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**SUBSTITUTE HOUSE BILL 1378**

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**State of Washington**

**55th Legislature**

**1997 Regular Session**

**By** House Committee on Appropriations (originally sponsored by Representatives Radcliff, H. Sommers, D. Sommers, Carlson, Johnson, Sump, Costa, Mitchell, Poulsen, Linville, Dunshee, Cooke, Mason, Keiser, Wood, Kenney and Kessler)

Read first time 03/10/97.

1 AN ACT Relating to providing educational opportunities for  
2 students; amending RCW 28A.205.020 and 28A.205.080; adding a new  
3 section to chapter 28A.150 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that school districts  
6 may wish to provide instructional programs to students who have been  
7 suspended or expelled, who are academically at risk, or who have been  
8 subject to disciplinary actions due to behavioral problems. These  
9 students have very different learning needs, and providing instruction  
10 to these students can be difficult for school districts. The  
11 legislature intends to create additional options for the education of  
12 children in the event of suspension, expulsion, poor academic  
13 performance, or behavioral problems.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.150  
15 RCW to read as follows:

16 (1) The board of directors of school districts may contract with  
17 alternative educational service providers for eligible students.

1 Alternative educational service providers that the school district may  
2 contract with include, but are not limited to:

3 (a) Other schools;

4 (b) Alternative education programs not operated by the school  
5 district;

6 (c) Education centers;

7 (d) Skill centers;

8 (e) Dropout prevention programs; or

9 (f) Other public or private organizations, excluding sectarian or  
10 religious organizations.

11 (2) Eligible students include students who have been expelled or  
12 who are enrolled in the school district but have been suspended, are  
13 academically at risk, or have been subject to disciplinary actions due  
14 to behavioral problems.

15 (3) The contract between the school district board of directors and  
16 the organization must specify the specific learning standards that  
17 students are expected to achieve. Placement of the student shall be  
18 jointly determined by the school district, the student's parent or  
19 guardian, and the alternative educational service provider.

20 (4) The school district shall receive the same level of funding  
21 from the state as if the student were enrolled in the school district's  
22 state-funded apportionment program. School districts may retain up to  
23 fifteen percent of the allocated funds for administrative purposes. To  
24 the extent that funds are not expended for educational services to  
25 eligible students under this section, funds shall lapse.

26 (5) For the purpose of this section, the superintendent of public  
27 instruction shall adopt rules to permit students to reenter at the  
28 grade level appropriate to the student's ability. Students who are  
29 sixteen years of age or older may take the GED test.

30 (6) The board of directors of school districts may require that  
31 students who are subject to suspension or expulsion attend schools or  
32 programs listed in subsection (1) of this section as a condition of  
33 continued enrollment in the school district.

34 **Sec. 3.** RCW 28A.205.020 and 1993 c 211 s 2 are each amended to  
35 read as follows:

36 Only eligible common school dropouts shall be enrolled in a  
37 certified education center for reimbursement by the superintendent of  
38 public instruction as provided in RCW 28A.205.040. ((No)) A person

1 (~~shall be considered~~) is not an eligible common school dropout  
2 (~~who~~) if: (1) The person has completed high school, (2) (~~who~~) the  
3 person has not reached his or her (~~thirteenth~~) twelfth birthday or  
4 has passed his or her twentieth birthday, (~~or~~) (3) the person shows  
5 proficiency beyond the high school level in a test approved by the  
6 superintendent of public instruction to be given as part of the initial  
7 diagnostic procedure, or (4) (~~until~~) less than one month has passed  
8 after (~~he or she~~) the person has dropped out of any common school and  
9 the education center has not received written verification from a  
10 school official of the common school last attended in this state that  
11 (~~such~~) the person is no longer in attendance at (~~such~~) the  
12 school(~~, unless such center has been requested to admit such person by~~  
13 ~~written communication of~~). A person is an eligible common school  
14 dropout even if one month has not passed since the person dropped out  
15 if the board of directors or its designee, of that common school, (~~or~~  
16 ~~unless such~~) requests the center to admit the person because the  
17 person has dropped out or because the person is unable to attend a  
18 particular common school because of disciplinary reasons, including  
19 suspension and/or expulsion (~~therefrom~~). The fact that any person  
20 may be subject to RCW 28A.225.010 through 28A.225.150, 28A.200.010, and  
21 28A.200.020 shall not affect his or her qualifications as an eligible  
22 common school dropout under this chapter.

23 **Sec. 4.** RCW 28A.205.080 and 1993 c 211 s 7 are each amended to  
24 read as follows:

25 The legislature recognizes that education centers provide a  
26 necessary and effective service for students who have dropped out of  
27 common school programs. Education centers have demonstrated success in  
28 preparing such youth for productive roles in society and are an  
29 integral part of the state's program to address the needs of students  
30 who have dropped out of school. The superintendent of public  
31 instruction shall distribute funds, consistent with legislative  
32 appropriations, allocated specifically for education centers in accord  
33 with chapter 28A.205 RCW. The legislature encourages school districts  
34 to explore cooperation with education centers pursuant to section 2 of  
35 this act.

36 NEW SECTION. **Sec. 5.** If specific funding for section 2 of this  
37 act, referencing this act by bill or chapter number and section number,

1 is not provided by June 30, 1997, in the omnibus appropriations act,  
2 this act is null and void.

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