particular number of hours per day or to take any
2 particular courses.

3 ~~((+5))~~ (3) Each school district's kindergarten through twelfth
4 grade basic educational program shall be accessible to all students who
5 are five years of age, as provided by RCW 28A.225.160, and less than
6 twenty-one years of age and shall consist of a minimum of one hundred
7 eighty school days per school year in such grades as are conducted by
8 a school district, and one hundred eighty half-days of instruction, or
9 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a
10 school district may schedule the last five school days of the one
11 hundred and eighty day school year for noninstructional purposes in the
12 case of students who are graduating from high school, including, but
13 not limited to, the observance of graduation and early release from
14 school upon the request of a student, and all such students may be
15 claimed as a full time equivalent student to the extent they could
16 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
17 28A.150.260.

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

1 ~~(7) Handicapped education programs, vocational technical institute~~
2 ~~programs, state institution and state residential school programs, all~~
3 ~~of which programs are conducted for the common school age, kindergarten~~
4 ~~through secondary school program students encompassed by this section,~~
5 ~~shall be exempt from the basic skills and work skills percentage and~~
6 ~~course requirements of this section in order that the unique needs,~~
7 ~~abilities or limitations of such students may be met.~~

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

16 **"Sec. 504.** RCW 28A.150.290 and 1990 c 33 s 111 are each amended to
17 read as follows:

18 (1) The superintendent of public instruction shall have the power
19 and duty to make such rules and regulations as are necessary for the
20 proper administration of this chapter and RCW 28A.160.150 through
21 28A.160.220, 28A.300.170, and 28A.500.010 not inconsistent with the
22 provisions thereof, and in addition to require such reports as may be
23 necessary to carry out his or her duties under this chapter and RCW
24 28A.160.150 through 28A.160.220, 28A.300.170, and 28A.500.010.

25 (2) The superintendent of public instruction shall have the
26 authority to make rules and regulations which establish the terms and
27 conditions for allowing school districts to receive state basic
28 education moneys as provided in RCW 28A.150.250 when said districts are
29 unable to fulfill for one or more schools as officially scheduled the

1 requirement of a full school year of one hundred eighty days or the
2 annual average total ((program)) instructional hour offering((~~, teacher~~
3 contact hour, or course mix and percentage requirements)) imposed by
4 RCW 28A.150.220 and 28A.150.260 due to one or more of the following
5 conditions:

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

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

24 A condition is foreseeable for the purposes of this subsection to
25 the extent a reasonably prudent person would have anticipated prior to
26 August first of the preceding school year that the condition probably
27 would occur during the ensuing school year because of the occurrence of
28 an event or a circumstance which existed during such preceding school
29 year or a prior school year. A board of directors of a school district
30 is deemed for the purposes of this subsection to have knowledge of

1 events and circumstances which are a matter of common knowledge within
2 the school district and of those events and circumstances which can be
3 discovered upon prudent inquiry or inspection.

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

14 "Sec. 505. RCW 28A.195.010 and 1990 c 33 s 176 are each amended to
15 read as follows:

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

23 Principals of private schools or superintendents of private school
24 districts shall file each year with the state superintendent of public
25 instruction a statement certifying that the minimum requirements
26 hereinafter set forth are being met, noting any deviations. After
27 review of the statement, the state superintendent will notify schools
28 or school districts of those deviations which must be corrected. In
29 case of major deviations, the school or school district may request and

1 the state board of education may grant provisional status for one year
2 in order that the school or school district may take action to meet the
3 requirements. Minimum requirements shall be as follows:

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

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

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

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

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

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

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

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

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

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

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

12 ~~((+5+))~~ (4) Appropriate measures shall be taken to safeguard all
13 permanent records against loss or damage.

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

22 ~~((+7+))~~ (6) Private school curriculum shall include, but not be
23 limited to, instruction ~~((of))~~ in the basic skills of occupational
24 education, science, mathematics, language, social studies, history,
25 health, reading, writing, spelling, and the development of appreciation
26 of art and music, all in sufficient units ~~((for meeting))~~ so that
27 students are able to master the essential academic learning
28 requirements under section 202 of this act and meet state board of
29 education graduation requirements.

1 (~~(8)~~) (7) Each school or school district shall be required to
2 maintain up-to-date policy statements related to the administration and
3 operation of the school or school district.

4 All decisions of policy, philosophy, selection of books, teaching
5 material, curriculum, except as provided in subsection (~~(7)~~—above
6 ~~provided~~) (6) of this section, school rules and administration, or
7 other matters not specifically referred to in this section, shall be
8 the responsibility of the administration and administrators of the
9 particular private school involved."

10 "NEW SECTION. Sec. 506. RCW 28A.320.200 and 1990 c 33 s 333,
11 1989 c 83 s 1, 1988 c 256 s 2, & 1985 c 349 s 2 are each repealed."

12 "Sec. 507. RCW 28A.150.260 and 1992 c ... s 303 (section 303 of
13 this act) are each amended to read as follows:

14 The basic education allocation for each annual average full time
15 equivalent student shall be determined in accordance with the following
16 procedures:

17 (1) The governor shall and the superintendent of public instruction
18 may recommend to the legislature a formula based on a ratio of students
19 to staff for the distribution of a basic education allocation for each
20 annual average full time equivalent student enrolled in a common
21 school. The distribution formula shall have the primary objective of
22 equalizing educational opportunities and shall provide appropriate
23 recognition of the following costs among the various districts within
24 the state:

25 (a) Certificated instructional staff and their related costs;

26 (b) Certificated administrative staff and their related costs;

27 (c) Classified staff and their related costs;

28 (d) Nonsalary costs;

1 (e) Extraordinary costs of remote and necessary schools and small
2 high schools, including costs of additional certificated and classified
3 staff; and

4 (f) The attendance of students pursuant to RCW 28A.335.160 and
5 28A.225.250 who do not reside within the servicing school district.

6 (2)(a) This formula for distribution of basic education funds shall
7 be reviewed biennially by the superintendent and governor. The
8 recommended formula shall be subject to approval, amendment or
9 rejection by the legislature. The formula shall be for allocation
10 purposes only. While the legislature intends that the allocations for
11 additional instructional staff be used to increase the ratio of such
12 staff to students, nothing in this section shall require districts to
13 reduce the number of administrative staff below existing levels.

14 (b) The formula adopted by the legislature shall reflect the
15 following ratios at a minimum: (i) Forty-nine certificated
16 instructional staff to one thousand annual average full time equivalent
17 students enrolled in grades kindergarten through three; (ii) forty-six
18 certificated instructional staff to one thousand annual average full
19 time equivalent students in grades four through twelve; (iii) four
20 certificated administrative staff to one thousand annual average full
21 time equivalent students in grades kindergarten through twelve; and
22 (iv) sixteen and sixty-seven one-hundredths classified personnel to one
23 thousand annual average full time equivalent students enrolled in
24 grades kindergarten through twelve.

25 (c) In the event the legislature rejects the distribution formula
26 recommended by the governor, without adopting a new distribution
27 formula, the distribution formula for the previous school year shall
28 remain in effect: PROVIDED, That the distribution formula developed
29 pursuant to this section shall be for state apportionment and
30 equalization purposes only and shall not be construed as mandating

1 specific operational functions of local school districts other than
2 those program requirements identified in RCW 28A.150.220 and
3 28A.150.100. The enrollment of any district shall be the annual
4 average number of full time equivalent students and part time students
5 as provided in RCW 28A.150.350, enrolled on the first school day of
6 each month and shall exclude full time equivalent handicapped students
7 recognized for the purposes of allocation of state funds for programs
8 under RCW 28A.155.010 through 28A.155.100. The definition of full time
9 equivalent student shall be determined by rules and regulations of the
10 superintendent of public instruction: PROVIDED, That the definition
11 shall be included as part of the superintendent's biennial budget
12 request: PROVIDED, FURTHER, That any revision of the present
13 definition shall not take effect until approved by the house
14 appropriations committee and the senate ways and means committee:
15 PROVIDED, FURTHER, That the office of financial management shall make
16 a monthly review of the superintendent's reported full time equivalent
17 students in the common schools in conjunction with RCW 43.62.050.

18 (3)(a) Certificated instructional staff shall include those persons
19 employed by a school district who are nonsupervisory employees within
20 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
21 people of unusual competence but without certification may teach
22 students so long as a certificated person exercises general
23 supervision: PROVIDED, FURTHER, That the hiring of such
24 noncertificated people shall not occur during a labor dispute and such
25 noncertificated people shall not be hired to replace certificated
26 employees during a labor dispute.

27 (b) Certificated administrative staff shall include all those
28 persons who are chief executive officers, chief administrative
29 officers, confidential employees, supervisors, principals, or assistant
30 principals within the meaning of RCW 41.59.020(4).

1 (~~((4) Each annual average full time equivalent certificated~~
2 ~~classroom teacher's direct classroom contact hours shall average at~~
3 ~~least twenty five hours per week. Direct classroom contact hours shall~~
4 ~~be exclusive of time required to be spent for preparation, conferences,~~
5 ~~or any other nonclassroom instruction duties. Up to two hundred~~
6 ~~minutes per week may be deducted from the twenty five contact hour~~
7 ~~requirement, at the discretion of the school district board of~~
8 ~~directors, to accommodate authorized teacher/parent guardian~~
9 ~~conferences, recess, passing time between classes, and informal~~
10 ~~instructional activity. Implementing rules to be adopted by the state~~
11 ~~board of education pursuant to RCW 28A.150.220(4) shall provide that~~
12 ~~compliance with the direct contact hour requirement shall be based upon~~
13 ~~teachers' normally assigned weekly instructional schedules, as assigned~~
14 ~~by the district administration. Additional record keeping by classroom~~
15 ~~teachers as a means of accounting for contact hours shall not be~~
16 ~~required. However, upon request from the board of directors of any~~
17 ~~school district, the provisions relating to direct classroom contact~~
18 ~~hours for individual teachers in that district may be waived by the~~
19 ~~state board of education if the waiver is necessary to implement a~~
20 ~~locally approved plan for educational excellence and the waiver is~~
21 ~~limited to those individual teachers approved in the local plan for~~
22 ~~educational excellence. The state board of education shall develop~~
23 ~~criteria to evaluate the need for the waiver. Granting of the waiver~~
24 ~~shall depend upon verification that: (a) The students' classroom~~
25 ~~instructional time will not be reduced; and (b) the teacher's expertise~~
26 ~~is critical to the success of the local plan for excellence. Waivers~~
27 ~~from contact hours may be requested under RCW 28A.305.140.))")~~

28 "NEW SECTION. Sec. 508. Section 302 of this act shall expire
29 September 1, 1998. However, this section shall not take effect if, by

1 September 1, 1998, a law is enacted stating that a school
2 accountability and academic assessment system is not in place."

3 "NEW SECTION. Sec. 509. Sections 501 through 507 of this act
4 shall take effect September 1, 1998. However, these sections shall not
5 take effect if, by September 1, 1998, a law is enacted stating that a
6 school accountability and academic assessment system is not in place."

7 "PART VI
8 MISCELLANEOUS"

9 "NEW SECTION. Sec. 601. Part headings as used in this act
10 constitute no part of the law."

11 "NEW SECTION. Sec. 602. If any provision of this act or its
12 application to any person or circumstance is held invalid, the
13 remainder of the act or the application of the provision to other
14 persons or circumstances is not affected."

15 **SSB 5953** - H AMD
16 By Representative Peery

17
18 On page 1, line 1 of the title, after "education;" strike the
19 remainder of the title and insert "amending RCW 28A.410.040,
20 28A.410.050, 28A.405.220, 28A.305.140, 28A.150.260, 28A.230.090,
21 28A.150.210, 28A.150.220, 28A.150.290, 28A.195.010, and 28A.150.260;
22 adding new sections to chapter 28A.320 RCW; adding a new section to
23 chapter 28A.630 RCW; adding a new section to chapter 28A.230 RCW;
24 adding a new section to chapter 28A.150 RCW; creating new sections;
25 repealing RCW 28A.320.200 and 28A.230.110; providing effective dates;

1 and providing an expiration date."