

CERTIFICATION OF ENROLLMENT

**SENATE BILL 5349**

53rd Legislature  
1993 Regular Session

Passed by the Senate April 17, 1993  
YEAS 40 NAYS 0

---

**President of the Senate**

Passed by the House April 9, 1993  
YEAS 96 NAYS 2

---

**Speaker of the  
House of Representatives**

Approved

---

**Governor of the State of Washington**

CERTIFICATE

I, Marty Brown, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SENATE BILL 5349** as passed by the Senate and the House of Representatives on the dates hereon set forth.

---

**Secretary**

FILED

**Secretary of State  
State of Washington**

---

**SENATE BILL 5349**

---

AS AMENDED BY THE HOUSE

Passed Legislature - 1993 Regular Session

**State of Washington                      53rd Legislature                      1993 Regular Session**

**By Senators Pelz and Moyer**

Read first time 01/25/93. Referred to Committee on Education.

1            AN ACT Relating to nomenclature of educational clinics; and  
2 amending RCW 28A.205.010, 28A.205.020, 28A.205.030, 28A.205.050,  
3 28A.205.060, 28A.205.070, 28A.205.080, and 28A.205.090;

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

5            **Sec. 1.** RCW 28A.205.010 and 1990 c 33 s 180 are each amended to  
6 read as follows:

7            (1) As used in this chapter, unless the context thereof shall  
8 clearly indicate to the contrary:

9            (~~Education center~~) "Education center" means any private school  
10 operated on a profit or nonprofit basis which does the following:

11            (a) Is devoted to the teaching of basic academic skills, including  
12 specific attention to improvement of student motivation for achieving,  
13 and employment orientation.

14            (b) Operates on a clinical, client centered basis. This shall  
15 include, but not be limited to, performing diagnosis of individual  
16 educational abilities, determination and setting of individual goals,  
17 prescribing and providing individual courses of instruction therefor,  
18 and evaluation of each individual client's progress in his or her  
19 educational program.

1 (c) Conducts courses of instruction by professionally trained  
2 personnel certificated by the state board of education according to  
3 rules and regulations promulgated for the purposes of this chapter and  
4 providing, for certification purposes, that a year's teaching  
5 experience in an ((~~educational-clinic~~)) education center shall be  
6 deemed equal to a year's teaching experience in a common or private  
7 school.

8 (2) For purposes of this chapter, basic academic skills shall  
9 include the study of mathematics, speech, language, reading and  
10 composition, science, history, literature and political science or  
11 civics; it shall not include courses of a vocational training nature  
12 and shall not include courses deemed nonessential to the accrediting of  
13 the common schools or the approval of private schools under RCW  
14 28A.305.130.

15 (3) The state board of education shall certify an education  
16 ((~~clinic~~)) center only upon application and (a) determination that such  
17 school comes within the definition thereof as set forth in subsection  
18 (1) above and (b) demonstration on the basis of actual educational  
19 performance of such applicants' students which shows after  
20 consideration of their students' backgrounds, educational gains that  
21 are a direct result of the applicants' educational program. Such  
22 certification may be withdrawn if the board finds that a ((~~clinic~~))  
23 center fails to provide adequate instruction in basic academic skills.  
24 No ((~~educational-clinic~~)) education center certified by the state board  
25 of education pursuant to this section shall be deemed a common school  
26 under RCW 28A.150.020 or a private school for the purposes of RCW  
27 28A.195.010 through 28A.195.050.

28 **Sec. 2.** RCW 28A.205.020 and 1990 c 33 s 181 are each amended to  
29 read as follows:

30 Only eligible common school dropouts shall be enrolled in a  
31 certified ((~~educational-clinic~~)) education center for reimbursement by  
32 the superintendent of public instruction as provided in RCW  
33 28A.205.040. No person shall be considered an eligible common school  
34 dropout who (1) has completed high school, (2) who has not reached his  
35 or her thirteenth birthday or has passed his or her twentieth birthday,  
36 or (3) shows proficiency beyond the high school level in a test  
37 approved by the superintendent of public instruction to be given as  
38 part of the initial diagnostic procedure, or (4) until one month has

1 passed after he or she has dropped out of any common school and the  
2 (~~educational—clinic~~) education center has received written  
3 verification from a school official of the common school last attended  
4 in this state that such person is no longer in attendance at such  
5 school, unless such (~~clinic~~) center has been requested to admit such  
6 person by written communication of the board of directors or its  
7 designee, of that common school, or unless such person is unable to  
8 attend a particular common school because of disciplinary reasons,  
9 including suspension and/or expulsion therefrom. The fact that any  
10 person may be subject to RCW 28A.225.010 through 28A.225.150,  
11 28A.200.010, and 28A.200.020 shall not affect his or her qualifications  
12 as an eligible common school dropout under this chapter.

13 **Sec. 3.** RCW 28A.205.030 and 1990 c 33 s 182 are each amended to  
14 read as follows:

15 The superintendent of public instruction shall adopt, by rules,  
16 policies and procedures to permit a prior common school dropout to  
17 reenter at the grade level appropriate to such individual's ability:  
18 PROVIDED, That such individual shall be placed with the class he or she  
19 would be in had he or she not dropped out and graduate with that class,  
20 if the student's ability so permits notwithstanding any loss of credits  
21 prior to reentry and if such student earns credits at the normal rate  
22 subsequent to reentry.

23 Notwithstanding any other provision of law, any certified  
24 (~~educational—clinic~~) education center student, upon completion of an  
25 individual student program and irrespective of age, shall be eligible  
26 to take the general educational development test as given throughout  
27 the state.

28 **Sec. 4.** RCW 28A.205.050 and 1990 c 33 s 184 are each amended to  
29 read as follows:

30 In accordance with chapter 34.05 RCW, the administrative procedure  
31 act, the state board of education with respect to the matter of  
32 certification, and the superintendent of public instruction with  
33 respect to all other matters, shall have the power and duty to make the  
34 necessary rules and regulations to carry out the purpose and intent of  
35 this chapter.

36 Criteria as promulgated by the state board of education or  
37 superintendent of public instruction for determining if any

1 ((~~educational-clinie~~)) education center is providing adequate  
2 instruction in basic academic skills or demonstrating superior  
3 performance in student educational gains for funding under RCW  
4 28A.205.040 shall be subject to review by four members of the  
5 legislature, one from each caucus of each house, including the chairs  
6 of the respective education committees.

7 **Sec. 5.** RCW 28A.205.060 and 1985 c 434 s 2 are each amended to  
8 read as follows:

9 The superintendent of public instruction shall prepare a report on  
10 ((~~educational-clinics~~)) education centers that:

11 (1) Identifies a funding level that is adequate to fund the  
12 enrollment served by ((~~educational-clinics~~)) education centers during  
13 the previous fiscal year;

14 (2) Identifies locales in the state which are served by  
15 ((~~educational-clinics~~)) education centers but where demand for  
16 ((~~educational-clinie~~)) education center services will support  
17 additional service, and recommends the funding level necessary to serve  
18 such demand;

19 (3) Identifies locales in the state which are not served by  
20 ((~~educational-clinics~~)) education centers but where demand will support  
21 operation of ((~~elinics~~)) centers, and recommends the funding level  
22 necessary to serve such demand; and

23 (4) Identifies locales in the state that are either underserved or  
24 not served by existing public school programs for drop-outs or for  
25 drop-out prevention, but where demand will support such services and  
26 recommends the funding level necessary to serve such demand.

27 The report shall be submitted to the legislature by January 1 in  
28 the year following June 27, 1985, and updates of the report shall be  
29 submitted with each biennial budget request until such time as funding  
30 levels reach the levels recommended in subsections (2) and (3) of this  
31 section.

32 **Sec. 6.** RCW 28A.205.070 and 1990 c 33 s 185 are each amended to  
33 read as follows:

34 In allocating funds appropriated for ((~~educational-clinics~~))  
35 education centers, the superintendent of public instruction shall:

1 (1) Place priority upon stability and adequacy of funding for  
2 (~~educational clinics~~) education centers that have demonstrated  
3 superior performance as defined in RCW 28A.205.040(2).

4 (2) Initiate and maintain a competitive review process to select  
5 new or expanded (~~elinie~~) center programs in unserved or underserved  
6 areas. The criteria for review of competitive proposals for new or  
7 expanded education(~~elinie~~) center services shall include but not be  
8 limited to:

9 (a) The proposing organization shall have obtained certification  
10 from the state board of education as provided in RCW 28A.205.010;

11 (b) The cost-effectiveness of the proposal (~~as judged by the~~  
12 ~~criteria established in RCW 28A.97.100(1) and (2)~~); and

13 (c) The availability of committed nonstate funds to support,  
14 enrich, or otherwise enhance the basic program.

15 (3) In selecting areas for new or expanded (~~educational clinics~~)  
16 education center programs, the superintendent of public instruction  
17 shall consider factors including but not limited to:

18 (a) The proportion and total number of dropouts unserved by  
19 existing (~~elinies~~) center programs, if any;

20 (b) The availability within the geographic area of programs other  
21 than (~~educational clinics~~) education centers which address the basic  
22 educational needs of dropouts; and

23 (c) Waiting lists or other evidence of demand for expanded  
24 (~~educational clinic~~) education center programs.

25 (4) In the event of any curtailment of services resulting from  
26 lowered legislative appropriations, the superintendent of public  
27 instruction shall issue pro rata reductions to all (~~elinies~~) centers  
28 funded at the time of the lowered appropriation. Individual  
29 (~~elinies~~) centers may be exempted from such pro rata reductions if  
30 the superintendent finds that such reductions would impair the  
31 (~~elinie's~~) center's ability to operate at minimally acceptable levels  
32 of service. In the event of such exceptions, the superintendent shall  
33 determine an appropriate rate for reduction to permit the (~~elinie~~)  
34 center to continue operation.

35 (5) In the event that an additional (~~elinie or clinics~~) center or  
36 centers become certified and apply to the superintendent for funds to  
37 be allocated from a legislative appropriation which does not increase  
38 from the immediately preceding biennium, or does not increase  
39 sufficiently to allow such additional (~~elinie or clinics~~) center or

1 centers to operate at minimally acceptable levels of service without  
2 reducing the funds available to previously funded ((~~elinies~~)) centers,  
3 the superintendent shall not provide funding for such additional  
4 ((~~elinie or elinies~~)) center or centers from such appropriation.

5 **Sec. 7.** RCW 28A.205.080 and 1990 c 33 s 186 are each amended to  
6 read as follows:

7 The legislature recognizes that ((~~educational elinies~~)) education  
8 centers provide a necessary and effective service for students who have  
9 dropped out of common school programs. ((~~Educational elinies~~))  
10 Education centers have demonstrated success in preparing such youth for  
11 productive roles in society and are an integral part of the state's  
12 program to address the needs of students who have dropped out of  
13 school. The superintendent of public instruction shall distribute  
14 funds, consistent with legislative appropriations, allocated  
15 specifically for ((~~educational elinies~~)) education centers in accord  
16 with chapter 28A.205 RCW. The legislature encourages school districts  
17 to explore cooperation with ((~~educational elinies~~)) education centers.

18 **Sec. 8.** RCW 28A.205.090 and 1990 c 33 s 187 are each amended to  
19 read as follows:

20 The superintendent shall include the ((~~educational elinies~~))  
21 education centers program in the biennial budget request. Contracts  
22 between the superintendent of public instruction and the ((~~educational~~  
23 ~~elinies~~)) education centers shall include quarterly plans which provide  
24 for relatively stable student enrollment but take into consideration  
25 anticipated seasonal variations in enrollment in the individual  
26 ((~~elinies~~)) centers. Funds which are not expended by a ((~~elinie~~))  
27 center during the quarter for which they were planned may be carried  
28 forward to subsequent quarters of the fiscal year. The superintendent  
29 shall make payments to the ((~~elinies~~)) centers on a monthly basis  
30 pursuant to RCW 28A.205.040.

--- END ---