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ENGROSSED SECOND SUBSTITUTE SENATE BILL 5919

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State of Washington

52nd Legislature

1991 Regular Session

By Senate Committee on Ways & Means (originally sponsored by Senators Bailey, Anderson, Erwin, Oke, L. Smith, Johnson, Barr, Bluechel, von Reichbauer, Roach, Metcalf, Thorsness and McCaslin).

Read first time March 11, 1991.

1 AN ACT Relating to educational excellence; amending RCW  
2 28A.605.020, 28A.150.040, 28A.150.230, 28A.225.220, 28A.230.190,  
3 28A.230.230, 28A.230.240, 28A.410.030, 28A.405.220, 28B.80.350,  
4 28A.230.100, 41.59.020, and 41.56.030; adding a new section to chapter  
5 28A.615 RCW; adding new sections to chapter 28A.320 RCW; adding new  
6 sections to chapter 28A.240 RCW; adding new sections to chapter 28A.300  
7 RCW; adding new sections to chapter 28A.230 RCW; adding new sections to  
8 chapter 28A.400 RCW; adding new sections to chapter 28A.410 RCW; adding  
9 new sections to chapter 28A.600 RCW; adding new sections to chapter  
10 28A.630 RCW; adding new sections to chapter 28B.80 RCW; adding a new  
11 section to chapter 28B.50 RCW; adding a new section to chapter 28A.150  
12 RCW; adding a new section to chapter 28B.10 RCW; adding a new chapter  
13 to Title 28C RCW; creating new sections; providing effective dates;  
14 providing expiration dates; and declaring an emergency.

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

1        NEW SECTION.    **Sec. 1.**        (1) The legislature finds that:

2        (a) Academic achievement of Washington students can and should be  
3 improved;

4        (b) Student success, in large part, depends on parents'  
5 involvement, both at home and at school, in the education of their  
6 child;

7        (c) Many school districts across the state are engaged in efforts  
8 to reevaluate and restructure their local education programs;

9        (d) State support can help sustain and accelerate the momentum of  
10 educational restructuring initiatives.

11       (2) The legislature recognizes that the public education system, as  
12 the foundation of our society, faces critical issues that reflect the  
13 public's increasing concern regarding the effectiveness and  
14 accountability of our public schools. The legislature finds that these  
15 issues can be addressed by:

16       (a) Establishing rights and responsibilities of parents to  
17 knowledgeably participate in the education of their children;

18       (b) Increasing the broad powers of school boards;

19       (c) Measuring and reporting student achievement in a manner that  
20 encourages accountability to and understanding by the public;

21       (d) Increasing public confidence in the professional preparation  
22 and training of educators; and

23       (e) Providing funding support for initiatives to restructure  
24 schools, meet the special needs of students, and enhance vocational  
25 education.

1 PART I

2 PARENTS' RIGHTS AND RESPONSIBILITIES

3 NEW SECTION. **Sec. 101.** The legislature finds that parents have  
4 the primary responsibility for the welfare of their children and that  
5 the successful education of children is the product of a responsive and  
6 rigorous educational system that depends on the participation of  
7 informed and concerned parents and citizens. To this end, RCW  
8 28A.605.020 and sections 102 through 104 of this act are intended to  
9 define certain rights of parents to be informed of, and participate in,  
10 the education of their children.

11 "Parents" as used in this act, includes one or both parents and any  
12 legal guardian.

13 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.615  
14 RCW to read as follows:

15 Parents have the right to know what their child is being taught and  
16 are encouraged to exercise their responsibility to participate in their  
17 child's education.

18 (1) School district boards of directors shall adopt policies to  
19 ensure the implementation of the requirements that public records be  
20 made available under RCW 42.17.250 through 42.17.340. The board of  
21 directors of a school district shall develop specific policies  
22 providing for the inspection and review of any type of materials used  
23 in association with the district's educational program. The district  
24 may charge a nominal cost to cover any costs of reproduction.

25 (2) Districts shall inform parents annually through the report  
26 required under section 105 of this act of parents' right to inspect and  
27 review any type of materials used in association with the district's  
28 educational program.

1 (3) Innovation and educational reform should be encouraged in  
2 public schools. To that end, parents and the community at large should  
3 be encouraged to participate in the development and implementation of  
4 experimental or pilot education programs. Before implementation of any  
5 experimental or pilot education program, the school district shall  
6 consult and communicate with parents regarding the proposed program.

7 (4) No child may be placed in an experimental or pilot program in  
8 a school district without prior written notification to the parent.  
9 The notification shall include a detailed description of the program.

10 (5) A site-based council established under section 202 of this act  
11 may veto implementation of an experimental or pilot education program  
12 adopted by the district's board of directors. At least three-fourths  
13 of the members of the site-based council shall support the motion to  
14 veto.

15 (6) A school district shall not perform psychological testing of a  
16 student without the written permission of the parents.

17 **Sec. 103.** RCW 28A.605.020 and 1979 ex.s. c 250 s 8 are each  
18 amended to read as follows:

19 Every school district board of directors shall, (~~after following~~  
20 ~~established procedure~~) in cooperation with teacher and parent  
21 organizations, adopt a policy assuring parents access to their child's  
22 classroom and/or school sponsored activities for purposes of observing  
23 class procedure, teaching material, and class conduct: PROVIDED, That  
24 such observation shall not disrupt the classroom procedure or learning  
25 activity. The policy adopted under this section is not subject to  
26 collective bargaining. The right of parents to visit their child's  
27 classroom, as established under this section, is in addition to any  
28 parent/teacher conferences offered by the school district.

1       **Sec. 104.** RCW 28A.150.040 and 1990 c 33 s 101 are each amended to  
2 read as follows:

3       (1) The school year shall begin on the first day of September and  
4 end with the last day of August: PROVIDED, That any school district  
5 may elect to commence the minimum annual school term as required under  
6 RCW 28A.150.220 in the month of August of any calendar year and in such  
7 case the operation of a school district for such period in August shall  
8 be credited by the superintendent of public instruction to the  
9 succeeding school year for the purpose of the allocation and  
10 distribution of state funds for the support of such school district.

11       (2) By May 30 of each year, the board of directors of each school  
12 district shall, following a public hearing, establish the schedule of  
13 days for students to attend school during the succeeding school year.  
14 The days so designated shall be employee work days and shall not be  
15 subject to collective bargaining. However, employee work days beyond  
16 those scheduled for student attendance may be a subject of collective  
17 bargaining.

18       NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.320  
19 RCW to read as follows:

20       (1) In keeping with the accountability purpose expressed in section  
21 101, chapter ..., Laws of 1991 (section 101 of this act) and to ensure  
22 that the local community and electorate have access to information on  
23 the educational programs in the school districts, each school  
24 district's board of directors shall publish annually a school district  
25 accountability report. School districts shall have a copy of the  
26 accountability report available for public inspection at each school in  
27 the district, at the district office, and in public libraries.

28       (2) The accountability report shall include a brief statement of  
29 the mission of the school district, enrollment statistics including

1 student demographics, expenditures per pupil for the school year, the  
2 average compensation for teachers, a summary of student scores on all  
3 mandated tests and college entrance examination scores, a concise  
4 annual budget report, the student drop-out, absenteeism, and graduation  
5 rates, an invitation to all citizens to participate in site-based  
6 councils and other school planning activities. The published  
7 accountability report shall compare district, state, and national data  
8 whenever appropriate.

9 **Sec. 106.** RCW 28A.150.230 and 1990 c 33 s 106 are each amended to  
10 read as follows:

11 (1) It is the intent and purpose of this section to guarantee that  
12 each common school district board of directors, whether or not acting  
13 through its respective administrative staff, be held accountable for  
14 the proper operation of their district to the local community and its  
15 electorate. In accordance with the provisions of Title 28A RCW, as now  
16 or hereafter amended, each common school district board of directors  
17 shall be vested with the final responsibility for the setting of  
18 policies ensuring quality in the content and extent of its educational  
19 program and that such program provide students with the opportunity to  
20 achieve those skills which are generally recognized as requisite to  
21 learning.

22 (2) In conformance with the provisions of Title 28A RCW, as now or  
23 hereafter amended, it shall be the responsibility of each common school  
24 district board of directors, acting through its respective  
25 administrative staff, to:

26 (a) Establish performance criteria and an evaluation process for  
27 its certificated personnel, including administrative staff, and for all  
28 programs constituting a part of such district's curriculum;

1 (b) Determine the final assignment of staff, certificated or  
2 classified, according to board enumerated classroom and program needs;

3 (c) Determine the amount of instructional hours necessary for any  
4 student to acquire a quality education in such district, in not less  
5 than an amount otherwise required in RCW 28A.150.220, or rules and  
6 regulations of the state board of education;

7 (d) Determine the allocation of staff time, whether certificated or  
8 classified;

9 (e) Establish final curriculum standards consistent with law and  
10 rules and regulations of the state board of education, relevant to the  
11 particular needs of district students or the unusual characteristics of  
12 the district, and ensuring a quality education for each student in the  
13 district; and

14 (f) Evaluate teaching materials, including text books, teaching  
15 aids, handouts, or other printed material, in public hearing upon  
16 complaint by parents, guardians or custodians of students who consider  
17 dissemination of such material to students objectionable.

18 ~~((3) In keeping with the accountability purpose expressed in this  
19 section and to insure that the local community and electorate have  
20 access to information on the educational programs in the school  
21 districts, each school district's board of directors shall annually  
22 publish a descriptive guide to the district's common schools. This  
23 guide shall be made available at each school in the district for  
24 examination by the public. The guide shall include, but not be limited  
25 to, the following:~~

26 ~~(a) Criteria used for written evaluations of staff members pursuant  
27 to RCW 28A.405.100;~~

28 ~~(b) A summary of program objectives pursuant to RCW 28A.320.210;~~

29 ~~(c) Results of comparable testing for all schools within the  
30 district; and~~

1       ~~(d) Budget information which will include the following:~~

2       ~~(i) Student enrollment;~~

3       ~~(ii) Number of full time equivalent personnel per school in the~~  
4 ~~district itemized according to classroom teachers, instructional~~  
5 ~~support, and building administration and support services, including~~  
6 ~~itemization of such personnel by program;~~

7       ~~(iii) Number of full time equivalent personnel assigned in the~~  
8 ~~district to central administrative offices, itemized according to~~  
9 ~~instructional support, building and central administration, and support~~  
10 ~~services, including itemization of such personnel by program;~~

11       ~~(iv) Total number of full time equivalent personnel itemized by~~  
12 ~~classroom teachers, instructional support, building and central~~  
13 ~~administration, and support services, including itemization of such~~  
14 ~~personnel by program; and~~

15       ~~(v) Special levy budget request presented by program and~~  
16 ~~expenditure for purposes over and above those requirements identified~~  
17 ~~in RCW 28A.150.220.))~~

18       **Sec. 107.** RCW 28A.225.220 and 1990 1st ex.s. c 9 s 201 are each  
19 amended to read as follows:

20       (1) Any board of directors may make agreements with adults choosing  
21 to attend school: PROVIDED, That unless such arrangements are approved  
22 by the state superintendent of public instruction, a reasonable tuition  
23 charge, fixed by the state superintendent of public instruction, shall  
24 be paid by such students as best may be accommodated therein.

25       (2) A district is strongly encouraged to honor the request of a  
26 parent or guardian for his or her child to attend a school in another  
27 district.

28       (3) A district shall release a student to a nonresident district  
29 that agrees to accept the student if:



1 (a) A financial, educational, safety, or health condition affecting  
2 the student would likely be reasonably improved as a result of the  
3 transfer; or

4 (b) Attendance at the school in the nonresident district is more  
5 accessible to the parent's place of work or to the location of child  
6 care; or

7 (c) There is a special hardship or detrimental condition.

8 (4) A district may deny the request of a resident student to  
9 transfer to a nonresident district if the release of the student would  
10 adversely affect the district's existing desegregation plan.

11 (5) For the purpose of helping a district assess the quality of its  
12 education program, a resident school district may request an optional  
13 exit interview or questionnaire with the parents or guardians of a  
14 child transferring to another district. No parent or guardian may be  
15 forced to attend such an interview or complete the questionnaire.

16 (6) School districts may establish annual transfer fees for  
17 nonresident students enrolled under subsection (3) of this section and  
18 RCW 28A.225.225. However, the school district may not charge tuition  
19 if the student is attending a nonresident school district because of  
20 the location of child care. Until rules are adopted under section 202,  
21 chapter 9, Laws of 1990 1st ex. sess. for the calculation of the  
22 transfer fee, the transfer fee shall be calculated by the same formula  
23 as the fees authorized under section 10, chapter 130, Laws of 1969.  
24 These fees, if applied, shall be applied uniformly for all such  
25 nonresident students except as provided in this section. The  
26 superintendent of public instruction, from available funds, shall pay  
27 any transfer fees for low-income students assessed by districts under  
28 this section. All transfer fees must be paid over to the county  
29 treasurer within thirty days of its collection for the credit of the  
30 district in which such students attend. Reimbursement of a high school

1 district for cost of educating high school pupils of a nonhigh school  
2 district shall not be deemed a transfer fee as affecting the  
3 apportionment of current state school funds.

4 PART II

5 SCHOOL SITE-BASED COUNCILS

6 NEW SECTION. **Sec. 201.** The legislature finds that in order to  
7 achieve the goal of reforming the public schools, each citizen of the  
8 state must accept the commitment of developing our most important  
9 resource, our children. The legislature further finds that part of  
10 building this commitment includes having persons in the field of  
11 education form partnerships with other persons in the community. To  
12 build a learning community, and develop this commitment, the  
13 legislature intends:

14 (1) That school boards of directors, school administrators,  
15 teachers, employee unions, and members of the community find new ways  
16 of working collaboratively, changing existing policies and agreements  
17 where appropriate;

18 (2) To encourage the creation of site-based councils, where  
19 parents, teachers, and citizens will join to make decisions for our  
20 schools; and

21 (3) To give school districts and schools broad discretion in  
22 establishing their site-based councils but consistent with the  
23 limitations under section 202 of this act.

24 NEW SECTION. **Sec. 202.** (1) A site-based council may be  
25 established at one or more schools if the school district board of  
26 directors has adopted a policy authorizing site-based councils. The  
27 policy is not subject to collective bargaining. The school district

1 board of directors has final authority in establishing the parameters  
2 and areas of involvement accorded to school site-based councils.

3 (2) The policy adopted by a school district board of directors may  
4 include but is not limited to:

5 (a) Procedures for forming a site-based council and official  
6 recognition of the council by the district;

7 (b) Membership of the site-based council including the principal,  
8 certificated and classified staff, students in secondary schools,  
9 parents, and persons in the community. A majority of the site-based  
10 council shall be parents. Existing organizations may be used to form  
11 the site-based council;

12 (c) Designation of activities with which site-based councils may  
13 become involved, such as: Student assessment, parent involvement, and  
14 developing community schools; and

15 (d) Delegation of authority to site-based councils to adopt their  
16 own bylaws and charter.

17 (3) School district boards of directors shall not delegate to site-  
18 based councils the authority to make personnel decisions regarding  
19 either instructional, administrative or classified staff.

20 (4) A school board shall only delegate authority over budget  
21 decisions to a site-based council if the authority is clearly defined  
22 in writing, if the authority is limited to a one-year period but may be  
23 renewed annually with the approval of the board, and if the authority  
24 of the site-based council is limited to decisions at the building  
25 level.

26 (5) Each school district board of directors deciding to adopt a  
27 policy authorizing site-based councils shall provide, by resolution,  
28 plans for attendance policies that are consistent with the requirements  
29 of any desegregation plan in order to promote stability for schools  
30 with site-based councils.

1        NEW SECTION.    **Sec. 203.**     If modifications to existing local  
2 bargaining agreements are necessary to implement school site-based  
3 councils, those modifications shall be clearly stated in the written  
4 agreement between the school district board of directors and the  
5 exclusive bargaining representative for district certificated  
6 instructional staff.

7        NEW SECTION.    **Sec. 204.**     (1) Schools with site-based councils may  
8 receive funds to provide resources for restructuring their educational  
9 programs. The superintendent of public instruction shall allocate  
10 funds, as are appropriated for this purpose, to school districts to  
11 distribute to the schools with site-based councils.

12        (2) School districts shall submit reports about the plans and use  
13 of funds to the superintendent of public instruction. The  
14 superintendent of public instruction may transmit information to other  
15 schools and school districts through the state clearinghouse for  
16 educational information and assistance.

17        (3) The superintendent of public instruction may provide technical  
18 assistance under this section to any school or school district  
19 establishing or using a site-based council.

## 20    PART III

### 21    SCHOOL BOARD POWERS

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

24        The board of directors of each school district may exercise the  
25 following powers:

26        (1) Such powers as expressly authorized by law;

1 (2) Such powers as are necessary or fairly implied in powers  
2 expressly authorized by law; and

3 (3) The additional broad discretionary power to determine and adopt  
4 written policies and rules not in conflict with other law that provide  
5 for the development and implementation of programs, activities,  
6 services, or practices that the board determines will:

7 (a) Benefit the education of citizens; or

8 (b) Promote the effective, efficient, or safe maintenance and  
9 operation of school district programs, activities, services, or  
10 practices.

11 The adoption of any such policy or rule shall be preceded by notice  
12 in accordance with the open public meeting law of chapter 42.30 RCW  
13 which furthermore sets forth or reasonably describes the proposed  
14 policy or regulation, plus a reasonable opportunity for public written  
15 and oral comment and consideration of the comment by the board of  
16 directors.

17 NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.300  
18 RCW to read as follows:

19 (1) The superintendent of public instruction shall adopt rules  
20 clearly allowing districts to blend funds for the basic education,  
21 learning assistance, special education, and transitional bilingual  
22 education programs to the maximum extent possible for the continued  
23 receipt of federal funds.

24 (2) The superintendent of public instruction may create a new  
25 program code in the accounting manual for public school districts to  
26 track revenues and expenditures under subsection (1) of this section.

PART IV

PLANNING AND IMPLEMENTATION GRANTS FOR RESTRUCTURING

NEW SECTION. **Sec. 401.** (1) The legislature believes that attaining the state vision for excellence in education under Senate Concurrent Resolution No. 8400 will require new state-supported opportunities for schools to implement strategies to improve student learning and skills. It is the intent of the legislature to provide additional support to schools or school districts to:

(a) Encourage students, parents, teachers, principals, classified school staff, school district personnel, the school board, and other citizens to become more active partners in the learning community of their school or district;

(b) Encourage schools or districts to select and compete against goals and educational outcomes tailored to their own learning community; and

(c) Foster improvements in instruction, curriculum, and assessment.

(2) It is the further intent of the legislature that what is learned from local projects under the reach for excellence grant program established under section 403 of this act shall be considered as a basis for the development of new goals, standards, and assessments for the state education system.

(3) The reach for excellence grant program shall be:

(a) Responsive to local educational concerns and desires;

(b) Educational, focusing on improving student learning and skills and encouraging the development of new measures to assess student performance;

(c) Accountable, so that projects earn reach achievement awards linked directly to progress made toward identified educational outcomes;

1 (d) Collaborative, with projects reflecting a partnership between  
2 students, parents, teachers, principals, and others; and

3 (e) Home-based, tailored to the needs of each participating school.

4 NEW SECTION. **Sec. 402.** Unless the context clearly requires  
5 otherwise, the definitions in this section apply throughout sections  
6 403 through 414 of this act.

7 (1) "Educational outcomes" and "target educational outcomes" mean  
8 expected levels of student performance and achievement, including  
9 student learning objectives required under RCW 28A.320.210.

10 (2) "Indicators" means institutional factors that may bear a  
11 relationship to student learning and can be used to help assess  
12 students' progress toward identified educational outcomes.

13 (3) "Context indicators" means variables that characterize the  
14 setting in which educational programs are delivered and generally are  
15 items over which schools have little control.

16 (4) "Process indicators" means variables that characterize how  
17 educational programs are delivered and generally are items over which  
18 schools have some control.

19 (5) "Grant" means state funds provided to a district with a  
20 selected reach for excellence project for use in the planning and  
21 initial implementation of the project.

22 (6) "Award" or "reach achievement award" means state funds provided  
23 to a reach project for progress made toward target educational  
24 outcomes.

25 (7) "Superintendent" means the superintendent of public  
26 instruction.

27 NEW SECTION. **Sec. 403.** (1) From funds appropriated by the  
28 legislature, the state board of education shall establish the reach for

1 excellence grant program to assist schools and school districts in  
2 local efforts to improve student learning and skills. Participation in  
3 the program shall be voluntary.

4 (2) Schools or districts selected to participate in the reach for  
5 excellence grant program shall be required to match the state funds  
6 under section 406(2) of this act at one hundred percent. The district  
7 match may consist of funds under section 1101 of this act.

8 (3) The state board of education shall be responsible for final  
9 decisions regarding selection and funding levels of projects and for  
10 the manner in which reach achievement awards shall be distributed.  
11 Reach projects may be conducted for up to six years subject to funding  
12 and annual approval by the state board. No project may receive  
13 continued funding for additional planning or reach achievement awards  
14 without approval from the state board. The state board shall use the  
15 benchmark data for the target educational outcomes required under  
16 section 406(2)(f) of this act in annually assessing the progress made  
17 toward the target educational outcomes to determine project eligibility  
18 for annual reach achievement awards. In evaluating projects to  
19 determine their continuation the state board shall emphasize giving  
20 projects maximum flexibility and time to be successful.

21 (4) The superintendent shall be responsible for administration of  
22 the reach for excellence program once projects and funding levels have  
23 been determined by the state board.

24 (5) The state board shall establish a working committee to assist  
25 it with:

26 (a) The development of any additional grant application criteria;

27 (b) Selecting reach applicants for grant awards;

28 (c) Determining the manner in which reach achievement awards will  
29 be distributed; and



1 (d) Monitoring the development and use of measures of assessing  
2 student performance in addition to standardized tests, as required  
3 under section 406 of this act.

4 NEW SECTION. **Sec. 404.** (1) The superintendent shall assure that  
5 the sum total of all funds allocated for planning grants and for reach  
6 achievement awards does not exceed the amount appropriated by the  
7 legislature for the reach for excellence grant program.

8 (2) The superintendent shall award funds appropriated for the reach  
9 for excellence grant program to the selected projects as follows. The  
10 initial grant shall be awarded to projects for planning activities  
11 relating to implementation of the local reach project and for initial  
12 implementation of the project. Planning and initial implementation  
13 grants shall be for the 1991-92 and 1992-93 school years. These grants  
14 may be used for the following purposes:

- 15 (a) Planning;
- 16 (b) Staff development and training;
- 17 (c) Purchase of instructional materials, supplies, and resources;
- 18 (d) Development of new measures to assess student performance; and
- 19 (e) Initial implementation of the reach project.

20 (3)(a) Commencing with the end of the 1993-94 school year, and each  
21 school year thereafter, projects receiving initial reach grants shall  
22 be evaluated by the state board to determine their eligibility for  
23 reach achievement awards as determined under section 403(3) of this  
24 act.

25 (b) School staff shall have the final authority to determine how  
26 the reach achievement awards will be used and, if applicable to the  
27 project, how much each staff member shall receive.

28 (4) Reach achievement awards may be used for the following  
29 purposes:

1 (a) Any of the purposes authorized under subsection (2) of this  
2 section;

3 (b) Stipends or salary and compensation increases for certificated  
4 or classified staff under RCW 28A.400.200(4). Nothing in sections 402  
5 through 414 of this act precludes the use of reach achievement awards  
6 for providing stipends or salary and compensation increases through a  
7 compensation model characterized by differentiated levels of employment  
8 classification for certificated staff and differentiated  
9 responsibilities for each level of employment classification; or

10 (c) Any combination of (a) and (b) of this subsection.

11 (5) A site-based council may use planning grant funds under  
12 subsection (2) of this section for planning, staff and community  
13 development and training, and materials and supplies: PROVIDED, That  
14 these activities are related directly to the reach project.

15 NEW SECTION. **Sec. 405.** Use of reach achievement awards for the  
16 purpose of section 404(4)(b) of this act is not an increase in salary  
17 or compensation for the purposes of RCW 28A.400.200, nor may such  
18 compensation be applied to the district's salary schedule or be  
19 provided in a manner that would increase the state's basic education  
20 funding obligation.

21 NEW SECTION. **Sec. 406.** (1) Schools or school districts  
22 interested in implementing or enhancing existing local projects for  
23 educational excellence shall submit a grant application to the state  
24 board of education. All applications shall be submitted by the  
25 district's board of directors. If possible, applicants should develop  
26 their reach projects as part of the self-study process under RCW  
27 28A.320.200, or otherwise link the proposed reach project to the self-  
28 study results of the school or district.

1 (2) Grant applications shall include:

2 (a) Documentation that at least one public hearing was held on the  
3 proposed reach project or projects. The public hearing required under  
4 this subsection, and other public hearings as may be held, may be  
5 conducted as part of the public hearings required under chapter 28A.505  
6 RCW;

7 (b) Documentation that all parties are committed to work  
8 cooperatively during the term of the project;

9 (c) A statement indicating how the proposed reach project supports  
10 the state vision for excellence in education endorsed under Senate  
11 Concurrent Resolution No. 8400;

12 (d) A description of how the reach for excellence grant program  
13 funds will be expended. The expenditure plan may be included as part  
14 of the district's annual budget required under chapter 28A.505 RCW;

15 (e) Target educational outcomes for the selected basic academic,  
16 workplace, and life and family skills under section 407 (1) through (3)  
17 of this act. Student learning objectives required under RCW  
18 28A.320.210 may be used for target educational outcomes if applicable  
19 for the purposes of the reach project;

20 (f) Benchmark data for the target educational outcomes identified  
21 for the selected skills under section 407 (1) through (3) of this act;

22 (g) Benchmark data for context and process indicators as provided  
23 under section 408 of this act;

24 (h) Identification of the evaluation and accountability procedures  
25 and activities, including potential use of context and process  
26 indicators, that may be used to: (i) Assess progress toward the target  
27 educational outcomes; (ii) evaluate additional educational benefits  
28 received by students, building staff, and parents from implementation  
29 of the reach project; and (iii) assess the overall effectiveness of the  
30 project. Applicants may use evaluation and accountability procedures

1 and activities established under the state self-study program under RCW  
2 28A.320.200. Applicants shall identify at least one measure of  
3 assessing student performance other than standardized testing that will  
4 be developed or used as part of the reach project. Applicants are  
5 encouraged to seek information from state higher education institutions  
6 regarding potential alternatives to standardized testing;

7 (i) A written statement that school directors and administrators  
8 are willing to exempt the reach project or projects from specifically  
9 identified local rules, as needed;

10 (j) A written statement that the school directors and the local  
11 bargaining agents will modify those portions of their local agreements  
12 as applicable for the reach project or projects;

13 (k) Written statements of support from the district's board of  
14 directors, the district superintendent, and the principal and staff of  
15 the school or schools requesting to implement a reach project, and  
16 statements of support, willingness to participate, or concerns from any  
17 interested persons or organizations; and

18 (l) Other information as may be determined necessary by the state  
19 board of education.

20 NEW SECTION. **Sec. 407.** (1) Grant applications under section 406  
21 of this act shall include target educational outcomes for at least  
22 three of the following basic academic skill areas:

23 (a) Reading and writing of the English language;

24 (b) Speaking and listening;

25 (c) Observing and questioning;

26 (d) Studying;

27 (e) Reasoning and problem solving;

28 (f) Mathematics; and

29 (g) Computer competency.

1 (2) Grant applications under section 406 of this act shall include  
2 educational outcomes for at least two of the following workplace skill  
3 areas:

- 4 (a) Decision making;
- 5 (b) Cooperation and teamwork;
- 6 (c) Self-directed learning; and
- 7 (d) Positive work habits.

8 (3) Grant applications under section 406 of this act shall include  
9 educational outcomes for at least two of the following life and family  
10 skill areas:

- 11 (a) Home and family life;
- 12 (b) Career planning;
- 13 (c) Life-long learning;
- 14 (d) Responsible and ethical behavior;
- 15 (e) Concern for others;
- 16 (f) Interpersonal relationships; and
- 17 (g) The arts, performing arts, and music.

18 (4) Grant applications shall indicate for subsections (1) through  
19 (3) of this section the grade levels and subject matter areas in which  
20 the identified skills will be addressed.

21 NEW SECTION. **Sec. 408.** (1) If possible, grant applications  
22 under section 406 of this act should include benchmark data for the  
23 context and process indicators listed under subsections (2) and (3) of  
24 this section. However, as a condition to receiving reach for  
25 excellence program grant funds, applicants selected for the reach  
26 program shall submit to the state board of education the benchmark data  
27 for the context and process indicators listed under subsections (2) and  
28 (3) of this section.

1 (2) Applicants shall provide benchmark data for the following  
2 context indicators developed by the educational outcomes and  
3 measurement committee and reported to the legislature by the  
4 superintendent in 1989:

5 (a) The average percent of students absent from school each day;

6 (b) Student mobility rate;

7 (c) School growth rate;

8 (d) Teacher mobility rate;

9 (e) Administrator mobility rate;

10 (f) The percent of students from low-income families; and

11 (g) The percent of students who speak English as a second language;

12 plus

13 (h) The average percent of teachers absent from school each day.

14 (3) Applicants shall provide benchmark data for the following  
15 process indicators developed by the educational outcomes and  
16 measurement committee and reported to the legislature by the  
17 superintendent in 1989:

18 (a) Student-teacher ratio;

19 (b) Student-counselor ratio;

20 (c) Student-staff specialist ratio;

21 (d) The average expenditure per student;

22 (e) The average expenditure per staff member for in-service for  
23 staff development;

24 (f) School accreditation status;

25 (g) The percent of students served by compensatory education  
26 programs;

27 (h) The percent of students served by chapter 1 migrant education  
28 programs;

29 (i) The percent of students served by special education programs;

30 and

1 (j) The percent of students served by gifted-talented programs.

2 (4) If possible and appropriate, benchmark data required under  
3 section 406(2)(f) of this act and subsections (2) and (3) of this  
4 section shall be provided on a by-school basis. If this is not  
5 possible, the benchmark data shall be provided on a district-level  
6 basis.

7 NEW SECTION. **Sec. 409.** (1) Grant applications may be submitted  
8 jointly by two or more school districts or by an educational service  
9 district on behalf of one or more school districts. An application may  
10 include a proposal for two or more school buildings to implement  
11 jointly a reach for excellence project.

12 (2) Upon request from a school district, the superintendent or the  
13 educational service district shall provide the district with technical  
14 assistance to develop the grant application.

15 (3) Upon request from a reach for excellence project, the  
16 superintendent or the educational service district shall provide the  
17 project with technical assistance to develop a measure of assessing  
18 student performance as required under section 406(2)(h) of this act.

19 NEW SECTION. **Sec. 410.** Applicants selected for the reach for  
20 excellence grant program may request from the state board of education  
21 or the superintendent a waiver from the statutory or regulatory  
22 requirements relating to:

23 (1) Teacher contact hour requirements under RCW 28A.150.260;

24 (2) Basic education program hours offering requirements under RCW  
25 28A.150.200 through 28A.150.220;

26 (3) Student learning objectives under RCW 28A.320.210; and

27 (4) Mandatory school building self-study under RCW 28A.320.200.

1 The waivers may be renewed subject to continued funding and  
2 approval by the state board of education under section 403 of this act.

3 NEW SECTION. **Sec. 411.** If modifications to existing local  
4 bargaining agreements are necessary to implement grant proposals, those  
5 modifications shall be clearly stated in the written agreement between  
6 the school district board of directors and the exclusive bargaining  
7 representative for district certificated instructional staff. The  
8 requirement is not necessary if a previously written agreement to waive  
9 the provisions of chapter 41.59 RCW for schools with reach projects has  
10 been reached by the same two parties.

11 NEW SECTION. **Sec. 412.** (1) Each school district shall report to  
12 the state board of education by October 1, 1993, and annually  
13 thereafter pursuant to section 414(4) of this act, the following  
14 information:

15 (a) The educational excellence activities supported by reach for  
16 excellence grant funds;

17 (b) Updated information relating to the required benchmark data;

18 (c) Progress made toward the target educational outcomes; and

19 (d) The means and the results of evaluating the target educational  
20 outcomes and additional benefits received by students, building staff,  
21 and parents from implementation of the local reach project.

22 (2) By December 1, 1993, and by December 1st of each subsequent  
23 even-numbered calendar year, the state board of education shall provide  
24 the legislature and the governor a report on the reach for excellence  
25 grant program. The reports shall include information on the items  
26 required under subsection (1) of this section.

27 (3) In the report due December 1, 1996, the state board shall:



1 (a) Indicate the most common basic academic, workplace, and life  
2 and family skills and accompanying target educational outcomes  
3 identified by the reach projects;

4 (b) Indicate the development or use of measures to assess student  
5 performance other than standardized tests;

6 (c) Indicate the number of projects that implemented the waivers  
7 authorized under section 410 of this act;

8 (d) Include recommendations on the feasibility of implementing  
9 basic academic, workplace, and life and family skills, educational  
10 outcomes, and context and process indicators state-wide; and

11 (e) Comment on or recommend how the salary allocation schedule  
12 developed by the legislative evaluation and accountability program  
13 committee might reflect a school performance assessment model based on  
14 basic academic, workplace, and life and family skills, educational  
15 outcomes, and context and process indicators.

16 (4) The state board of education shall submit a final report on the  
17 reach for excellence grant program to the legislature and the governor  
18 not later than December 1, 1998.

19 NEW SECTION. **Sec. 413.** The superintendent shall provide for the  
20 sharing of information between reach projects and with schools and  
21 districts not selected or not participating in the reach for excellence  
22 grant program.

23 NEW SECTION. **Sec. 414.** (1) The state board of education and the  
24 superintendent shall adopt rules as necessary under chapter 34.05 RCW  
25 to implement sections 402 through 414 of this act. The rules shall be  
26 adopted not later than December 1, 1991.

27 (2) The rules shall include the following dates to govern  
28 administration of the reach for excellence grant program:

1 (a) Initial applications must be received by the state board of  
2 education not later than March 15, 1992;

3 (b) The state board of education shall evaluate the applications  
4 and select the initial projects for grants by May 31, 1992; and

5 (c) After planning, initial implementation of the first reach  
6 projects shall commence no later than the start of the 1993-94 school  
7 year.

8 (3) The state board shall establish an annual date by which  
9 subsequent applications must be submitted.

10 (4) The state board shall establish a date by which the annual  
11 report required under section 412(1) of this act shall be submitted.

12 (5) The state board shall establish an annual date by which the  
13 board shall notify each project of the amount of any eligible reach  
14 achievement award and status to continue.

15 PART V

16 STUDENT ACHIEVEMENT TESTS

17 **Sec. 501.** RCW 28A.230.190 and 1990 c 101 s 6 are each amended to  
18 read as follows:

19 (1) Every school district is encouraged to test pupils in grade two  
20 by an assessment device designed or selected by the school district.  
21 This test shall be used to help teachers in identifying those pupils in  
22 need of assistance in the skills of reading, writing, mathematics, and  
23 language arts. The test results are not to be compiled by the  
24 superintendent of public instruction, but are only to be used by the  
25 local school district.

26 (2) The superintendent of public instruction shall prepare and  
27 conduct, with the assistance of school districts, a standardized  
28 achievement test to be given annually to all pupils in grade four. The

1 test shall assess students' skill in reading, mathematics, writing,  
2 science, history, geography, and language arts and shall focus upon  
3 appropriate input variables. Results of such tests shall be compiled  
4 by the superintendent of public instruction, who shall make those  
5 results available annually to the legislature, to all local school  
6 districts and subsequently to parents of those children tested. The  
7 results shall allow parents to ascertain the achievement levels and  
8 input variables of their children as compared with the other students  
9 within the district, the state and, if applicable, the nation.

10 (3) The superintendent of public instruction shall report annually  
11 to the legislature on the achievement levels of students in grade four.

12 **Sec. 502.** RCW 28A.230.230 and 1990 c 101 s 2 are each amended to  
13 read as follows:

14 The superintendent of public instruction shall prepare and conduct,  
15 with the assistance of school districts, an annual assessment of all  
16 students in the eighth grade. The purposes of the assessment are to  
17 assist students, parents, and teachers in the planning and selection of  
18 appropriate high school courses for students and to provide information  
19 about students' current academic proficiencies both in the basic skills  
20 of reading, writing, science, mathematics, economics, history,  
21 geography, and language, and in the reasoning and thinking skills  
22 essential for successful entry into those courses required for high  
23 school graduation. The assessment shall also include the collection of  
24 information about students' interests and plans for high school and  
25 beyond and may include the collection of other related student and  
26 school information. The superintendent of public instruction shall make  
27 the results of the assessment available to all school districts which  
28 shall in turn make them available to students, parents, and teachers in

1 a timely fashion and in a manner consistent with the purposes of RCW  
2 28A.230.220 through 28A.230.260.

3 **Sec. 503.** RCW 28A.230.240 and 1990 c 101 s 3 are each amended to  
4 read as follows:

5 The superintendent of public instruction shall prepare and conduct,  
6 with the assistance of local school districts, an annual assessment of  
7 all students in the eleventh grade beginning with the 1991-92 school  
8 year. The purposes of the assessment are to provide achievement and  
9 guidance information to students, parents, and teachers that will  
10 assist in reviewing students' current performance and planning  
11 effectively for their initial years beyond high school. The  
12 achievement measures shall assess students' strengths and deficiencies  
13 in the broad content areas common to the high school curriculum and  
14 those thinking and reasoning skills essential for completing high  
15 school graduation requirements and for success beyond high school. The  
16 assessment shall include measurements of the students' skills in  
17 reading, writing, mathematics, language, history, geography, economics,  
18 and science and technology. The assessment shall also collect  
19 information about students' career interests and plans and other  
20 related student and school information including students' high school  
21 course selection patterns, course credits, and grades. The  
22 superintendent of public instruction shall make the results of the  
23 assessment available to all local school districts which shall in turn  
24 make them available to students, parents, and teachers in a timely  
25 fashion and in a manner consistent with the purposes of RCW 28A.230.220  
26 through 28A.230.260. No grade ten students shall be tested in the fall  
27 of 1990 and the funds already appropriated for such testing shall be  
28 used for the planning and preliminary development work necessary to  
29 implement RCW 28A.230.220 through 28A.230.260.

1        NEW SECTION.    **Sec. 504.**    A new section is added to chapter 28A.230  
2    RCW to read as follows:

3        The superintendent of public instruction shall prepare and conduct,  
4    with the assistance of local school districts, an annual assessment of  
5    all students in grade twelve.    The purpose of the assessment is to  
6    determine the competence of students in the subject matters of reading,  
7    writing, mathematics, language, science, technology, economics,  
8    history, geography, and reasoning and thinking skills.

9        NEW SECTION.    **Sec. 505.**    A new section is added to chapter 28A.230  
10    RCW to read as follows:

11        (1) The superintendent of public instruction shall establish  
12    standards by which successful completion of the achievement assessments  
13    and tests under this chapter are to be measured.    In preparing the  
14    assessments, tests, and standards, the superintendent of public  
15    instruction shall consider the special needs of students in programs  
16    such as the handicapped and bilingual education programs.    Each school  
17    district shall notify the parents of each student of their child's  
18    performance on the assessments and tests conducted under this chapter.

19        (2) A school district shall not advance a student beyond the  
20    fourth, eighth, or eleventh grade without the student having  
21    successfully completed the respective assessment or test under this  
22    chapter, unless the school district determines that the educational  
23    interests of the student are best served by advancement to the next  
24    grade.    In making this determination, the school district shall consult  
25    with the parents of the student.    If the parents, in writing, desire  
26    that the student not be advanced, the school district shall not advance  
27    the student.

1 (3) After October 1, 1997, no student may graduate from a high  
2 school in this state unless the student has successfully completed the  
3 assessment conducted under section 504 of this act.

4 (4) If a student fails to successfully complete a test or  
5 assessment under this chapter, the school district shall offer  
6 additional educational opportunities to prepare the student to  
7 successfully retake all or part of the test or assessment. Such  
8 educational opportunities may include learning assistance programs,  
9 tutoring, summer school, or after-school classes.

10 PART VI

11 ENHANCING THE TEACHING PROFESSION

12 NEW SECTION. **Sec. 601.** (1) The department of personnel, in  
13 consultation with teachers, classified employees, administrators,  
14 school directors, business, labor, parents, and legislators shall  
15 conduct a study of total compensation for educational employees in  
16 Washington. The study shall include, but is not limited to, a review  
17 of the relationship between total compensation for educational  
18 employees and:

19 (a) Total compensation paid:

20 (i) In other professions requiring comparable educational  
21 experience and preparation; and

22 (ii) To teachers, administrators, and classified employees in other  
23 states;

24 (b) The in-service training act of 1977, RCW 28A.415.030 and  
25 28A.415.040;

26 (c) In-service and staff development opportunities sponsored by  
27 school districts, educational service districts, or other providers of  
28 in-service and staff development programs;

1 (d) The provisions of RCW 28A.215.020 that allow credit on the  
2 salary schedule developed by the legislative evaluation and  
3 accountability program committee for approved in-service and continuing  
4 education;

5 (e) The state board of education's continuing education requirement  
6 for certificated instructional staff with continuing certificates;

7 (f) The length of the school year for contracted certificated and  
8 classified employees;

9 (g) The teacher assistance program under RCW 28A.405.450;

10 (h) The self-study program under RCW 28A.320.200;

11 (i) The schools for the twenty-first century program under RCW  
12 28A.630.100 through 28A.630.290;

13 (j) The evaluation of certificated employees under RCW 28A.405.100;

14 (k) State board of education teacher assignment and certificate  
15 endorsement policies;

16 (l) Certification requirements under chapter 28A.410 RCW;

17 (m) The Washington award for excellence in education program under  
18 RCW 28A.625.020 through 28A.625.070, and particularly the Christa  
19 McAuliffe award under RCW 28A.625.030;

20 (n) Local education program enhancement funds; and

21 (o) The results of the studies by the state board of education on  
22 internships and alternative classification.

23 (2) A review of the relationship between staffing and total  
24 compensation levels for certificated and classified positions.

25 (3) Based on the results of the study findings, the department of  
26 personnel shall submit to the legislature and the governor not later  
27 than December 1, 1991, a plan to bring educational employees' total  
28 compensation to a level that places Washington in the top ten states by  
29 the beginning of the 1997-98 school year.

1        NEW SECTION.    **Sec. 602.**        The department of personnel, in  
2 consultation with teachers, classified employees, administrators,  
3 school directors, business, labor, parents, and legislators shall study  
4 and recommend to the legislature and the governor not later than  
5 December 1, 1991, a plan to maintain total compensation for educational  
6 employees in Washington at the levels to be established under section  
7 601(2) of this act. The plan may include the use of peer states or  
8 peer professions.

9        NEW SECTION.    **Sec. 603.**        The definitions in this section apply  
10 throughout sections 604 through 607 of this act.

11        (1) "Teacher" means a certificated instructional staff person  
12 employed in a public school in this state. The term includes persons  
13 holding a certificate under sections 608 through 610 of this act.

14        (2) "Certificated staff" means teachers and certificated  
15 administrative staff.

16        (3) "School building" means a discrete school operated by a school  
17 district.

18        NEW SECTION.    **Sec. 604.**        The superintendent of public  
19 instruction, from available funds, shall allocate to school districts  
20 funds to effectuate an optional performance-based salary enhancement  
21 program for the teachers and certificated administrative staff of the  
22 state. Funds appropriated by the legislature for optional,  
23 performance-based salary enhancements shall be separate from and in  
24 addition to funds appropriated by the legislature for salary increases  
25 for certificated staff.

26        Funds provided for the optional, performance-based salary  
27 enhancement program under this section shall be allocated by the



1 superintendent of public instruction to school buildings in the state  
2 on a grant basis.

3 NEW SECTION. **Sec. 605.** (1) In order to apply for a performance-  
4 based salary enhancement grant, a majority vote by the certificated  
5 staff of the building is required.

6 (2) Schools, through the school district, shall submit a grant  
7 application to the superintendent of public instruction. The grant  
8 application shall include the following information:

9 (a) Documentation that a performance-based salary enhancement plan  
10 has been adopted by a committee established in the school building.  
11 The committee shall be a school site-based council under sections 201  
12 through 204 of this act; and

13 (b) Documentation that the performance-based salary enhancement  
14 plan identifies the criteria to be used to evaluate the performance of  
15 those certificated staff participating in the program, the levels of  
16 salary enhancement that can be earned under the plan, and the person or  
17 persons responsible for evaluating the performance of participating  
18 staff to determine eligibility for a salary enhancement.

19 (3) The criteria under subsection (2)(b) of this section for the  
20 performance-based salary enhancement plan may include the following  
21 criteria:

22 (a) Demonstration of improved competency of students leaving grades  
23 four, eight, eleven, and twelve in the subject matters of reading,  
24 writing, mathematics, science, history, and geography. The improved  
25 competency shall be measured by the assessments and tests administered  
26 under chapter 28A.230 RCW;

27 (b) Development of lesson plans with understandable student  
28 learning objectives that provide for measurement of student achievement

1 against those objectives, and evaluation of improved student  
2 achievement resulting from the plans;

3 (c) Demonstration of staff competency in theory and content of  
4 assigned subject matter, as well as principles and methods of  
5 instruction;

6 (d) Maintenance of a clearly understood grading procedure that is  
7 administered fairly and consistently, and is directly related to  
8 student learning objective improvement;

9 (e) Demonstration of increased student motivation, self-direction,  
10 and self-discipline;

11 (f) Demonstration of communication skills for improvement in  
12 parent/staff relationships that effectively contribute to improved  
13 student performance; and

14 (g) Decreasing rates of student absenteeism and, in the case of  
15 high school buildings, demonstration of an increased graduation rate  
16 for students. The plan shall include a methodology for calculating the  
17 graduation rate that reflects the rate of student drop-outs as well as  
18 student transfers into and out of the school.

19 (4) In developing the performance-based salary enhancement plan,  
20 the committee shall seek input from appropriate groups, including  
21 parents, teachers, administrators, students, and the public. Prior to  
22 adoption of the plan, the committee shall present the plan in a public  
23 hearing with prior public notice.

24 (5) It is the intent of the legislature that the performance-based  
25 salary enhancement program reward those educators whose performance is  
26 exemplary and is not intended to result in across-the-board salary  
27 increases for all certificated staff in the school building. However,  
28 the committee under subsection (2) of this section, by a vote of at  
29 least three-fourths of its members, may adopt a performance-based

1 salary enhancement program that results in uniform across-the-board  
2 salary increases.

3 NEW SECTION. **Sec. 606.** Performance-based salary enhancement  
4 grants for certificated staff do not constitute an increase in salary  
5 or compensation for purposes of RCW 28A.400.200, nor may such  
6 compensation be applied to the district's salary schedule or be  
7 provided in a manner that would increase the state's basic education  
8 funding obligation.

9 NEW SECTION. **Sec. 607.** Schools or districts accepting  
10 performance-based salary enhancement grant funds shall be required to  
11 match the state funds at a minimum of one hundred percent. The match  
12 may consist of funds under section 1101 of this act.

13 NEW SECTION. **Sec. 608.** It is the intent of the legislature to  
14 attract career professionals from diverse backgrounds into the teaching  
15 profession and prevent teacher shortages by making alternate teacher  
16 certification available to persons with baccalaureate degrees and  
17 extensive, relevant work experience. The alternate certificate  
18 established under section 609 of this act shall allow eligible persons  
19 to qualify for initial teacher certification upon satisfactory  
20 completion of limited preservice coursework and two years of full-time  
21 teaching under the guidance and supervision of an employee of a school  
22 district in Washington state.

23 NEW SECTION. **Sec. 609.** The state board of education shall by  
24 December 15, 1991, adopt rules to implement an alternate teacher  
25 certificate having the following standards:

26 (1) Each candidate for the alternate teacher's certificate shall:

1 (a) Possess a baccalaureate degree in the arts, sciences, or  
2 humanities from an accredited college or university;

3 (b) Have completed a minimum number of years, as determined by the  
4 state board of education, of occupational experience relevant to the  
5 subject area in which he or she is seeking endorsement;

6 (c) Meet the age and character requirements established by the  
7 state board of education for all certificated school staff, including  
8 compliance with the background check through the Washington state  
9 patrol criminal investigation system as required under RCW 28A.410.010;  
10 and

11 (d) Possess a contract for employment in a school district of the  
12 state.

13 (2) Prior to beginning teaching under the alternate teacher  
14 certificate, the candidate shall:

15 (a) Have satisfied preservice coursework requirements established  
16 by the state board of education for this purpose. These requirements  
17 shall be limited to no more than fifteen quarter hours or ten semester  
18 hours of postbaccalaureate coursework, or the equivalent in state board  
19 of education approved in-service clock hours. In establishing the  
20 requirements, the state board shall select courses available during the  
21 summer as well as the school year;

22 (b) Have developed with their employing school district a written  
23 plan for supervision, guidance, and support to be provided to the  
24 candidate by the district for the duration of the alternate  
25 certificate. The plan shall include but not be limited to assignment  
26 by the district of a mentor teacher according to criteria established  
27 for the teacher assistance program under RCW 28A.405.450 and evaluation  
28 under the school district's teacher evaluation procedures.

29 (3) The alternate teacher certificate allows the holder full  
30 authority to serve as a part-time or full-time teacher. The

1 certificate shall be valid for not more than two years of full-time  
2 teaching or its equivalent. A person desiring to teach beyond the  
3 expiration date of his or her alternate certificate shall apply for  
4 initial or professional certification with the superintendent of public  
5 instruction. Such certification shall be conditioned upon the  
6 satisfaction of all requirements in this section and recommendation by  
7 the school district employing the candidate under alternate  
8 certification. Initial certification shall not require additional  
9 coursework or experience.

10 (4) The alternate certification developed under this section shall  
11 be available not later than the 1992-93 school year.

12 NEW SECTION. **Sec. 610.** (1) The state board of education shall  
13 report to the legislature by December 15, 1991, on:

14 (a) The standards adopted pursuant to section 609 of this act; and

15 (b) Recommendations for placement of teachers with alternate  
16 certification as provided for in section 609 of this act on the state-  
17 wide salary allocation schedule.

18 (2) The state board of education shall report annually to the  
19 legislature and the governor on alternate teacher certification. Each  
20 report is due by December 1st and shall include but not be limited to:  
21 The number of alternate certification teachers hired by school  
22 districts; the grade level and subject areas to which they have been  
23 assigned; the number of instructional hours they have taught; the  
24 number who have applied for initial or professional certification; and  
25 the number who have been granted initial or professional certification.

26 **Sec. 611.** RCW 28A.410.030 and 1987 c 525 s 203 are each amended to  
27 read as follows:

1       (1) The state board of education shall require a uniform state  
2       ((exit)) entry to practice examination for teacher certification  
3 candidates.

4       (2) Commencing August 31, 1993, ((teacher certification)) for  
5 initial teacher certification or alternative certification under  
6 sections 608 through 610 of this 1991 act candidates completing a  
7 teacher preparation program shall be required to pass an ((exit)) entry  
8 to practice examination before being granted an initial certificate.  
9 The examination shall test knowledge and competence in: (a) The  
10 subjects ((including, but not limited to,)) for which the candidate has  
11 an endorsement; and (b) instructional skills, classroom management, and  
12 student behavior and development. The examination for (b) of this  
13 subsection shall consist primarily of essay questions.

14       (3) Candidates shall pass the examinations in subsection (2) (a)  
15 and (b) of this section. However, if a candidate passes only the  
16 examination in subsection (2)(b) of this section, the candidate may  
17 teach for one school year if the candidate retakes the examination in  
18 subsection (2)(a) of this section once each six months while teaching.

19       (4) The state board of education shall adopt such rules as may be  
20 necessary to implement this section.

21       **Sec. 612.** RCW 28A.405.220 and 1990 c 33 s 391 are each amended to  
22 read as follows:

23       Notwithstanding the provisions of RCW 28A.405.210, every person  
24 employed by a school district in a teaching or other nonsupervisory  
25 certificated position shall be subject to nonrenewal of employment  
26 contract as provided in this section during the first three years of  
27 employment by such district, unless the employee has previously  
28 completed at least three years of certificated employment in another  
29 school district in the state of Washington, in which case the employee

1 shall be subject to nonrenewal of employment contract pursuant to this  
2 section during the first year of employment with the new district.  
3 Employees as defined in this section shall hereinafter be referred to  
4 as "provisional employees".

5 In the event the superintendent of the school district determines  
6 that the employment contract of any provisional employee should not be  
7 renewed by the district for the next ensuing term such provisional  
8 employee shall be notified thereof in writing on or before May 15th  
9 preceding the commencement of such school term, which notification  
10 shall state the reason or reasons for such determination. Such notice  
11 shall be served upon the provisional employee personally, or by  
12 certified or registered mail, or by leaving a copy of the notice at the  
13 place of his or her usual abode with some person of suitable age and  
14 discretion then resident therein. The determination of the  
15 superintendent shall be subject to the evaluation requirements of RCW  
16 28A.405.100.

17 Every such provisional employee so notified, at his or her request  
18 made in writing and filed with the superintendent of the district  
19 within ten days after receiving such notice, shall be given the  
20 opportunity to meet informally with the superintendent for the purpose  
21 of requesting the superintendent to reconsider his or her decision.  
22 Such meeting shall be held no later than ten days following the receipt  
23 of such request, and the provisional employee shall be given written  
24 notice of the date, time and place of meeting at least three days prior  
25 thereto. At such meeting the provisional employee shall be given the  
26 opportunity to refute any facts upon which the superintendent's  
27 determination was based and to make any argument in support of his or  
28 her request for reconsideration.

29 Within ten days following the meeting with the provisional  
30 employee, the superintendent shall either reinstate the provisional

1 employee or shall submit to the school district board of directors for  
2 consideration at its next regular meeting a written report recommending  
3 that the employment contract of the provisional employee be nonrenewed  
4 and stating the reason or reasons therefor. A copy of such report  
5 shall be delivered to the provisional employee at least three days  
6 prior to the scheduled meeting of the board of directors. In taking  
7 action upon the recommendation of the superintendent, the board of  
8 directors shall consider any written communication which the  
9 provisional employee may file with the secretary of the board at any  
10 time prior to that meeting.

11 The board of directors shall notify the provisional employee in  
12 writing of its final decision within ten days following the meeting at  
13 which the superintendent's recommendation was considered. The decision  
14 of the board of directors to nonrenew the contract of a provisional  
15 employee shall be final and not subject to appeal.

16 This section applies to any person employed by a school district in  
17 a teaching or other nonsupervisory certificated position after June 25,  
18 1976. This section provides the exclusive means for nonrenewing the  
19 employment contract of a provisional employee and no other provision of  
20 law shall be applicable thereto, including, without limitation, RCW  
21 28A.405.210 and chapter 28A.645 RCW.

## 22 PART VII

### 23 PRIMARY GRADES SPECIAL EMPHASIS GRANT PROGRAM

24 NEW SECTION. **Sec. 701.** Unless the context clearly requires  
25 otherwise, the definitions in this section apply throughout sections  
26 701 through 709 of this act.

27 (1) "Child intervention specialist" means:



1 (a) An educational staff associate who holds certification as a  
2 school counselor, a school psychologist, a school nurse, or a school  
3 social worker under state board of education rules adopted pursuant to  
4 RCW 28A.305.130; or

5 (b)(i) An appropriate public or private provider of professional  
6 health care as defined under RCW 18.120.020(4), including providers  
7 employed by the state of Washington;

8 (ii) A mental health professional as defined under RCW  
9 71.05.020(12), including mental health professionals employed by the  
10 state of Washington; or

11 (iii) A child psychiatrist or children's mental health specialist  
12 as defined under RCW 71.34.020, including child psychiatrists or  
13 children's mental health specialists employed by the state of  
14 Washington, whose services may be requested by a school district  
15 pursuant to a prevention and intervention program for elementary  
16 students implemented under sections 702 through 704 of this act.

17 (2) "Early grades," "elementary grades," and "elementary level"  
18 mean kindergarten through grade six and may include preschool age  
19 children served by the school district.

20 (3) "Elementary grades prevention and intervention program" means  
21 a program of services and activities or events developed pursuant to  
22 sections 702 through 704 of this act.

23 (4) "Superintendent" means the superintendent of public  
24 instruction.

25 NEW SECTION. **Sec. 702.** (1) From funds appropriated by the  
26 legislature, the superintendent shall establish a voluntary program to  
27 assist school districts in providing prevention and intervention  
28 programs for elementary grade students. This program shall be called  
29 the fair start program. The fair start program shall not become a part

1 of the state's basic program of education obligation as set forth under  
2 Article IX of the state Constitution.

3 (2) Any district currently providing elementary students with  
4 prevention and intervention services which loses the source of funding  
5 for those services, for reasons beyond the control of the district, may  
6 use fair start funds to continue or enhance the existing level of  
7 prevention and intervention services.

8 NEW SECTION. **Sec. 703.** The superintendent shall distribute  
9 funds equitably to all school districts based on the district's  
10 enrollment in grades kindergarten through six. Districts accepting  
11 fair start allocations shall be required to match the state funds at  
12 one hundred percent. In addition to the funds under section 1101 of  
13 this act, the district match may consist of:

14 (1) Federal funds;

15 (2) Other funds available to districts, including funds from state  
16 programs with prevention and intervention components, such as:

17 (a) The substance abuse awareness program under RCW 28A.170.010  
18 through 28A.170.070;

19 (b) The substance abuse prevention and intervention program under  
20 RCW 28A.170.075 through 28A.170.100;

21 (c) The community mobilization against substance abuse program  
22 under RCW 43.270.010 through 43.270.080;

23 (d) The learning assistance program under RCW 28A.165.010 through  
24 28A.165.090;

25 (e) The dropout prevention program under RCW 28A.175.020 through  
26 28A.175.070;

27 (3) District funds currently used for elementary prevention and  
28 intervention services;

1 (4) Contributions of or contractual arrangements for services,  
2 including the use of a child intervention specialist licensed or  
3 employed by the state of Washington, materials, supplies, or physical  
4 facilities; or

5 (5) Any combination of funds under subsections (1) through (4) of  
6 this section.

7 NEW SECTION. **Sec. 704.** (1) School districts interested in  
8 implementing or enhancing an elementary grades prevention and  
9 intervention program shall submit the following information to the  
10 superintendent of public instruction:

11 (a) Documentation that the district board of directors has adopted  
12 a written policy regarding the district's role and responsibility  
13 relating to prevention and intervention services for elementary  
14 students or a letter of commitment from the board of directors that a  
15 written policy will be adopted within six months of receipt of state  
16 funding under this chapter;

17 (b) District goals relating to prevention and intervention services  
18 for elementary students;

19 (c) Procedures for notifying parents or guardians regarding:

20 (i) The referral of students for prevention and intervention  
21 services; and

22 (ii) Liability issues relating to the provision of prevention and  
23 intervention services to students outside school buildings;

24 (d) Use of grant funds for prevention and intervention related in-  
25 service purposes, including, as necessary and appropriate,  
26 multicultural in-service training for child intervention specialists;

27 (e) How the services of child intervention specialists may be  
28 integrated into the district's elementary grades prevention and  
29 intervention program;

1 (f) Evaluation procedures the district will implement to assess the  
2 effectiveness of the district's early grades prevention and  
3 intervention program; and

4 (g) Other information as requested by the superintendent.

5 (2) The district's plan for providing prevention and intervention  
6 services to students shall be based on the district's identified goals  
7 under subsection (1)(b) of this section. The plan shall be developed  
8 with the participation of, but not limited to, district and building-  
9 level staff and administrators, child intervention specialists, and  
10 parents.

11 (3) In addition to the information required under subsection (1) of  
12 this section, school districts and educational service districts  
13 accepting moneys under the fair start program shall be required to  
14 establish formal agreements for coordinated case management with lead  
15 mental health agencies or other public or private social service  
16 agencies that are present in the community with an emphasis on the most  
17 efficient and cost-effective use of fair start funds.

18 (4) Two or more school districts may submit a joint application for  
19 the purpose of establishing or enhancing a cooperative prevention and  
20 intervention program for elementary grades students.

21 (5) An educational service district may submit an application on  
22 behalf of one or more school districts for the purpose of establishing  
23 or enhancing an elementary grades prevention and intervention program.

24 NEW SECTION. **Sec. 705.** (1) Districts shall use fair start funds  
25 to provide prevention and intervention services to students in grades  
26 preschool through six with priority given to students based on need.  
27 Districts shall establish the criteria determining need and include  
28 this information in the reports required under section 708 of this act.

1 (2) In developing their elementary grades prevention and  
2 intervention programs, districts shall, as appropriate, take into  
3 consideration the multicultural background and needs of students and,  
4 as necessary, provide appropriate multicultural curriculum materials.

5 (3) In developing their elementary grades prevention and  
6 intervention programs, districts shall emphasize the delivery of  
7 services using child intervention specialists as defined in section  
8 701(1)(a) of this act. Districts are encouraged to have child  
9 intervention specialists as defined in section 701(1)(b) of this act  
10 deliver services in the district and under the supervision of a child  
11 intervention specialist as defined in section 701(1)(a) of this act  
12 under the district's prevention and intervention program.

13 (4) Nothing under sections 701 through 709 of this act shall  
14 preclude a district from incorporating a primary intervention program  
15 model as part of the district's fair start program.

16 NEW SECTION. **Sec. 706.** The superintendent shall develop  
17 specific measures to evaluate the success of the grant projects and the  
18 fair start program. The department of social and health services shall  
19 provide the superintendent with information the superintendent may use  
20 in developing measures to evaluate the fair start program and projects.

21 NEW SECTION. **Sec. 707.** (1) The superintendent of public  
22 instruction shall adopt rules as necessary under chapter 34.05 RCW to  
23 implement sections 701 through 706 of this act.

24 (a) The rules shall permit districts to contract with governmental  
25 or nongovernmental organizations or community-based professional health  
26 care providers to provide elementary students with prevention and  
27 intervention services under the local fair start program.

1 (b) The rules shall permit school districts to provide prevention  
2 and intervention services through the local educational service  
3 district.

4 (c) The rules shall assure appropriate coordination between the  
5 superintendent and the department of social and health services  
6 regarding the primary intervention program and the fair start program.

7 (2) The secretary of the department of social and health services  
8 shall adopt rules as necessary under chapter 34.05 RCW to assure  
9 appropriate coordination between the secretary and the superintendent  
10 regarding the fair start program and the primary intervention program.

11 NEW SECTION. **Sec. 708.** (1) School districts and educational  
12 service districts shall submit annually to the superintendent of public  
13 instruction a report on their fair start programs. The reports shall  
14 include the criteria established to determine students' needs to  
15 provide prevention and intervention services on a priority basis.

16 (2) The superintendent shall submit biennially a report to the  
17 governor and the legislature on the fair start program established  
18 under section 702 of this act. The first report shall be submitted not  
19 later than December 1, 1992. The first report shall include  
20 information on districts' criteria establishing students' needs to  
21 receive prevention and intervention services on a priority basis.  
22 Subsequent reports shall be submitted not later than December 1 in  
23 even-numbered years.

24 NEW SECTION. **Sec. 709.** (1) The superintendent of public  
25 instruction shall collect and disseminate to school districts  
26 information on programs established or enhanced under the fair start  
27 program.

1 (2) Upon request, the superintendent shall provide information to  
2 districts regarding how other districts have used fair start funds  
3 locally and how other districts have established formal agreements for  
4 coordinated case management under section 704(4) of this act or  
5 otherwise coordinated services to children.

6 PART VIII

7 WORKPLACE SKILLS GRANT PROGRAM

8 NEW SECTION. **Sec. 801.** (1) The legislature recognizes that  
9 students now and in the future will need to acquire certain skills to  
10 be better prepared to function in a rapidly changing society, including  
11 an ever changing workplace environment. As we continue to experience  
12 the fast-paced social evolution into an information and service-  
13 oriented age, individuals' abilities to assimilate information quickly  
14 and their capacity to adjust to new circumstances are rapidly becoming  
15 new fundamental skills.

16 (2) New technologies are being introduced into the education system  
17 but need to be introduced more quickly and equitably across the  
18 curriculum. At the same time, teachers and students need to become  
19 familiar with the educational technologies and to learn how to use  
20 these technologies to enhance the educational experience.

21 (3) The legislature finds that providing for the integration of  
22 technology in education, providing resources to enhance vocational  
23 education programs, facilitating the integration of academics and  
24 vocational education, and encouraging innovative developments in the  
25 use of technology and vocational education will make students better  
26 prepared to meet the challenges of the twenty-first century.

1        NEW SECTION.    **Sec. 802.**        The voc ed works 2000 program is  
2 created. The program shall encourage the development of new and the  
3 improvement of existing vocational projects to help students learn the  
4 skills necessary to meet the challenges of an increasingly  
5 technological and ever-changing workplace. Goals of projects within  
6 the program shall include but not be limited to:

7        (1) Encouraging the integration between academic and vocational  
8 programs with the following specific items addressed:

9        (a) Revision of instructional strategies and materials used in  
10 vocational courses to establish higher academic standards and  
11 expectations for students;

12        (b) Development of a challenging multiyear program of study that  
13 combines academic and vocational elements designed both to prepare  
14 students for employment after high school and for further education;

15        (c) Access to rewarding and demanding vocational programs and  
16 academic courses for underachieving students and methods of providing  
17 needed extra assistance;

18        (d) Coordination among secondary and postsecondary vocational  
19 education programs;

20        (e) Coordination among vocational and academic administrators and  
21 teachers and school counselors, business, and labor, and  
22 representatives of postsecondary education to identify, specify, and  
23 develop methods to assess minimum levels of academic achievement and  
24 technical competencies;

25        (f) Providing assistance to students in selecting courses and  
26 choosing careers;

27        (g) Expanding efforts to assist students in finding employment or  
28 entering an institution of postsecondary education;

29        (h) Establishing performance indicators both to track and report  
30 annual progress;



- 1 (i) Providing information about the program throughout the state;  
2 and  
3 (j) Identifying the professional development needed by teachers and  
4 administrators to assist in the integration of academic and vocational  
5 skills;  
6 (2) Encouraging collaborative models among schools and school  
7 districts, educational service districts, interdistrict cooperatives,  
8 skills centers, public vocational technical institutes, community  
9 colleges, business, labor, and industry;  
10 (3) Encouraging the development of workplace competencies and  
11 concepts that transcend particular occupational skills;  
12 (4) Encouraging the effective administration of vocational  
13 programs; and  
14 (5) Developing modifications in curriculum, instruction, and  
15 program delivery to address changing technology and changing students'  
16 needs.

17 NEW SECTION. **Sec. 803.** (1) The superintendent of public  
18 instruction, with the assistance of the state board of education and in  
19 consultation with the state board for vocational education and the  
20 state board for community college education, shall develop a process  
21 for public schools or school districts, educational service districts,  
22 interdistrict cooperatives, skills centers, public vocational technical  
23 institutes, and community colleges to participate in the voc ed works  
24 2000 program.

25 (2) The superintendent of public instruction shall review and  
26 select projects for the grant awards, and monitor and evaluate programs  
27 operated by grant recipients.

28 (3) The superintendent of public instruction shall evaluate the  
29 program on a state-wide basis.

1        NEW SECTION.    **Sec. 804.**        The        superintendent        of        public  
2        instruction, after reviewing project proposals, shall, subject to money  
3        being appropriated by the legislature for this purpose, select not more  
4        than twenty-one projects during each biennium for the voc ed works 2000  
5        program.    The projects should reflect a balance among rural and urban  
6        areas, geographical areas, and school characteristics and sizes.    The  
7        projects may be awarded to a public high school, a school district  
8        containing one or more high schools, a skills center, an educational  
9        service district, an interdistrict cooperative, a public vocational  
10       technical institute, or a community college.    An award to a community  
11       college shall be made only if the project involves a school or school  
12       district, educational service district, interdistrict cooperative,  
13       public vocational technical institute, or skills center.    Applications  
14       from two or more school districts, educational service districts,  
15       combinations of school districts and community college districts  
16       through an agreement under RCW 28B.50.530,    or any combination are  
17       encouraged.

18       NEW SECTION.    **Sec. 805.**        Initial applications to participate in  
19       the voc ed works 2000 program shall be submitted to the office of the  
20       superintendent of public instruction not later than September 30, 1991,  
21       for implementation beginning December 30, 1991.    Subject to available  
22       funding, additional applications may be submitted to the superintendent  
23       of public instruction for consideration by November 1st of subsequent  
24       years.    Each application shall contain a proposed plan that:

25              (1) Describes specific activities to be carried out as part of the  
26       project;

27              (2) Provides for all parties to work cooperatively during the term  
28       of the project;

1 (3) Includes provisions for certificated school staff providing  
2 instruction in vocational education programs, and classified school  
3 employees with primary roles in implementing and conducting the plan,  
4 to be employed on supplemental contracts with additional compensation  
5 for an average of ten additional days beyond the general state-funded  
6 school year allocations for each participating employee, and staff  
7 development time as provided by legislative appropriation.  
8 Notwithstanding the provisions of RCW 28A.400.200, district resources  
9 may be used to fund the employment of school district staff beyond the  
10 average of ten additional days for the purposes of the project;

11 (4) Includes budget plans for the project and additional  
12 anticipated sources of funding, including private grants and  
13 contributions, if any;

14 (5) Identifies the technical resources desired, the potential costs  
15 of those resources, and the institutions of higher education,  
16 businesses, industries, labor organizations, educational service  
17 districts, or consultants available to provide such resources;

18 (6) Identifies the evaluation and accountability processes to be  
19 used to measure student, project, and staff performance;

20 (7) Justifies each request for waiver of specific state statutes or  
21 administrative rules during at least the first two years of the  
22 program;

23 (8) Includes a written statement that school directors and  
24 administrators and community college boards of trustees, if applicable,  
25 are willing to exempt the projects from specifically identified local  
26 rules, as needed;

27 (9) Includes a written statement that the school directors and  
28 community college board of trustees and the local bargaining agents  
29 will modify those portions of their local agreements as applicable for  
30 the projects;

1 (10) Includes a written statement that model curriculum programs  
2 developed under RCW 28A.300.110 have been considered, if applicable;

3 (11) Includes written statements of support from the school  
4 district board of directors, the school district superintendent, and  
5 the principal and staff of the building requesting to become a project,  
6 and statements of support, willingness to participate, or concerns from  
7 any interested parent, business, or community organization; and

8 (12) Includes written statements of support from the community  
9 college board of trustees and the community college president and staff  
10 of the community college requesting to become a project, if applicable.

11 NEW SECTION. **Sec. 806.** (1) The superintendent of public  
12 instruction shall administer sections 802 through 812 of this act and  
13 is authorized to award grant funding, subject to money being  
14 appropriated by the legislature for this purpose, for projects selected  
15 by the superintendent of public instruction under section 804 of this  
16 act.

17 (2) The superintendent of public instruction shall distribute the  
18 initial award grants by December 1, 1991. The initial projects under  
19 the voc ed works 2000 program shall begin during the 1991-92 school  
20 year.

21 (3) The projects for the voc ed works 2000 program may be conducted  
22 for up to six years, if funds are so provided. Subject to approval by  
23 the superintendent of public instruction and continued state funding,  
24 projects initially funded for two years may be extended for a total  
25 period not to exceed six years. Future funding shall be conditioned on  
26 a positive evaluation of the project.

27 NEW SECTION. **Sec. 807.** (1) The superintendent of public  
28 instruction may accept, receive, and administer for the purposes of

1 sections 802 through 812 of this act such gifts, grants, and  
2 contributions as may be provided from public and private sources for  
3 the purposes of sections 802 through 812 of this act.

4 (2) The vocational works 2000 program account is hereby established in  
5 the custody of the state treasurer. The superintendent of public  
6 instruction shall deposit in the account all moneys received under this  
7 section. Moneys in the account may be spent only for the purposes of  
8 sections 802 through 812 of this act. Disbursements from this account  
9 shall be on the authorization of the superintendent of public  
10 instruction or the superintendent's designee. The account is subject  
11 to the allotment procedure provided under chapter 43.88 RCW, but no  
12 appropriation is required for disbursements.

13 NEW SECTION. **Sec. 808.** (1) The superintendent of public  
14 instruction, where appropriate, or the state board of education, where  
15 appropriate, is authorized to grant waivers to project applicants from  
16 the provisions of statutes or administrative rules relating to:  
17 Graduation requirements under RCW 28A.230.090; student to teacher  
18 ratios; teacher contact hour requirements under RCW 28A.150.260;  
19 teacher certification requirements; program approval standards; the  
20 commingling of funds appropriated by the legislature for vocational  
21 education programs and basic education programs if not inconsistent  
22 with federal laws or regulations; and other administrative rules which  
23 in the opinion of the superintendent of public instruction or the state  
24 board of education may need to be waived to implement a project  
25 proposal.

26 (2) State rules dealing with public health, safety, and civil  
27 rights, including accessibility by the handicapped, shall not be  
28 waived.

1 (3) A school district may request the state board of education or  
2 superintendent of public instruction to ask the United States  
3 department of education, the United States department of labor, or  
4 other federal agencies to waive certain federal regulations necessary  
5 to implement the proposed project.

6 (4) The superintendent of public instruction and the state board of  
7 education shall work with the state board for community college  
8 education and the higher education coordinating board for the waiver of  
9 applicable college entrance requirements and for the establishment of  
10 course equivalency requirements for students participating in projects  
11 under sections 802 through 812 of this act.

12 (5) The superintendent of public instruction and the state board of  
13 education shall seek the waiver of any applicable provisions of the job  
14 skills program under RCW 28C.04.400 through 28C.04.480.

15 NEW SECTION. **Sec. 809.** The superintendent of public instruction  
16 shall ensure that successful applicants will be afforded resources and  
17 special support assistance, as specified in legislative appropriations,  
18 in undertaking activities for the voc ed works 2000 program. The  
19 superintendent of public instruction shall develop a process that  
20 coordinates and facilitates linkages among participating school  
21 districts, community colleges, business, labor, and industry. Staff  
22 from schools or school districts, public vocational technical  
23 institutes, educational service districts, skills centers, and  
24 community colleges selected to participate in the voc ed works 2000  
25 program shall be given priority consideration for participation in  
26 state sponsored staff development programs and summer institutes which  
27 are directly related to the goals of the selected projects.

1        NEW SECTION.    **Sec. 810.**        (1)        The superintendent of public  
2 instruction may adopt rules under chapter 34.05 RCW as necessary to  
3 implement the superintendent's duties under sections 802 through 812 of  
4 this act.

5        (2) The state board of education may adopt rules under chapter  
6 34.05 RCW as necessary to implement its duties under sections 802  
7 through 812 of this act.

8        NEW SECTION.    **Sec. 811.**        (1)        The superintendent of public  
9 instruction shall report to the legislature on the progress of the voc  
10 ed works 2000 program by January 15th of each odd-numbered year,  
11 including a recommendation on the number of additional projects that  
12 should be authorized and funded. The first report shall be submitted  
13 by January 15, 1993.

14        (2) Each applicant selected to participate in the voc ed works 2000  
15 program shall submit an annual report to the superintendent of public  
16 instruction on the progress of the project as a condition of receipt of  
17 continued funding.

18        NEW SECTION.    **Sec. 812.**        The superintendent of public  
19 instruction, through the state clearinghouse for education information,  
20 shall collect and disseminate to all school districts and other  
21 interested parties information about the voc ed works 2000 program.

22        NEW SECTION.    **Sec. 813.**        A new section is added to chapter 28B.80  
23 RCW to read as follows:

24        The higher education coordinating board shall review the entrance  
25 requirements for the state institutions of higher education and shall  
26 work with the boards of trustees and the boards of regents of the state  
27 universities, the regional universities, and The Evergreen State

1 College and the superintendent of public instruction and the state  
2 board of education regarding waiving certain entrance requirements or  
3 developing course equivalencies for students enrolled in a program  
4 under sections 802 through 812 of this act.

5 NEW SECTION. **Sec. 814.** A new section is added to chapter 28B.50  
6 RCW to read as follows:

7 The state board for community college education may adopt rules  
8 under chapter 34.05 RCW as necessary to implement the board's duties  
9 under sections 802 through 812 of this act.

10 NEW SECTION. **Sec. 815.** A new section is added to chapter 28A.150  
11 RCW to read as follows:

12 The superintendent of public instruction shall adopt rules that  
13 establish general program approval standards for determining the terms  
14 and conditions under which school districts are eligible to receive  
15 state funds for secondary vocational education. The standards shall  
16 include a provision regarding the use of extended or supplemental  
17 contracts for certificated vocational education instructors in  
18 vocational fields and provide assistance to districts in determining  
19 when to offer such contracts.

20 NEW SECTION. **Sec. 816.** (1) Each school district, skills center,  
21 educational service district, interdistrict cooperative, or public  
22 vocational technical institute receiving state funds for vocational  
23 programs shall consult with a local advisory council on vocational  
24 education. The district may create a council or may use an existing  
25 entity that meets the requirements of this section and sections 817 and  
26 818 of this act. Joint councils may be established.



1 (2) The councils shall be composed of members who are  
2 representative of the population found in the area that the council  
3 serves. The council shall be composed of representatives of the  
4 general public including at a minimum representatives of business,  
5 industry, labor, and spokespersons for persons with disabilities.

6 NEW SECTION. **Sec. 817.** The local advisory council shall provide  
7 advice and assistance to the school district, skills center,  
8 educational service district, interdistrict cooperative, or public  
9 vocational technical institute on:

10 (1) Selecting equipment and instructional materials and  
11 establishing specifications for training areas. The council shall  
12 suggest ways to provide for the efficient and effective use of  
13 equipment and insure maximum use of the equipment;

14 (2) Determining training needs;

15 (3) Determining content and length of courses;

16 (4) Determining current and future employment opportunities and  
17 requirements;

18 (5) Making recommendations to help provide for experienced and  
19 knowledgeable instructors; and

20 (6) Providing support for the entire vocational education program.

21 NEW SECTION. **Sec. 818.** A school district shall only be eligible  
22 to receive funds to upgrade or to acquire equipment for vocational  
23 education programs if the district in consultation with the local  
24 advisory council has developed a vocational education program  
25 improvement component within their plan. The improvement component  
26 shall describe: Methods for strengthening vocational education;  
27 business and industry partnerships; the potential to aid local economic  
28 development; staff training; the need for extended or supplemental

1 contracts for specific certificated instructional staff in vocational  
2 programs; job placement; consistency with the state plan for vocational  
3 education; and the basic skills and core competencies required for  
4 successful employment. In developing the plan, coordination with  
5 community colleges, business and industry, and other school districts,  
6 educational service districts, interdistrict cooperatives, skills  
7 centers, and public vocational technical institutes shall be  
8 considered. The plan shall be revised at least once every two years.

9 NEW SECTION. **Sec. 819.** The entity in the state of Washington  
10 qualifying as the entity for the receipt of federal funds shall, with  
11 available funds, provide technical assistance to local vocational  
12 education advisory committees.

13 NEW SECTION. **Sec. 820.** Each vocational agriculture education  
14 service area shall encourage greater student and teacher knowledge of  
15 environmentally sensitive and low-input agricultural and landscaping  
16 practices, water conservation, and agricultural worker protections.

17 NEW SECTION. **Sec. 821.** A new section is added to chapter 28B.10  
18 RCW to read as follows:

19 In developing admission standards, each four-year institution of  
20 higher education shall recognize the relevance of vocational education  
21 courses and the competencies taught in such courses and shall make  
22 every effort to designate applicable vocational education courses as  
23 course equivalencies.

24 **Sec. 822.** RCW 28B.80.350 and 1988 c 172 s 4 are each amended to  
25 read as follows:

1       The board shall coordinate educational activities among all  
2 segments of higher education taking into account the educational  
3 programs, facilities, and other resources of both public and  
4 independent two and four-year colleges and universities. The four-year  
5 institutions and the state board for community college education shall  
6 coordinate information and activities with the board. The board shall  
7 have the following additional responsibilities:

8       (1) Promote interinstitutional cooperation;

9       (2) Establish minimum admission standards for four-year  
10 institutions, including a requirement that coursework in sign language  
11 shall satisfy any foreign language requirement the board or the  
12 institutions may establish as a general undergraduate admissions  
13 requirement. The standards shall include recognition of the relevance  
14 of vocational education courses and the competencies taught in such  
15 courses and the use of vocational education courses having academic  
16 equivalencies to meet admission requirements to four-year institutions;

17       (3) Establish transfer policies;

18       (4) Adopt rules implementing statutory residency requirements;

19       (5) Develop and administer reciprocity agreements with bordering  
20 states and the province of British Columbia;

21       (6) Review and recommend compensation practices and levels for  
22 administrative employees, exempt under chapter 28B.16 RCW, and faculty  
23 using comparative data from peer institutions;

24       (7) Monitor higher education activities for compliance with all  
25 relevant state policies for higher education;

26       (8) Arbitrate disputes between and among four-year institutions or  
27 between and among four-year institutions and community colleges at the  
28 request of one or more of the institutions involved, or at the request  
29 of the governor, or from a resolution adopted by the legislature. The

1 decision of the board shall be binding on the participants in the  
2 dispute;

3 (9) Establish and implement a state system for collecting,  
4 analyzing, and distributing information;

5 (10) Recommend to the governor and the legislature ways to remove  
6 any economic incentives to use off-campus program funds for on-campus  
7 activities; and

8 (11) Make recommendations to increase minority participation, and  
9 monitor and report on the progress of minority participation in higher  
10 education.

11 NEW SECTION. Sec. 823. By November 1, 1992, the higher  
12 education coordinating board shall develop recommendations for  
13 eliminating or modifying university and college entrance requirements  
14 that inhibit schools from adopting strategies that are designed to  
15 ensure that students achieve the essential knowledge, skills, and  
16 attitudes.

17 **Sec. 824.** RCW 28A.230.100 and 1990 c 33 s 239 are each amended to  
18 read as follows:

19 The state board of education shall adopt rules pursuant to chapter  
20 34.05 RCW, to implement the course requirements set forth ~~((in))~~  
21 pursuant to RCW 28A.230.090. Such rules shall include, as the state  
22 board deems necessary, granting equivalencies for and temporary  
23 exemptions from the course requirements ~~((in RCW 28A.230.090 and~~  
24 ~~special alterations of the course requirements in RCW 28A.230.090))~~  
25 established. In developing such rules the state board shall recognize  
26 the relevance of instruction in work force skills through vocational  
27 education and applied courses and allow such courses to fulfill in  
28 whole or in part the courses required for graduation ~~((in RCW~~

1 28A.230.090)). Such rules may include provisions for competency  
2 testing in lieu of such courses required for graduation ((in)) pursuant  
3 to RCW 28A.230.090.

4 NEW SECTION. **Sec. 825.** The legislature finds that the needs of  
5 the work force and the economy necessitate enhanced vocational  
6 education opportunities in secondary education including curriculum  
7 which integrates vocational and academic education. In order for the  
8 state's work force to be competitive in the world market, employees  
9 need competencies in both vocational and technical skills and in  
10 essential subject areas such as English, math, science, technology,  
11 geography, history, and critical thinking. Curriculum which integrates  
12 vocational and academic education reflects that many students learn  
13 best through applied learning, and that students should be offered  
14 flexible education opportunities which prepare them for both the world  
15 of work and for higher education.

16 NEW SECTION. **Sec. 826.** A new section is added to chapter 28A.300  
17 RCW to read as follows:

18 The superintendent of public instruction shall develop a model  
19 curriculum integrating vocational and academic education at the  
20 secondary level. The curriculum shall integrate vocational education  
21 for gainful employment with education in the academic subjects of  
22 English, math, science, technology, geography, and history, and with  
23 education in critical thinking. Upon completion, the model curriculum  
24 shall be provided for consideration and use by school districts.

25 NEW SECTION. **Sec. 827.** A new section is added to chapter 28A.320  
26 RCW to read as follows:

1 School districts receiving funds for any of the programs under  
2 sections 802 through 821 of this act or RCW 28B.80.350, or for  
3 improvements in vocational equipment and the nonemployee-related costs  
4 associated with that equipment or for increasing the number of teachers  
5 to students in approved secondary vocational programs shall be required  
6 to match the funds at one hundred percent. The district match may  
7 consist of funds under section 1101 of this act.

8 PART IX

9 URBAN SCHOOLS GRANTS

10 NEW SECTION. **Sec. 901.** The superintendent of public instruction  
11 shall establish and administer an urban schools grant program to  
12 provide eligible school districts an opportunity to apply for state  
13 funds that are separate from and in addition to the state funds  
14 allocated for the state's basic program of education.

15 NEW SECTION. **Sec. 902.** (1) The Seattle, Tacoma, Spokane,  
16 Yakima, and Pasco school districts are eligible to apply for an urban  
17 schools grant under section 901 of this act.

18 (2) Districts accepting urban schools grant funds shall be required  
19 to match the state funds at one hundred percent. The district match  
20 may consist of funds under section 1101 of this act.

21 NEW SECTION. **Sec. 903.** The eligible school districts interested  
22 in applying for funds under the urban schools grant program shall  
23 submit a grant application to the superintendent of public instruction.  
24 Grant applications shall include the following:

25 (1) Documentation that the district board of directors has held at  
26 least one public hearing regarding the proposed use of the grant funds.

1 The public hearing and other public hearings held by the district may  
2 be held as part of the public hearings required pursuant to chapter  
3 28A.505 RCW;

4 (2) Identified budgeted expenditures for the grant funds. The  
5 expenditure plan may be included as part of the district's annual  
6 budget required under chapter 28A.505 RCW;

7 (3) Documentation that the development of the expenditure plan,  
8 prior to the first public hearing, involved teachers, school and  
9 district administrators, educational staff associates and classified  
10 personnel, parents, students, and members of the community at-large;

11 (4) A description of the services, programs, or activities that  
12 will be funded, in whole or in part, by the grant funds;

13 (5) A description of the methods and procedures to be used to  
14 evaluate the effectiveness of the services, programs, or activities  
15 supported by the grant funds; and

16 (6) Other information as requested by the superintendent of public  
17 instruction.

18 NEW SECTION. **Sec. 904.** Grant funds shall be used for purposes  
19 identified by the school district in compliance with section 903 of  
20 this act. New or existing programs enhanced by funds received under  
21 the urban schools grant program shall not become a part of the state's  
22 basic program of education obligation as set forth under Article IX of  
23 the state Constitution.

24 NEW SECTION. **Sec. 905.** (1) Each school district receiving funds  
25 under the urban schools grant program established under section 901 of  
26 this act shall submit biennially to the superintendent of public  
27 instruction a report on the district's use of the grant funds and other  
28 information required by the superintendent of public instruction. The

1 superintendent of public instruction shall establish the date for  
2 submittal of reports.

3 (2) The superintendent of public instruction shall submit  
4 biennially to the legislature a report on the urban schools grant  
5 program. The first report shall be submitted not later than December  
6 1, 1992.

7 NEW SECTION. **Sec. 906.** The superintendent of public instruction  
8 shall adopt rules as necessary under chapter 34.05 RCW to implement the  
9 provisions of sections 901 through 905 of this act.

10 PART X

11 SMALL SCHOOLS GRANTS

12 NEW SECTION. **Sec. 1001.** (1) The superintendent of public  
13 instruction shall establish and administer a small schools grant  
14 program to assist eligible school districts in meeting special needs of  
15 the districts.

16 (2) Funds appropriated by the legislature for the purposes of the  
17 small schools grant program and new or existing programs enhanced by  
18 funds received under the small schools grant program shall not become  
19 a part of the state's basic program of education obligation as set  
20 forth under Article IX of the state Constitution.

21 (3) School districts shall be eligible to apply for additional  
22 state funds under the small schools grant program if the school  
23 district meets the criteria under section 1002 of this act.

24 (4) Districts accepting small schools grant funds shall be required  
25 to match the state funds at one hundred percent. The district match  
26 may consist of funds under section 1101 of this act.



1        NEW SECTION.    **Sec. 1002.**    (1) A school district of the second  
2 class under RCW 28A.315.230 may apply for funds under the small schools  
3 grant program established under section 1001 of this act, to help meet  
4 the special needs of the district, if the school district meets all of  
5 the criteria in this section:

6        (a) The median household income is at least twenty percent below  
7 the state average;

8        (b) The number of families receiving aid to families with  
9 dependent children exceeds the state-wide average by twenty percent or  
10 more;

11       (c) The number of persons unemployed exceeds the state-wide  
12 average by twenty percent;

13       (d) The assessed valuation of property for excess levy purposes  
14 would require a levy rate of more than two dollars per one thousand  
15 dollars of valuation to raise a ten percent levy;

16       (e) The district does not receive federal impact aid in excess of  
17 the maximum amount the district would be eligible to raise with a ten  
18 percent levy; and

19       (f) The district does not receive federal forest moneys in excess  
20 of their basic education allocation.

21       (2) If a second class school district is a joint district under  
22 RCW 28A.315.350, the criteria under subsection (1) of this section  
23 shall be applied based upon the county which comes closest to meeting  
24 the criteria under subsection (1) of this section.

25       NEW SECTION.    **Sec. 1003.**    Eligible school districts interested in  
26 applying for funds under the grant program established under section  
27 1001 of this act shall submit a grant application to the superintendent  
28 of public instruction. Grant applications shall include the following:

1 (1) Documentation that the district board of directors has held at  
2 least one public hearing regarding the proposed use of the grant funds.  
3 The public hearing and other public hearings held by the district may  
4 be held as part of the public hearings required pursuant to chapter  
5 28A.505 RCW;

6 (2) Identified budgeted expenditures for the grant funds. The  
7 expenditure plan may be included as part of the district's annual  
8 budget required under chapter 28A.505 RCW;

9 (3) Documentation that the development of the expenditure plan  
10 prior to the first public hearing involved teachers, school and  
11 district administrators, educational staff associates and classified  
12 personnel, parents, students, and members of the community at-large;

13 (4) A description of the services, programs, or activities that  
14 will be funded in whole or in part by the grant funds; and

15 (5) A description of the methods and procedures to be used to  
16 evaluate the effectiveness of the services, programs, or activities  
17 supported by the grant funds.

18 NEW SECTION. **Sec. 1004.** (1) Each school district receiving funds  
19 under the grant program established under section 1001 of this act  
20 shall submit biennially to the superintendent of public instruction a  
21 report on the district's use of the grant funds. The report shall  
22 include an assessment of the effectiveness of the services, programs,  
23 or activities supported by the grant funds and other information  
24 required by the superintendent of public instruction.

25 (2) The superintendent of public instruction shall establish the  
26 date for submittal of reports. The superintendent of public  
27 instruction shall work with the eligible districts in developing  
28 reporting requirements that do not create excessive paperwork but which  
29 provide information necessary for the legislature to evaluate the

1 impact of the grant program on the educational programs of the eligible  
2 school districts.

3 (3) The superintendent of public instruction shall submit  
4 biennially to the legislature a report on the grant program established  
5 under section 1001 of this act. The first report shall be submitted  
6 not later than December 1, 1992.

7 NEW SECTION. **Sec. 1005.** The superintendent of public instruction  
8 shall adopt rules as necessary under chapter 34.05 RCW to implement  
9 sections 1001 through 1004 of this act.

10 PART XI

11 FUNDING MATCHING REQUIREMENTS

12 NEW SECTION. **Sec. 1101.** A new section is added to chapter 28A.320  
13 RCW to read as follows:

14 Districts or schools may use the following fund sources to meet the  
15 one hundred percent funding matching requirements for sections 402  
16 through 414 of this act, sections 603 through 607 of this act, sections  
17 701 through 709 of this act, sections 802 through 821 of this act,  
18 sections 901 through 906 of this act, sections 1001 through 1005 of  
19 this act, and RCW 28B.80.350:

20 (1) Local education program enhancement funds appropriated by the  
21 legislature;

22 (2) The district's regular levy;

23 (3) Municipal funds;

24 (4) Other nonstate funds; or

25 (5) Any combination of (1) through (4) of this subsection.

1 PART XII

2 COLLECTIVE BARGAINING

3 **Sec. 1201.** RCW 41.59.020 and 1989 c 11 s 11 are each amended to  
4 read as follows:

5 As used in this chapter:

6 (1) The term "employee organization" means any organization, union,  
7 association, agency, committee, council, or group of any kind in which  
8 employees participate, and which exists for the purpose, in whole or in  
9 part, of collective bargaining with employers.

10 (2) The term "collective bargaining" or "bargaining" means the  
11 performance of the mutual obligation of the representatives of the  
12 employer and the exclusive bargaining representative to meet at  
13 reasonable times in light of the time limitations of the budget-making  
14 process, and to bargain in good faith in an effort to reach agreement  
15 with respect to the wages, hours, and terms and conditions of  
16 employment: PROVIDED, That prior law, practice or interpretation shall  
17 be neither restrictive, expansive, nor determinative with respect to  
18 the scope of bargaining. A written contract incorporating any  
19 agreements reached shall be executed if requested by either party. The  
20 obligation to bargain does not compel either party to agree to a  
21 proposal or to make a concession.

22 In the event of a dispute between an employer and an exclusive  
23 bargaining representative over the matters that are terms and  
24 conditions of employment, the commission shall decide which item(s) are  
25 mandatory subjects for bargaining and which item(s) are nonmandatory.  
26 The following shall not be a subject of collective bargaining: (a) The  
27 school district's policy assuring parental access to the classroom  
28 under RCW 28A.605.020; (b) performance pay plans adopted under sections  
29 603 through 607 of this 1991 act; and (c) the schedule of days for

1 students to attend school, as established by the school district board  
2 of directors under RCW 28A.150.040.

3 (3) The term "commission" means the public employment relations  
4 commission established by RCW 41.58.010.

5 (4) The terms "employee" and "educational employee" means any  
6 certificated employee of a school district, except:

7 (a) The chief executive officer of the employer.

8 (b) The chief administrative officers of the employer, which shall  
9 mean the superintendent of the district, deputy superintendents,  
10 administrative assistants to the superintendent, assistant  
11 superintendents, and business manager. Title variation from all  
12 positions enumerated in this subsection (b) may be appealed to the  
13 commission for determination of inclusion in, or exclusion from, the  
14 term "educational employee".

15 (c) Confidential employees, which shall mean:

16 (i) Any person who participates directly on behalf of an employer  
17 in the formulation of labor relations policy, the preparation for or  
18 conduct of collective bargaining, or the administration of collective  
19 bargaining agreements, except that the role of such person is not  
20 merely routine or clerical in nature but calls for the consistent  
21 exercise of independent judgment; and

22 (ii) Any person who assists and acts in a confidential capacity to  
23 such person.

24 (d) Unless included within a bargaining unit pursuant to RCW  
25 41.59.080, any supervisor, which means any employee having authority,  
26 in the interest of an employer, to hire, assign, promote, transfer,  
27 layoff, recall, suspend, discipline, or discharge other employees, or  
28 to adjust their grievances, or to recommend effectively such action, if  
29 in connection with the foregoing the exercise of such authority is not  
30 merely routine or clerical in nature but calls for the consistent

1 exercise of independent judgment, and shall not include any persons  
2 solely by reason of their membership on a faculty tenure or other  
3 governance committee or body. The term "supervisor" shall include only  
4 those employees who perform a preponderance of the above-specified acts  
5 of authority.

6 (e) Unless included within a bargaining unit pursuant to RCW  
7 41.59.080, principals and assistant principals in school districts.

8 (5) The term "employer" means any school district.

9 (6) The term "exclusive bargaining representative" means any  
10 employee organization which has:

11 (a) Been selected or designated pursuant to the provisions of this  
12 chapter as the representative of the employees in an appropriate  
13 collective bargaining unit; or

14 (b) Prior to January 1, 1976, been recognized under a predecessor  
15 statute as the representative of the employees in an appropriate  
16 collective bargaining or negotiations unit.

17 (7) The term "person" means one or more individuals, organizations,  
18 unions, associations, partnerships, corporations, boards, committees,  
19 commissions, agencies, or other entities, or their representatives.

20 (8) The term "nonsupervisory employee" means all educational  
21 employees other than principals, assistant principals and supervisors.

22 **Sec. 1202.** RCW 41.56.030 and 1989 c 275 s 2 are each amended to  
23 read as follows:

24 As used in this chapter:

25 (1) "Public employer" means any officer, board, commission,  
26 council, or other person or body acting on behalf of any public body  
27 governed by this chapter as designated by RCW 41.56.020, or any  
28 subdivision of such public body. For the purposes of this section, the  
29 public employer of district court employees for wage-related matters is

1 the respective county legislative authority, or person or body acting  
2 on behalf of the legislative authority, and the public employer for  
3 nonwage-related matters is the judge or judge's designee of the  
4 respective district court.

5 (2) "Public employee" means any employee of a public employer  
6 except any person (a) elected by popular vote, or (b) appointed to  
7 office pursuant to statute, ordinance or resolution for a specified  
8 term of office by the executive head or body of the public employer, or  
9 (c) whose duties as deputy, administrative assistant or secretary  
10 necessarily imply a confidential relationship to the executive head or  
11 body of the applicable bargaining unit, or any person elected by  
12 popular vote or appointed to office pursuant to statute, ordinance or  
13 resolution for a specified term of office by the executive head or body  
14 of the public employer, or (d) who is a personal assistant to a  
15 district judge or court commissioner. For the purpose of (d) of this  
16 subsection, no more than one assistant for each judge or commissioner  
17 may be excluded from a bargaining unit.

18 (3) "Bargaining representative" means any lawful organization which  
19 has as one of its primary purposes the representation of employees in  
20 their employment relations with employers.

21 (4) "Collective bargaining" means the performance of the mutual  
22 obligations of the public employer and the exclusive bargaining  
23 representative to meet at reasonable times, to confer and negotiate in  
24 good faith, and to execute a written agreement with respect to  
25 grievance procedures and collective negotiations on personnel matters,  
26 including wages, hours and working conditions, which may be peculiar to  
27 an appropriate bargaining unit of such public employer, except that by  
28 such obligation neither party shall be compelled to agree to a proposal  
29 or be required to make a concession unless otherwise provided in this  
30 chapter. In the case of the Washington state patrol, "collective

1 bargaining" shall not include wages and wage-related matters. In the  
2 case of employees of school districts, "collective bargaining" does not  
3 include: (a) The schedule of days for students to attend school, as  
4 established by the school district board of directors under RCW  
5 28A.150.040; (b) the school district's policy assuring parental access  
6 to the classroom under RCW 28A.605.020; or (c) performance pay plans  
7 adopted under sections 603 through 607 of this 1991 act.

8 (5) "Commission" means the public employment relations commission.

9 (6) "Executive director" means the executive director of the  
10 commission.

11 (7) "Uniformed personnel" means (a) law enforcement officers as  
12 defined in RCW 41.26.030 as now or hereafter amended, of cities with a  
13 population of fifteen thousand or more or law enforcement officers  
14 employed by the governing body of any county of the second class or  
15 larger, or (b) fire fighters as that term is defined in RCW 41.26.030,  
16 as now or hereafter amended.

17 PART XIII

18 LOCAL EDUCATION PROGRAM ENHANCEMENT FUNDS

19 NEW SECTION. Sec. 1301. A new section is added to chapter 28A.300  
20 RCW to read as follows:

21 (1) The superintendent of public instruction shall establish a  
22 program to provide school districts, from appropriated funds, local  
23 education program enhancement funds.

24 (2) A school district shall be eligible to receive an allocation  
25 from appropriated funds if the school district's board of directors  
26 has:

27 (a) Assessed the needs of the schools within the district;

28 (b) Prioritized the identified needs; and



1 (c) Developed an expenditure plan for the allocation and an  
2 evaluation methodology to assess benefits to students.

3 (3) School districts receiving moneys pursuant to this section  
4 shall expend such moneys to meet educational needs identified by the  
5 district within the following program areas:

6 (a) Prevention and intervention services in the elementary grades;

7 (b) Reduction of class size;

8 (c) Early childhood education;

9 (d) Student-at-risk programs, including dropout prevention and  
10 retrieval, and substance abuse awareness and prevention;

11 (e) Staff development and in-service programs;

12 (f) Student logical reasoning and analytical skill development;

13 (g) Programs for highly capable students;

14 (h) Programs involving students in community services;

15 (i) Senior citizen volunteer programs;

16 (j) Those sections under this act requiring a match of local funds  
17 to state funds; and

18 (k) Other purposes that enhance a school district's basic education  
19 program.

20 (4) Program enhancements funded pursuant to this section do not  
21 fall within the definition of basic education for purposes of Article  
22 IX of the state Constitution and the state's funding duty thereunder.

23 (5)(a) Allocations to eligible school districts shall be calculated  
24 on the basis of average annual full time equivalent enrollment. For  
25 school districts enrolling not more than one hundred average annual  
26 full time equivalent students, and for small school plants within any  
27 school district designated as remote and necessary schools, the  
28 allocations shall be determined as follows:

1 (i) Enrollment of not more than sixty average annual full time  
2 equivalent students in grades kindergarten through six shall generate  
3 funding based on sixty full time equivalent students;

4 (ii) Enrollment of not more than twenty average annual full time  
5 equivalent students in grades seven and eight shall generate funding  
6 based on twenty full time equivalent students; and

7 (iii) Enrollment of sixty or fewer average annual full time  
8 equivalent students in grades nine through twelve shall generate  
9 funding based on sixty full time equivalent students.

10 (b) Allocations shall be distributed on a school-year basis  
11 pursuant to RCW 28A.510.250.

12 PART XIV

13 MISCELLANEOUS

14 NEW SECTION. **Sec. 1401.** This act may be known and cited as the  
15 bringing education home act.

16 NEW SECTION. **Sec. 1402.** Part headings used in this act do not  
17 constitute part of the law.

18 NEW SECTION. **Sec. 1403.** Sections 201 through 204 of this act are  
19 each added to chapter 28A.240 RCW.

20 NEW SECTION. **Sec. 1404.** Sections 402 through 414 of this act are  
21 each added to chapter 28A.630 RCW.

22 NEW SECTION. **Sec. 1405.** Sections 603 through 607 of this act are  
23 each added to chapter 28A.400 RCW.

1        NEW SECTION.    **Sec. 1406.**    Sections 608 through 610 of this act are  
2 each added to chapter 28A.410 RCW.

3        NEW SECTION.    **Sec. 1407.**    Sections 701 through 709 of this act are  
4 each added to chapter 28A.600 RCW.

5        NEW SECTION.    **Sec. 1408.**    Sections 802 through 812, 901 through  
6 906, and 1001 through 1005 of this act are each added to chapter  
7 28A.630 RCW.

8        NEW SECTION.    **Sec. 1409.**    Sections 816 through 820 of this act  
9 shall constitute a new chapter in Title 28C RCW.

10       NEW SECTION.    **Sec. 1410.**    Section 105 of this act shall take  
11 effect September 1, 1992.

12       NEW SECTION.    **Sec. 1411.**    Section 504 of this act shall take  
13 effect October 1, 1997.

14       NEW SECTION.    **Sec. 1412.**    Sections 301, 302, 401 through 414, 501  
15 through 503, 601, 602, 701 through 709, 802 through 822, 901 through  
16 905, 1001 through 1005, 1201, and 1202 of this act are necessary for  
17 the immediate preservation of the public peace, health, or safety, or  
18 support of the state government and its existing public institutions,  
19 and shall take effect immediately.

20       NEW SECTION.    **Sec. 1413.**    Sections 401 through 414 of this act  
21 shall expire December 31, 1998.

1        NEW SECTION.    **Sec. 1414.**    Sections 601 and 602 of this act shall  
2 expire December 31, 1991.

3        NEW SECTION.    **Sec. 1415.**    If specific funding for the purposes of  
4 sections 401 through 414 of this act, referencing this act by bill and  
5 section numbers, is not provided by June 30, 1991, in the omnibus  
6 appropriations act, sections 401 through 414 of this act shall be null  
7 and void.

8        NEW SECTION.    **Sec. 1416.**    If specific funding for the purposes of  
9 sections 601 and 602 of this act, referencing this act by bill and  
10 section numbers, is not provided by June 30, 1991, in the omnibus  
11 appropriations act, sections 601 and 602 of this act shall be null and  
12 void.

13       NEW SECTION.    **Sec. 1417.**    If specific funding for the purposes of  
14 sections 603 through 607 of this act, referencing this act by bill and  
15 section numbers, is not provided by June 30, 1991, in the omnibus  
16 appropriations act, sections 603 through 607 of this act shall be null  
17 and void.

18       NEW SECTION.    **Sec. 1418.**    If specific funding for the purposes of  
19 sections 701 through 709 of this act, referencing this act by bill and  
20 section numbers, is not provided by June 30, 1991, in the omnibus  
21 appropriations act, sections 701 through 709 of this act shall be null  
22 and void.

23       NEW SECTION.    **Sec. 1419.**    If specific funding for the purposes of  
24 sections 801 through 827 of this act, referencing this act by bill and  
25 section numbers, is not provided by June 30, 1991, in the omnibus

1 appropriations act, sections 801 through 827 of this act shall be null  
2 and void.

3 NEW SECTION. **Sec. 1420.** If specific funding for the purposes of  
4 sections 901 through 906 of this act, referencing this act by bill and  
5 section numbers, is not provided by June 30, 1991, in the omnibus  
6 appropriations act, sections 901 through 906 of this act shall be null  
7 and void.

8 NEW SECTION. **Sec. 1421.** If specific funding for the purposes of  
9 sections 1001 through 1005 of this act, referencing this act by bill  
10 and section numbers, is not provided by June 30, 1991, in the omnibus  
11 appropriations act, sections 1001 through 1005 of this act shall be  
12 null and void.

13 NEW SECTION. **Sec. 1422.** If specific funding for the purposes of  
14 section 1301 of this act, referencing this act by bill and section  
15 number, is not provided by June 30, 1991, in the omnibus appropriations  
16 act, section 1301 of this act shall be null and void.

17 NEW SECTION. **Sec. 1423.** If any provision of this act or its  
18 application to any person or circumstance is held invalid, the  
19 remainder of the act or the application of the provision to other  
20 persons or circumstances is not affected.