

2 SSB 5988 - S AMD - 104
3 By Senator Finkbeiner

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5 On page 1, after line 3, insert the following:

6 "Sec. 1. RCW 28A.225.010 and 1998 c 244 s 14 are each amended to
7 read as follows:

8 (1) All parents in this state of any child eight years of age and
9 under eighteen years of age shall cause such child to attend the public
10 school of the district in which the child resides and such child shall
11 have the responsibility to and therefore shall attend for the full time
12 when such school may be in session unless:

13 (a) The child is attending an approved private school for the same
14 time or is enrolled in an extension program as provided in RCW
15 28A.195.010(4);

16 (b) The child is receiving home-based instruction as provided in
17 subsection (4) of this section;

18 (c) The child is attending an education center as provided in
19 chapter 28A.205 RCW;

20 (d) The school district superintendent of the district in which the
21 child resides shall have excused such child from attendance because the
22 child is physically or mentally unable to attend school, is attending
23 a residential school operated by the department of social and health
24 services, is incarcerated in an adult correctional facility, or has
25 been temporarily excused upon the request of his or her parents for
26 purposes agreed upon by the school authorities and the parent:
27 PROVIDED, That such excused absences shall not be permitted if deemed
28 to cause a serious adverse effect upon the student's educational
29 progress: PROVIDED FURTHER, That students excused for such temporary
30 absences may be claimed as full time equivalent students to the extent
31 they would otherwise have been so claimed for the purposes of RCW
32 28A.150.250 and 28A.150.260 and shall not affect school district
33 compliance with the provisions of RCW 28A.150.220; or

34 (e) The child is (~~sixteen~~) fifteen years of age or older and:

1 (i) The child is regularly and lawfully employed and either the
2 parent agrees that the child should not be required to attend school or
3 the child is emancipated in accordance with chapter 13.64 RCW;

4 (ii) The child has already met graduation requirements in
5 accordance with state board of education rules and regulations; or

6 (iii) The child has received a certificate of educational
7 competence under rules and regulations established by the state board
8 of education under RCW 28A.305.190.

9 (2) A parent for the purpose of this chapter means a parent,
10 guardian, or person having legal custody of a child.

11 (3) An approved private school for the purposes of this chapter and
12 chapter 28A.200 RCW shall be one approved under regulations established
13 by the state board of education pursuant to RCW 28A.305.130.

14 (4) For the purposes of this chapter and chapter 28A.200 RCW,
15 instruction shall be home-based if it consists of planned and
16 supervised instructional and related educational activities, including
17 a curriculum and instruction in the basic skills of occupational
18 education, science, mathematics, language, social studies, history,
19 health, reading, writing, spelling, and the development of an
20 appreciation of art and music, provided for a number of hours
21 equivalent to the total annual program hours per grade level
22 established for approved private schools under RCW 28A.195.010 and
23 28A.195.040 and if such activities are:

24 (a) Provided by a parent who is instructing his or her child only
25 and are supervised by a certificated person. A certificated person for
26 purposes of this chapter and chapter 28A.200 RCW shall be a person
27 certified under chapter 28A.410 RCW. For purposes of this section,
28 "supervised by a certificated person" means: The planning by the
29 certificated person and the parent of objectives consistent with this
30 subsection; a minimum each month of an average of one contact hour per
31 week with the child being supervised by the certificated person; and
32 evaluation of such child's progress by the certificated person. The
33 number of children supervised by the certificated person shall not
34 exceed thirty for purposes of this subsection; or

35 (b) Provided by a parent who is instructing his or her child only
36 and who has either earned forty-five college level quarter credit hours
37 or its equivalent in semester hours or has completed a course in home-
38 based instruction at a postsecondary institution or a vocational-
39 technical institute; or

1 (c) Provided by a parent who is deemed sufficiently qualified to
2 provide home-based instruction by the superintendent of the local
3 school district in which the child resides.

4 (5) The legislature recognizes that home-based instruction is less
5 structured and more experiential than the instruction normally provided
6 in a classroom setting. Therefore, the provisions of subsection (4) of
7 this section relating to the nature and quantity of instructional and
8 related educational activities shall be liberally construed."

9 Renumber the remaining sections consecutively and correct any
10 internal references accordingly.

11 On page 4, after line 2, insert the following:

12 "NEW SECTION. **Sec. 3.** If any provision of this act or its
13 application to any person or circumstance is held invalid, the
14 remainder of the act or the application of the provision to other
15 persons or circumstances is not affected."

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19 On page 1, line 2 of the title, after "RCW" strike "28A.225.030"
20 and insert "28A.225.010, 28A.225.030,"

EFFECT: The compulsory attendance exception for 16 year olds is lowered to 15 years old to match the age for employment permits in RCW 28A.225.080. Fifteen year olds must still satisfy the current requirements: (1) Regularly and lawfully employed and either have their parent's agreement to leave school or are legally emancipated; (2) have already met graduation requirements; or (3) have received a certificate of educational competence (GED).

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