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**SUBSTITUTE HOUSE BILL 1896**

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**State of Washington**

**58th Legislature**

**2003 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives Quall, Cox, Hunter and Anderson; by request of Superintendent of Public Instruction)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to the office of the superintendent of public  
2 instruction; amending RCW 28A.300.040; and adding a new section to  
3 chapter 28A.300 RCW.

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

5 **Sec. 1.** RCW 28A.300.040 and 1999 c 348 s 6 are each amended to  
6 read as follows:

7 In addition to any other powers and duties as provided by law, the  
8 powers and duties of the superintendent of public instruction shall be:

9 (1) To have supervision over all matters pertaining to the public  
10 schools of the state;

11 (2) To report to the governor and the legislature such information  
12 and data as may be required for the management and improvement of the  
13 schools;

14 (3) To prepare and have printed such forms, registers, courses of  
15 study, rules for the government of the common schools, and such other  
16 material and books as may be necessary for the discharge of the duties  
17 of teachers and officials charged with the administration of the laws  
18 relating to the common schools, and to distribute the same to  
19 educational service district superintendents;

1 (4) To travel, without neglecting his or her other official duties  
2 as superintendent of public instruction, for the purpose of attending  
3 educational meetings or conventions, of visiting schools, of consulting  
4 educational service district superintendents or other school officials;

5 (5) To prepare and from time to time to revise a manual of the  
6 Washington state common school code, copies of which shall be provided  
7 in such numbers as determined by the superintendent of public  
8 instruction at no cost to those public agencies within the common  
9 school system and which shall be sold at approximate actual cost of  
10 publication and distribution per volume to all other public and  
11 nonpublic agencies or individuals, said manual to contain Titles 28A  
12 and 28C RCW, rules related to the common schools, and such other matter  
13 as the state superintendent or the state board of education shall  
14 determine. Proceeds of the sale of such code shall be transmitted to  
15 the public printer who shall credit the state superintendent's account  
16 within the state printing plant revolving fund by a like amount;

17 (6) To act as ex officio member and the chief executive officer of  
18 the state board of education;

19 (7) To file all papers, reports and public documents transmitted to  
20 the superintendent by the school officials of the several counties or  
21 districts of the state, each year separately. Copies of all papers  
22 filed in the superintendent's office, and the superintendent's official  
23 acts, may, or upon request, shall be certified by the superintendent  
24 and attested by the superintendent's official seal, and when so  
25 certified shall be evidence of the papers or acts so certified to;

26 (8) To require annually, on or before the 15th day of August, of  
27 the president, manager, or principal of every educational institution  
28 in this state, a report as required by the superintendent of public  
29 instruction; and it is the duty of every president, manager or  
30 principal, to complete and return such forms within such time as the  
31 superintendent of public instruction shall direct;

32 (9) To keep in the superintendent's office a record of all teachers  
33 receiving certificates to teach in the common schools of this state;

34 (10) To issue certificates as provided by law;

35 (11) To keep in the superintendent's office at the capital of the  
36 state, all books and papers pertaining to the business of the  
37 superintendent's office, and to keep and preserve in the

1 superintendent's office a complete record of statistics, as well as a  
2 record of the meetings of the state board of education;

3 (12) With the assistance of the office of the attorney general, to  
4 decide all points of law which may be submitted to the superintendent  
5 in writing by any educational service district superintendent, or that  
6 may be submitted to the superintendent by any other person, upon appeal  
7 from the decision of any educational service district superintendent;  
8 and the superintendent shall publish his or her rulings and decisions  
9 from time to time for the information of school officials and teachers;  
10 and the superintendent's decision shall be final unless set aside by a  
11 court of competent jurisdiction;

12 (13) To administer oaths and affirmations in the discharge of the  
13 superintendent's official duties;

14 (14) To deliver to his or her successor, at the expiration of the  
15 superintendent's term of office, all records, books, maps, documents  
16 and papers of whatever kind belonging to the superintendent's office or  
17 which may have been received by the superintendent's for the use of the  
18 superintendent's office;

19 (15) To administer family services and programs to promote the  
20 state's policy as provided in RCW 74.14A.025;

21 (16) To solicit and receive such gifts, grants, conveyances,  
22 devises, and bequests of real or personal property from private  
23 sources, and spend gifts, grants, conveyances, devises, and bequests  
24 according to their terms, as may be made from time to time, whenever  
25 the terms and conditions thereof will aid in carrying out the various  
26 programs required or authorized to be carried out by the superintendent  
27 of public instruction;

28 (17) To establish master contracts with vendors of goods and  
29 services, however master contracts requiring an exclusive agreement  
30 with a vendor of goods or services and master contracts for personal  
31 services performed by classified employees under RCW 28A.400.285 are  
32 not permitted under this subsection; and

33 (18) To perform such other duties as may be required by law.

34 NEW SECTION. Sec. 2. A new section is added to chapter 28A.300  
35 RCW to read as follows:

36 As used in this chapter, "master contract" means a competitively  
37 bid contract that permits multiple purchases of goods and services by

1 the superintendent, school districts, educational service districts,  
2 and other public educational entities without the need to reauthorize  
3 the contract. Master contracts entered into by the superintendent of  
4 public instruction shall be in compliance with the applicable  
5 competitive bidding requirements in chapter 43.19 RCW. The intended  
6 term of the contract shall be included in bid documents. Compliance  
7 with state agency bidding requirements by the superintendent shall be  
8 considered sufficient to satisfy competitive bid requirements  
9 pertaining to the individual entities purchasing under the contract.  
10 Nothing in this act shall preclude school districts, educational  
11 service districts, and other educational entities from entering into  
12 separate contracts with vendors of goods and services.

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