



1        NEW SECTION.    **Sec. 101.**    A new section is added to chapter 28A.305

2    RCW to read as follows:

3        (1) The board shall be composed of ten members selected as follows:

4        (a) One member shall be the superintendent of public instruction or  
5    the superintendent's designee; and

6        (b) Nine members shall be appointed by the governor. Four of the  
7    individuals shall be selected by the governor as follows: Each major  
8    caucus of the house of representatives and the senate shall submit a  
9    list of three names. The lists may not include the names of members of  
10   the legislature. The governor shall select a member from each list  
11   provided by each caucus. One individual, selected from a list of at  
12   least three names provided by the Washington federation of independent  
13   schools, shall represent private schools.

14        (2) Initial appointments shall be to terms from one to four years  
15   in length, with the terms expiring on June 30th of the applicable year.  
16   As the terms of the first appointees expire or vacancies on the board  
17   occur, the governor shall appoint or reappoint members of the board to  
18   complete the initial terms or to four-year terms, as appropriate.

19        (a) Appointees must be individuals who have demonstrated interest  
20   in public schools and are supportive of educational improvement, have  
21   a positive record of service, and will devote sufficient time to the  
22   responsibilities of the board.

23        (b) In appointing board members, the governor shall consider the  
24   diversity of the population of the state.

25        (c) All appointments to the board made by the governor are subject  
26   to confirmation by the senate.

27        (d) No person may serve as a member of the board, except the  
28   superintendent of public instruction, for more than two consecutive  
29   full four-year terms.

30        (3) The governor may remove a member of the board for neglect of  
31   duty, misconduct, malfeasance, or misfeasance in office, or for  
32   incompetent or unprofessional conduct as defined in chapter 18.130 RCW.  
33   In such a case, the governor shall file with the secretary of state a  
34   statement of the causes for and the order of removal from office, and  
35   the secretary of state shall send a certified copy of the statement of  
36   causes and order of removal to the last known post office address of  
37   the member.

1 (4) The chair of the board shall be elected by a majority vote of  
2 the members of the board. The chair of the board shall serve a term of  
3 two years, and the chair may serve more than one term if elected to do  
4 so by a majority vote of the members of the board.

5 (5) Five members of the board constitute a quorum for the  
6 transaction of business.

7 (6) All members are voting members. The individual representing  
8 private schools shall vote only on matters pertaining to private  
9 schools and private school students.

10 (7) The governor shall fill any vacancy in appointments that may  
11 occur. When filling a vacancy of a member nominated by a major caucus  
12 of the legislature, the governor shall select the new member from a  
13 list of three names submitted by the same caucus that provided the list  
14 from which the retiring member was appointed.

15 (8) Members of the board appointed by the governor who are not  
16 public employees shall be compensated in accordance with RCW 43.03.240  
17 and shall be reimbursed for travel expenses incurred in carrying out  
18 the duties of the board in accordance with RCW 43.03.050 and 43.03.060.

19 **Sec. 102.** RCW 28A.305.130 and 2002 c 205 s 3 are each amended to  
20 read as follows:

21 In addition to any other powers and duties as provided by law, the  
22 state board of education shall:

23 ~~(1) ((Approve or disapprove the program of courses leading to~~  
24 ~~teacher, school administrator, and school specialized personnel~~  
25 ~~certification offered by all institutions of higher education within~~  
26 ~~the state which may be accredited and whose graduates may become~~  
27 ~~entitled to receive such certification.~~

28 ~~(2) Conduct every five years a review of the program approval~~  
29 ~~standards, including the minimum standards for teachers,~~  
30 ~~administrators, and educational staff associates, to reflect research~~  
31 ~~findings and assure continued improvement of preparation programs for~~  
32 ~~teachers, administrators, and educational staff associates.~~

33 ~~(3) Investigate the character of the work required to be performed~~  
34 ~~as a condition of entrance to and graduation from any institution of~~  
35 ~~higher education in this state relative to such certification as~~  
36 ~~provided for in subsection (1) of this section, and prepare a list of~~

1 accredited institutions of higher education of this and other states  
2 whose graduates may be awarded such certificates.

3 ~~(4)(a) The state board of education shall adopt rules to allow a~~  
4 ~~teacher certification candidate to fulfill, in part, teacher~~  
5 ~~preparation program requirements through work experience as a~~  
6 ~~classified teacher's aide in a public school or private school meeting~~  
7 ~~the requirements of RCW 28A.195.010. The rules shall include, but are~~  
8 ~~not limited to, limitations based upon the recency of the teacher~~  
9 ~~preparation candidate's teacher aide work experience, and limitations~~  
10 ~~based on the amount of work experience that may apply toward teacher~~  
11 ~~preparation program requirements under this chapter.~~

12 ~~(b) The state board of education shall require that at the time of~~  
13 ~~the individual's enrollment in a teacher preparation program, the~~  
14 ~~supervising teacher and the building principal shall jointly provide to~~  
15 ~~the teacher preparation program of the higher education institution at~~  
16 ~~which the teacher candidate is enrolled, a written assessment of the~~  
17 ~~performance of the teacher candidate. The assessment shall contain~~  
18 ~~such information as determined by the state board of education and~~  
19 ~~shall include: Evidence that at least fifty percent of the candidate's~~  
20 ~~work as a classified teacher's aide was involved in instructional~~  
21 ~~activities with children under the supervision of a certificated~~  
22 ~~teacher and that the candidate worked a minimum of six hundred thirty~~  
23 ~~hours for one school year; the type of work performed by the candidate;~~  
24 ~~and a recommendation of whether the candidate's work experience as a~~  
25 ~~classified teacher's aide should be substituted for teacher preparation~~  
26 ~~program requirements. In compliance with such rules as may be~~  
27 ~~established by the state board of education under this section, the~~  
28 ~~teacher preparation programs of the higher education institution where~~  
29 ~~the candidate is enrolled shall make the final determination as to what~~  
30 ~~teacher preparation program requirements may be fulfilled by teacher~~  
31 ~~aide work experience.~~

32 ~~(5) Supervise the issuance of such certificates as provided for in~~  
33 ~~subsection (1) of this section and specify the types and kinds of~~  
34 ~~certificates necessary for the several departments of the common~~  
35 ~~schools by rule or regulation in accordance with RCW 28A.410.010.~~

36 ~~(6)) Hold regularly scheduled meetings and special meetings at~~  
37 ~~such times and places within the state as the board shall determine.~~

38 ~~(2) Form committees as necessary.~~

1       (3) Seek advice from the public on the board's work.

2       (4) Accredite, subject to such accreditation standards and  
3 procedures as may be established by the state board of education, all  
4 schools that apply for accreditation, and approve, subject to the  
5 provisions of RCW 28A.195.010, private schools carrying out a program  
6 for any or all of the grades kindergarten through twelve: PROVIDED,  
7 That no private school may be approved that operates a kindergarten  
8 program only: PROVIDED FURTHER, That no public or private schools  
9 shall be placed upon the list of accredited schools so long as secret  
10 societies are knowingly allowed to exist among its students by school  
11 officials: PROVIDED FURTHER, That the state board may elect to require  
12 all or certain classifications of the public schools to conduct and  
13 participate in such preaccreditation examination and evaluation  
14 processes as may now or hereafter be established by the board.

15       ~~((+7))~~ (5) Make rules and regulations governing the establishment  
16 in any existing nonhigh school district of any secondary program or any  
17 new grades in grades nine through twelve. Before any such program or  
18 any new grades are established the district must obtain prior approval  
19 of the state board.

20       ~~((+8))~~ (6) Prepare such outline of study for the common schools as  
21 the board shall deem necessary, and in conformance with legislative  
22 requirements, and prescribe such rules for the general government of  
23 the common schools, as shall seek to secure regularity of attendance,  
24 prevent truancy, secure efficiency, and promote the true interest of  
25 the common schools.

26       ~~((+9))~~ (7) Continuously reevaluate courses and other requirements  
27 and adopt and enforce regulations within the common schools so as to  
28 meet the educational needs of students ~~((and))~~.

29       (8) Evaluate course of study requirements and articulate with the  
30 institutions of higher education, work force representatives, and early  
31 learning policymakers and providers to coordinate and unify the work of  
32 the public school system.

33       ~~((+10))~~ (9) Carry out board powers and duties relating to the  
34 organization and reorganization of school districts ~~((under RCW~~  
35 ~~28A.315.010 through 28A.315.680 and 28A.315.900))~~.

36       ~~((+11))~~ (10) Hear and decide appeals as otherwise provided by law.  
37       ~~((The state board of education is given the authority to))~~ (11)

1 Promulgate information and rules dealing with the prevention of child  
2 abuse for purposes of curriculum use in the common schools.

3 (12) Hire an executive director and an administrative assistant to  
4 reside in the office of the superintendent of public instruction for  
5 administrative purposes. Any other personnel of the board shall be  
6 appointed as provided by RCW 28A.300.020. The executive director,  
7 administrative assistant, and other personnel of the board are exempt  
8 from civil service, together with other staff as now or hereafter  
9 designated as exempt in accordance with chapter 41.06 RCW.

10 (13) Adopt a seal that shall be kept in the office of the  
11 superintendent of public instruction.

12 **PART 2**

13 **WASHINGTON PROFESSIONAL EDUCATOR STANDARDS BOARD**

14 **Sec. 201.** RCW 28A.410.210 and 2000 c 39 s 103 are each amended to  
15 read as follows:

16 The Washington professional educator standards board shall:

17 (1) Establish policies and practices for the approval of programs  
18 of courses, requirements, and other activities leading to educator  
19 certification including teacher, school administrator, and educational  
20 staff associate certification;

21 (2) Establish policies and practices for the approval of the  
22 character of work required to be performed as a condition of entrance  
23 to and graduation from any educator preparation program including  
24 teacher, school administrator, and educational staff associate  
25 preparation program as provided in subsection (1) of this section;

26 (3) Establish a list of accredited institutions of higher education  
27 of this and other states whose graduates may be awarded educator  
28 certificates as teacher, school administrator, and educational staff  
29 associate and establish criteria and enter into agreements with other  
30 states to acquire reciprocal approval of educator preparation programs  
31 and certification, including teacher certification from the national  
32 board for professional teaching standards;

33 (4) Establish policies for approval of nontraditional educator  
34 preparation programs;

35 (5) Conduct a review of educator program approval standards at

1 least every five years, beginning in 2006, to reflect research findings  
2 and assure continued improvement of preparation programs for teachers,  
3 administrators, and school specialized personnel;

4 (6) Specify the types and kinds of educator certificates to be  
5 issued and conditions for certification in accordance with subsection  
6 (1) of this section and RCW 28A.410.010 and supervise the issuance of  
7 such certificates;

8 (7) Establish prospective educator assessment systems as necessary,  
9 including the prospective teacher assessment system for basic skills  
10 and subject knowledge that shall be required to obtain residency  
11 certification pursuant to RCW 28A.410.220 through 28A.410.240;

12 (8) Hear and determine educator certification appeals as provided  
13 by RCW 28A.410.100;

14 (9) Apply for and receive federal or other funds on behalf of the  
15 state for purposes related to the duties of the board;

16 (10) Adopt rules under chapter 34.05 RCW that are necessary for the  
17 effective and efficient implementation of this chapter;

18 (11) Submit annual reports and recommendations to the governor, the  
19 education and fiscal committees of the legislature, and the  
20 superintendent of public instruction concerning the duties and  
21 activities of the board;

22 (12) Maintain data concerning educator preparation programs and  
23 their quality, educator certification, educator employment trends and  
24 needs, and other data deemed relevant by the board;

25 (13) Serve as an advisory body to the superintendent of public  
26 instruction ((and as the sole advisory body to the state board of  
27 education)) on issues related to educator recruitment, hiring,  
28 ((preparation, certification including high quality alternative routes  
29 to certification,)) mentoring and support, professional growth,  
30 retention, governance, ((prospective teacher pedagogy assessment,  
31 prospective principal assessment,)) and educator evaluation including  
32 but not limited to peer evaluation((, and revocation and suspension of  
33 licensure;

34 ~~(2) Submit annual reports and recommendations, beginning December~~  
35 ~~1, 2000, to the governor, the education and fiscal committees of the~~  
36 ~~legislature, the state board of education, and the superintendent of~~  
37 ~~public instruction concerning duties and activities within the board's~~  
38 ~~advisory capacity. The Washington professional educator standards~~

1 board shall submit a separate report by December 1, 2000, to the  
2 governor, the education and fiscal committees of the legislature, the  
3 state board of education, and the superintendent of public instruction  
4 providing recommendations for at least two high quality alternative  
5 routes to teacher certification. In its deliberations, the board shall  
6 consider at least one route that permits persons with substantial  
7 subject matter expertise to achieve residency certification through an  
8 on-the-job training program provided by a school district; and

9 ~~(3) Establish the prospective teacher assessment system for basic~~  
10 ~~skills and subject knowledge that shall be required to obtain residency~~  
11 ~~certification pursuant to RCW 28A.410.220 through 28A.410.240)).~~

12 **Sec. 202.** RCW 28A.410.200 and 2003 1st sp.s. c 22 s 1 are each  
13 amended to read as follows:

14 (1)(a) The Washington professional educator standards board is  
15 created, consisting of twenty members to be appointed by the governor  
16 to four-year terms and the superintendent of public instruction(~~, who~~  
17 ~~shall be an ex officio, nonvoting member~~)).

18 (b) As the four-year terms of the first appointees expire or  
19 vacancies to the board occur for the first time, the governor shall  
20 appoint or reappoint the members of the board to one-year to four-year  
21 staggered terms. Once the one-year to three-year terms expire, all  
22 subsequent terms shall be for four years, with the terms expiring on  
23 June 30th of the applicable year. The terms shall be staggered in such  
24 a way that, where possible, the terms of members representing a  
25 specific group do not expire simultaneously.

26 (c) No person may serve as a member of the board for more than two  
27 consecutive full four-year terms.

28 (d) The governor shall annually appoint the chair of the board from  
29 among the teachers and principals on the board. No board member may  
30 serve as chair for more than two consecutive years.

31 (2) Seven of the members shall be public school teachers, one shall  
32 be a private school teacher, three shall represent higher education  
33 educator preparation programs, four shall be school administrators, two  
34 shall be educational staff associates, one shall be a classified  
35 employee who assists in public school student instruction, one shall be  
36 a parent, and one shall be a member of the public.

37 (3) Public school teachers appointed to the board must:

1 (a) Have at least three years of teaching experience in a  
2 Washington public school;

3 (b) Be currently certificated and actively employed in a teaching  
4 position; and

5 (c) Include one teacher currently teaching at the elementary school  
6 level, one at the middle school level, one at the high school level,  
7 and one vocationally certificated.

8 (4) Private school teachers appointed to the board must:

9 (a) Have at least three years of teaching experience in a  
10 Washington approved private school; and

11 (b) Be currently certificated and actively employed in a teaching  
12 position in an approved private school.

13 (5) Appointees from higher education educator preparation programs  
14 must include two representatives from institutions of higher education  
15 as defined in RCW 28B.10.016 and one representative from an institution  
16 of higher education as defined in RCW 28B.07.020(4).

17 (6) School administrators appointed to the board must:

18 (a) Have at least three years of administrative experience in a  
19 Washington public school district;

20 (b) Be currently certificated and actively employed in a school  
21 administrator position; and

22 (c) Include two public school principals, one Washington approved  
23 private school principal, and one superintendent.

24 (7) Educational staff associates appointed to the board must:

25 (a) Have at least three years of educational staff associate  
26 experience in a Washington public school district; and

27 (b) Be currently certificated and actively employed in an  
28 educational staff associate position.

29 (8) Public school classified employees appointed to the board must:

30 (a) Have at least three years of experience in assisting in the  
31 instruction of students in a Washington public school; and

32 (b) Be currently employed in a position that requires the employee  
33 to assist in the instruction of students.

34 (9) Each major caucus of the house of representatives and the  
35 senate shall submit a list of at least one public school teacher. In  
36 making the public school teacher appointments, the governor shall  
37 select one nominee from each list provided by each caucus. The  
38 governor shall appoint the remaining members of the board from a list

1 of qualified nominees submitted to the governor by organizations  
2 representative of the constituencies of the board, from applications  
3 from other qualified individuals, or from both nominees and applicants.

4 (10) All appointments to the board made by the governor shall be  
5 subject to confirmation by the senate.

6 (11) The governor shall appoint the members of the initial board no  
7 later than June 1, 2000.

8 (12) In appointing board members, the governor shall consider the  
9 diversity of the population of the state.

10 (13) Each member of the board shall be compensated in accordance  
11 with RCW 43.03.240 and shall be reimbursed for travel expenses incurred  
12 in carrying out the duties of the board in accordance with RCW  
13 43.03.050 and 43.03.060.

14 (14) The governor may remove a member of the board for neglect of  
15 duty, misconduct, malfeasance or misfeasance in office, or for  
16 incompetency or unprofessional conduct as defined in chapter 18.130  
17 RCW. In such a case, the governor shall file with the secretary of  
18 state a statement of the causes for and the order of removal from  
19 office, and the secretary of state shall send a certified copy of the  
20 statement of causes and order of removal to the last known post office  
21 address of the member.

22 (15) If a vacancy occurs on the board, the governor shall appoint  
23 a replacement member from the nominees as specified in subsection (9)  
24 of this section to fill the remainder of the unexpired term. When  
25 filling a vacancy of a member nominated by a major caucus of the  
26 legislature, the governor shall select the new member from a list of at  
27 least one name submitted by the same caucus that provided the list from  
28 which the retiring member was appointed.

29 (16) Members of the board shall hire an executive director and an  
30 administrative assistant to reside in the office of the superintendent  
31 of public instruction for administrative purposes only.

32 **Sec. 203.** RCW 28A.410.010 and 2001 c 263 s 1 are each amended to  
33 read as follows:

34 The (~~state board of education~~) Washington professional educator  
35 standards board shall establish, publish, and enforce rules (~~and~~  
36 ~~regulations~~) determining eligibility for and certification of  
37 personnel employed in the common schools of this state, including

1 certification for emergency or temporary, substitute or provisional  
2 duty and under such certificates or permits as the board shall deem  
3 proper or as otherwise prescribed by law. The rules shall require that  
4 the initial application for certification shall require a record check  
5 of the applicant through the Washington state patrol criminal  
6 identification system and through the federal bureau of investigation  
7 at the applicant's expense. The record check shall include a  
8 fingerprint check using a complete Washington state criminal  
9 identification fingerprint card. The superintendent of public  
10 instruction may waive the record check for any applicant who has had a  
11 record check within the two years before application. The rules shall  
12 permit a holder of a lapsed certificate but not a revoked or suspended  
13 certificate to be employed on a conditional basis by a school district  
14 with the requirement that the holder must complete any certificate  
15 renewal requirements established by the state board of education within  
16 two years of initial reemployment.

17 In establishing rules pertaining to the qualifications of  
18 instructors of American sign language the ((state)) board shall consult  
19 with the national association of the deaf, "sign instructors guidance  
20 network" (s.i.g.n.), and the Washington state association of the deaf  
21 for evaluation and certification of sign language instructors.

22 The superintendent of public instruction shall act as the  
23 administrator of any such rules ((and regulations)) and have the power  
24 to issue any certificates or permits and revoke the same in accordance  
25 with board rules ((and regulations)).

26 **Sec. 204.** RCW 28A.410.040 and 1992 c 141 s 101 are each amended to  
27 read as follows:

28 The ((state board of education)) Washington professional educator  
29 standards board shall adopt rules providing that, except as provided in  
30 this section, all individuals qualifying for an initial-level teaching  
31 certificate after August 31, 1992, shall possess a baccalaureate degree  
32 in the arts, sciences, and/or humanities and have fulfilled the  
33 requirements for teacher certification pursuant to RCW ((28A.305.130  
34 (1) and (2))) 28A.410.210. However, candidates for grades preschool  
35 through eight certificates shall have fulfilled the requirements for a  
36 major as part of their baccalaureate degree. If the major is in early

1 childhood education, elementary education, or special education, the  
2 candidate must have at least thirty quarter hours or twenty semester  
3 hours in one academic field.

4 **Sec. 205.** RCW 28A.410.050 and 1992 c 141 s 102 are each amended to  
5 read as follows:

6 The (~~state board of education~~) Washington professional educator  
7 standards board shall develop and adopt rules establishing  
8 baccalaureate and masters degree equivalency standards for vocational  
9 instructors performing instructional duties and acquiring certification  
10 after August 31, 1992.

11 **Sec. 206.** RCW 28A.410.060 and 1990 c 33 s 407 are each amended to  
12 read as follows:

13 The fee for any certificate, or any renewal thereof, issued by the  
14 authority of the state of Washington, and authorizing the holder to  
15 teach or perform other professional duties in the public schools of the  
16 state shall be not less than one dollar or such reasonable fee therefor  
17 as the (~~state board of education~~) Washington professional educator  
18 standards board by rule (~~or regulation~~) shall deem necessary  
19 therefor. The fee must accompany the application and cannot be  
20 refunded unless the application is withdrawn before it is finally  
21 considered. The educational service district superintendent, or other  
22 official authorized to receive such fee, shall within thirty days  
23 transmit the same to the treasurer of the county in which the office of  
24 the educational service district superintendent is located, to be by  
25 him or her placed to the credit of said school district or educational  
26 service district: PROVIDED, That if any school district collecting  
27 fees for the certification of professional staff does not hold a  
28 professional training institute separate from the educational service  
29 district then all such moneys shall be placed to the credit of the  
30 educational service district.

31 Such fees shall be used solely for the purpose of precertification  
32 professional preparation, program evaluation, and professional in-  
33 service training programs in accord with rules (~~and regulations~~) of  
34 the (~~state board of education~~) Washington professional educator  
35 standards board herein authorized.

1       **Sec. 207.** RCW 28A.410.100 and 1992 c 159 s 6 are each amended to  
2 read as follows:

3       Any teacher whose certificate to teach has been questioned under  
4 RCW 28A.410.090 shall have a right to be heard by the issuing authority  
5 before his or her certificate is revoked. Any teacher whose  
6 certificate to teach has been revoked shall have a right of appeal to  
7 the ((~~state board of education~~)) Washington professional educator  
8 standards board if notice of appeal is given by written affidavit to  
9 the board within thirty days after the certificate is revoked.

10       An appeal to the ((~~state board of education~~)) Washington  
11 professional educator standards board within the time specified shall  
12 operate as a stay of revocation proceedings until the next regular or  
13 special meeting of said board and until the board's decision has been  
14 rendered.

15       **Sec. 208.** RCW 28A.410.120 and 1990 c 33 s 411 are each amended to  
16 read as follows:

17       Notwithstanding any other provision of this title, the ((~~state~~  
18 ~~board of education~~)) Washington professional educator standards board  
19 or superintendent of public instruction shall not require any  
20 professional certification or other qualifications of any person  
21 elected superintendent of a local school district by that district's  
22 board of directors, or any person hired in any manner to fill a  
23 position designated as, or which is, in fact, deputy superintendent, or  
24 assistant superintendent.

25       **Sec. 209.** RCW 28A.415.023 and 1997 c 90 s 1 are each amended to  
26 read as follows:

27       (1) Credits earned by certificated instructional staff after  
28 September 1, 1995, shall be eligible for application to the salary  
29 schedule developed by the legislative evaluation and accountability  
30 program committee only if the course content:

31       (a) Is consistent with a school-based plan for mastery of student  
32 learning goals as referenced in RCW ((~~28A.320.205~~)) 28A.655.110, the  
33 annual school performance report, for the school in which the  
34 individual is assigned;

35       (b) Pertains to the individual's current assignment or expected  
36 assignment for the subsequent school year;

1 (c) Is necessary to obtain an endorsement as prescribed by the  
2 (~~state board of education~~) Washington professional educator standards  
3 board;

4 (d) Is specifically required to obtain advanced levels of  
5 certification; or

6 (e) Is included in a college or university degree program that  
7 pertains to the individual's current assignment, or potential future  
8 assignment, as a certified instructional staff.

9 (2) For the purpose of this section, "credits" mean college quarter  
10 hour credits and equivalent credits for approved in-service, approved  
11 continuing education, or approved internship hours computed in  
12 accordance with RCW 28A.415.020.

13 (3) The superintendent of public instruction shall adopt rules and  
14 standards consistent with the limits established by this section for  
15 certificated instructional staff.

16 **Sec. 210.** RCW 28A.415.060 and 1991 c 155 s 1 are each amended to  
17 read as follows:

18 The (~~state board of education~~) Washington professional educator  
19 standards board rules for continuing education shall provide that  
20 educational staff associates may use credits or clock hours that  
21 satisfy the continuing education requirements for their state  
22 professional licensure, if any, to fulfill the continuing education  
23 requirements established by the (~~state board of education~~) Washington  
24 professional educator standards board.

25 **Sec. 211.** RCW 28A.415.205 and 1991 c 238 s 75 are each amended to  
26 read as follows:

27 (1) The Washington state minority teacher recruitment program is  
28 established. The program shall be administered by the (~~state board of~~  
29 ~~education~~) Washington professional educator standards board. The  
30 (~~state board of education~~) Washington professional educator standards  
31 board shall consult with the higher education coordinating board,  
32 representatives of institutions of higher education, education  
33 organizations having an interest in teacher recruitment issues, the  
34 superintendent of public instruction, the state board for community and  
35 technical colleges, the department of employment security, and the work  
36 force training and education coordinating board. The program shall be

1 designed to recruit future teachers from students in the targeted  
2 groups who are in the ninth through twelfth grades and from adults in  
3 the targeted groups who have entered other occupations.

4 (2) The program shall include the following:

5 (a) Encouraging students in targeted groups in grades nine through  
6 twelve to acquire the academic and related skills necessary to prepare  
7 for the study of teaching at an institution of higher education;

8 (b) Promoting teaching career opportunities to develop an awareness  
9 of opportunities in the education profession;

10 (c) Providing opportunities for students to experience the  
11 application of regular high school course work to activities related to  
12 a teaching career; and

13 (d) Providing for increased cooperation among institutions of  
14 higher education including community colleges, the superintendent of  
15 public instruction, the (~~state board of education~~) Washington  
16 professional educator standards board, and local school districts in  
17 working toward the goals of the program.

18 **Sec. 212.** RCW 28A.150.060 and 1990 c 33 s 102 are each amended to  
19 read as follows:

20 The term "certificated employee" as used in RCW 28A.195.010,  
21 28A.150.060, 28A.150.260, 28A.405.100, 28A.405.210, 28A.405.240,  
22 28A.405.250, 28A.405.300 through 28A.405.380, and chapter 41.59 RCW,  
23 shall include those persons who hold certificates as authorized by rule  
24 (~~or regulation~~) of the (~~state board of education~~) Washington  
25 professional educator standards board or the superintendent of public  
26 instruction.

27 **Sec. 213.** RCW 28A.170.080 and 1990 c 33 s 157 are each amended to  
28 read as follows:

29 (1) Grants provided under RCW 28A.170.090 may be used solely for  
30 services provided by a substance abuse intervention specialist or for  
31 dedicated staff time for counseling and intervention services provided  
32 by any school district certificated employee who has been trained by  
33 and has access to consultation with a substance abuse intervention  
34 specialist. Services shall be directed at assisting students in  
35 kindergarten through twelfth grade in overcoming problems of drug and  
36 alcohol abuse, and in preventing abuse and addiction to such

1 substances, including nicotine. The grants shall require local  
2 matching funds so that the grant amounts support a maximum of eighty  
3 percent of the costs of the services funded. The services of a  
4 substance abuse intervention specialist may be obtained by means of a  
5 contract with a state or community services agency or a drug treatment  
6 center. Services provided by a substance abuse intervention specialist  
7 may include:

- 8 (a) Individual and family counseling, including preventive  
9 counseling;
- 10 (b) Assessment and referral for treatment;
- 11 (c) Referral to peer support groups;
- 12 (d) Aftercare;
- 13 (e) Development and supervision of student mentor programs;
- 14 (f) Staff training, including training in the identification of  
15 high-risk children and effective interaction with those children in the  
16 classroom; and
- 17 (g) Development and coordination of school drug and alcohol core  
18 teams, involving staff, students, parents, and community members.

19 (2) For the purposes of this section, "substance abuse intervention  
20 specialist" means any one of the following, except that diagnosis and  
21 assessment, counseling and aftercare specifically identified with  
22 treatment of chemical dependency shall be performed only by personnel  
23 who meet the same qualifications as are required of a qualified  
24 chemical dependency counselor employed by an alcoholism or drug  
25 treatment program approved by the department of social and health  
26 services.

27 (a) An educational staff associate employed by a school district or  
28 educational service district who holds certification as a school  
29 counselor, school psychologist, school nurse, or school social worker  
30 under (~~state board of education~~) Washington professional educator  
31 standards board rules adopted pursuant to RCW (~~28A.305.130~~)  
32 28A.410.210;

33 (b) An individual who meets the definition of a qualified drug or  
34 alcohol counselor established by the bureau of alcohol and substance  
35 abuse;

36 (c) A counselor, social worker, or other qualified professional  
37 employed by the department of social and health services;

38 (d) A psychologist licensed under chapter 18.83 RCW; or

1 (e) A children's mental health specialist as defined in RCW  
2 71.34.020.

3 **Sec. 214.** RCW 28A.205.010 and 1999 c 348 s 2 are each amended to  
4 read as follows:

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

7 "Education center" means any private school operated on a profit or  
8 nonprofit basis which does the following:

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

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

18 (c) Conducts courses of instruction by professionally trained  
19 personnel certificated by the (~~state board of education~~) Washington  
20 professional educator standards board according to rules adopted for  
21 the purposes of this chapter and providing, for certification purposes,  
22 that a year's teaching experience in an education center shall be  
23 deemed equal to a year's teaching experience in a common or private  
24 school.

25 (2) For purposes of this chapter, basic academic skills shall  
26 include the study of mathematics, speech, language, reading and  
27 composition, science, history, literature and political science or  
28 civics; it shall not include courses of a vocational training nature  
29 and shall not include courses deemed nonessential to the accrediting of  
30 the common schools or the approval of private schools under RCW  
31 28A.305.130.

32 (3) The state board of education shall certify an education center  
33 only upon application and (a) determination that such school comes  
34 within the definition thereof as set forth in subsection (1) of this  
35 section and (b) demonstration on the basis of actual educational  
36 performance of such applicants' students which shows after  
37 consideration of their students' backgrounds, educational gains that

1 are a direct result of the applicants' educational program. Such  
2 certification may be withdrawn if the board finds that a center fails  
3 to provide adequate instruction in basic academic skills. No education  
4 center certified by the state board of education pursuant to this  
5 section shall be deemed a common school under RCW 28A.150.020 or a  
6 private school for the purposes of RCW 28A.195.010 through 28A.195.050.

7 **Sec. 215.** RCW 28A.205.050 and 1995 c 335 s 201 are each amended to  
8 read as follows:

9 In accordance with chapter 34.05 RCW, the administrative procedure  
10 act, the (~~state board of education~~) Washington professional educator  
11 standards board with respect to the matter of certification, and the  
12 superintendent of public instruction with respect to all other matters,  
13 shall have the power and duty to make the necessary rules to carry out  
14 the purpose and intent of this chapter.

15 **Sec. 216.** RCW 28A.405.210 and 1996 c 201 s 1 are each amended to  
16 read as follows:

17 No teacher, principal, supervisor, superintendent, or other  
18 certificated employee, holding a position as such with a school  
19 district, hereinafter referred to as "employee", shall be employed  
20 except by written order of a majority of the directors of the district  
21 at a regular or special meeting thereof, nor unless he or she is the  
22 holder of an effective teacher's certificate or other certificate  
23 required by law or the (~~state board of education~~) Washington  
24 professional educator standards board for the position for which the  
25 employee is employed.

26 The board shall make with each employee employed by it a written  
27 contract, which shall be in conformity with the laws of this state, and  
28 except as otherwise provided by law, limited to a term of not more than  
29 one year. Every such contract shall be made in duplicate, one copy to  
30 be retained by the school district superintendent or secretary and one  
31 copy to be delivered to the employee. No contract shall be offered by  
32 any board for the employment of any employee who has previously signed  
33 an employment contract for that same term in another school district of  
34 the state of Washington unless such employee shall have been released  
35 from his or her obligations under such previous contract by the board

1 of directors of the school district to which he or she was obligated.  
2 Any contract signed in violation of this provision shall be void.

3 In the event it is determined that there is probable cause or  
4 causes that the employment contract of an employee should not be  
5 renewed by the district for the next ensuing term such employee shall  
6 be notified in writing on or before May 15th preceding the commencement  
7 of such term of that determination, or if the omnibus appropriations  
8 act has not passed the legislature by May 15th, then notification shall  
9 be no later than June 1st, which notification shall specify the cause  
10 or causes for nonrenewal of contract. Such determination of probable  
11 cause for certificated employees, other than the superintendent, shall  
12 be made by the superintendent. Such notice shall be served upon the  
13 employee personally, or by certified or registered mail, or by leaving  
14 a copy of the notice at the house of his or her usual abode with some  
15 person of suitable age and discretion then resident therein. Every  
16 such employee so notified, at his or her request made in writing and  
17 filed with the president, chair or secretary of the board of directors  
18 of the district within ten days after receiving such notice, shall be  
19 granted opportunity for hearing pursuant to RCW 28A.405.310 to  
20 determine whether there is sufficient cause or causes for nonrenewal of  
21 contract: PROVIDED, That any employee receiving notice of nonrenewal  
22 of contract due to an enrollment decline or loss of revenue may, in his  
23 or her request for a hearing, stipulate that initiation of the  
24 arrangements for a hearing officer as provided for by RCW  
25 28A.405.310(4) shall occur within ten days following July 15 rather  
26 than the day that the employee submits the request for a hearing. If  
27 any such notification or opportunity for hearing is not timely given,  
28 the employee entitled thereto shall be conclusively presumed to have  
29 been reemployed by the district for the next ensuing term upon  
30 contractual terms identical with those which would have prevailed if  
31 his or her employment had actually been renewed by the board of  
32 directors for such ensuing term.

33 This section shall not be applicable to "provisional employees" as  
34 so designated in RCW 28A.405.220; transfer to a subordinate  
35 certificated position as that procedure is set forth in RCW 28A.405.230  
36 shall not be construed as a nonrenewal of contract for the purposes of  
37 this section.

1           **Sec. 217.** RCW 28B.10.140 and 2004 c 60 s 1 are each amended to  
2 read as follows:

3           The University of Washington, Washington State University, Central  
4 Washington University, Eastern Washington University, Western  
5 Washington University, and The Evergreen State College are each  
6 authorized to train teachers and other personnel for whom teaching  
7 certificates or special credentials prescribed by the (~~state board of~~  
8 ~~education~~) Washington professional educator standards board are  
9 required, for any grade, level, department, or position of the public  
10 schools of the state.

11           **Sec. 218.** RCW 18.118.010 and 1990 c 33 s 553 are each amended to  
12 read as follows:

13           (1) The purpose of this chapter is to establish guidelines for the  
14 regulation of the real estate profession and other business professions  
15 which may seek legislation to substantially increase their scope of  
16 practice or the level of regulation of the profession, and for the  
17 regulation of business professions not licensed or regulated on July  
18 26, 1987: PROVIDED, That the provisions of this chapter are not  
19 intended and shall not be construed to: (a) Apply to any regulatory  
20 entity created prior to July 26, 1987, except as provided in this  
21 chapter; (b) affect the powers and responsibilities of the  
22 superintendent of public instruction or (~~state board of education~~)  
23 Washington professional educator standards board under RCW  
24 (~~28A.305.130~~) 28A.410.210 and 28A.410.010; (c) apply to or interfere  
25 in any way with the practice of religion or to any kind of treatment by  
26 prayer; (d) apply to any remedial or technical amendments to any  
27 statutes which licensed or regulated activity before July 26, 1987; and  
28 (e) apply to proposals relating solely to continuing education. The  
29 legislature believes that all individuals should be permitted to enter  
30 into a business profession unless there is an overwhelming need for the  
31 state to protect the interests of the public by restricting entry into  
32 the profession. Where such a need is identified, the regulation  
33 adopted by the state should be set at the least restrictive level  
34 consistent with the public interest to be protected.

35           (2) It is the intent of this chapter that no regulation shall be  
36 imposed upon any business profession except for the exclusive purpose  
37 of protecting the public interest. All bills introduced in the

1 legislature to regulate a business profession for the first time should  
2 be reviewed according to the following criteria. A business profession  
3 should be regulated by the state only when:

4 (a) Unregulated practice can clearly harm or endanger the health,  
5 safety, or welfare of the public, and the potential for the harm is  
6 easily recognizable and not remote or dependent upon tenuous argument;

7 (b) The public needs and can reasonably be expected to benefit from  
8 an assurance of initial and continuing professional ability; and

9 (c) The public cannot be effectively protected by other means in a  
10 more cost-beneficial manner.

11 (3) After evaluating the criteria in subsection (2) of this section  
12 and considering governmental and societal costs and benefits, if the  
13 legislature finds that it is necessary to regulate a business  
14 profession not previously regulated by law, the least restrictive  
15 alternative method of regulation should be implemented, consistent with  
16 the public interest and this section:

17 (a) Where existing common law and statutory civil actions and  
18 criminal prohibitions are not sufficient to eradicate existing harm,  
19 the regulation should provide for stricter civil actions and criminal  
20 prosecutions;

21 (b) Where a service is being performed for individuals involving a  
22 hazard to the public health, safety, or welfare, the regulation should  
23 impose inspection requirements and enable an appropriate state agency  
24 to enforce violations by injunctive relief in court, including, but not  
25 limited to, regulation of the business activity providing the service  
26 rather than the employees of the business;

27 (c) Where the threat to the public health, safety, or economic  
28 well-being is relatively small as a result of the operation of the  
29 business profession, the regulation should implement a system of  
30 registration;

31 (d) Where the consumer may have a substantial basis for relying on  
32 the services of a practitioner, the regulation should implement a  
33 system of certification; or

34 (e) Where apparent that adequate regulation cannot be achieved by  
35 means other than licensing, the regulation should implement a system of  
36 licensing.

1       **Sec. 219.** RCW 18.120.010 and 1990 c 33 s 554 are each amended to  
2 read as follows:

3       (1) The purpose of this chapter is to establish guidelines for the  
4 regulation of health professions not licensed or regulated prior to  
5 July 24, 1983, and those licensed or regulated health professions which  
6 seek to substantially increase their scope of practice: PROVIDED, That  
7 the provisions of this chapter are not intended and shall not be  
8 construed to: (a) Apply to any regulatory entity created prior to July  
9 24, 1983, except as provided in this chapter; (b) affect the powers and  
10 responsibilities of the superintendent of public instruction or (~~state~~  
11 ~~board of education~~) Washington professional educator standards board  
12 under RCW (~~28A.305.130~~) 28A.410.210 and 28A.410.010; (c) apply to or  
13 interfere in any way with the practice of religion or to any kind of  
14 treatment by prayer; and (d) apply to any remedial or technical  
15 amendments to any statutes which licensed or regulated activity before  
16 July 24, 1983. The legislature believes that all individuals should be  
17 permitted to enter into a health profession unless there is an  
18 overwhelming need for the state to protect the interests of the public  
19 by restricting entry into the profession. Where such a need is  
20 identified, the regulation adopted by the state should be set at the  
21 least restrictive level consistent with the public interest to be  
22 protected.

23       (2) It is the intent of this chapter that no regulation shall,  
24 after July 24, 1983, be imposed upon any health profession except for  
25 the exclusive purpose of protecting the public interest. All bills  
26 introduced in the legislature to regulate a health profession for the  
27 first time should be reviewed according to the following criteria. A  
28 health profession should be regulated by the state only when:

29       (a) Unregulated practice can clearly harm or endanger the health,  
30 safety, or welfare of the public, and the potential for the harm is  
31 easily recognizable and not remote or dependent upon tenuous argument;

32       (b) The public needs and can reasonably be expected to benefit from  
33 an assurance of initial and continuing professional ability; and

34       (c) The public cannot be effectively protected by other means in a  
35 more cost-beneficial manner.

36       (3) After evaluating the criteria in subsection (2) of this section  
37 and considering governmental and societal costs and benefits, if the  
38 legislature finds that it is necessary to regulate a health profession

1 not previously regulated by law, the least restrictive alternative  
2 method of regulation should be implemented, consistent with the public  
3 interest and this section:

4 (a) Where existing common law and statutory civil actions and  
5 criminal prohibitions are not sufficient to eradicate existing harm,  
6 the regulation should provide for stricter civil actions and criminal  
7 prosecutions;

8 (b) Where a service is being performed for individuals involving a  
9 hazard to the public health, safety, or welfare, the regulation should  
10 impose inspection requirements and enable an appropriate state agency  
11 to enforce violations by injunctive relief in court, including, but not  
12 limited to, regulation of the business activity providing the service  
13 rather than the employees of the business;

14 (c) Where the threat to the public health, safety, or economic  
15 well-being is relatively small as a result of the operation of the  
16 health profession, the regulation should implement a system of  
17 registration;

18 (d) Where the consumer may have a substantial basis for relying on  
19 the services of a practitioner, the regulation should implement a  
20 system of certification; or

21 (e) Where apparent that adequate regulation cannot be achieved by  
22 means other than licensing, the regulation should implement a system of  
23 licensing.

24 **PART 3**

25 **TRANSFER OF POWERS AND DUTIES**

26 NEW SECTION. **Sec. 301.** (1) The state board of education as  
27 constituted prior to the effective date of this act is hereby abolished  
28 and its powers, duties, and functions are hereby transferred to the  
29 state board of education as specified in this act. All references to  
30 the director or the state board of education as constituted prior to  
31 the effective date of this act in the Revised Code of Washington shall  
32 be construed to mean the director or the state board of education as  
33 specified in this act.

34 (2)(a) All reports, documents, surveys, books, records, files,  
35 papers, or written material in the possession of the state board of  
36 education as constituted prior to the effective date of this act shall

1 be delivered to the custody of the state board of education as  
2 specified in this act. All cabinets, furniture, office equipment,  
3 motor vehicles, and other tangible property employed by the state board  
4 of education as constituted prior to the effective date of this act  
5 shall be made available to the state board of education as specified in  
6 this act. All funds, credits, or other assets held by the state board  
7 of education as constituted prior to the effective date of this act  
8 shall be assigned to the state board of education as specified in this  
9 act.

10 (b) Any appropriations made to the state board of education as  
11 constituted prior to the effective date of this act shall, on the  
12 effective date of this section, be transferred and credited to the  
13 state board of education as specified in this act.

14 (c) If any question arises as to the transfer of any personnel,  
15 funds, books, documents, records, papers, files, equipment, or other  
16 tangible property used or held in the exercise of the powers and the  
17 performance of the duties and functions transferred, the director of  
18 financial management shall make a determination as to the proper  
19 allocation and certify the same to the state agencies concerned.

20 (3) All employees of the state board of education as constituted  
21 prior to the effective date of this act are transferred to the  
22 jurisdiction of the state board of education as specified in this act.  
23 All employees classified under chapter 41.06 RCW, the state civil  
24 service law, are assigned to the state board of education as specified  
25 in this act.

26 (4) All rules and all pending business before the state board of  
27 education as constituted prior to the effective date of this act shall  
28 be continued and acted upon by the state board of education as  
29 specified in this act. All existing contracts and obligations shall  
30 remain in full force and shall be performed by the state board of  
31 education as specified in this act.

32 (5) The transfer of the powers, duties, functions, and personnel of  
33 the state board of education as constituted prior to the effective date  
34 of this act shall not affect the validity of any act performed before  
35 the effective date of this section.

36 (6) If apportionments of budgeted funds are required because of the  
37 transfers directed by this section, the director of financial  
38 management shall certify the apportionments to the agencies affected,

1 the state auditor, and the state treasurer. Each of these shall make  
2 the appropriate transfer and adjustments in funds and appropriation  
3 accounts and equipment records in accordance with the certification.

4 (7) Nothing contained in this section may be construed to alter any  
5 existing collective bargaining unit or the provisions of any existing  
6 collective bargaining agreement until the agreement has expired or  
7 until the bargaining unit has been modified by action of the personnel  
8 resources board as provided by law.

9 NEW SECTION. **Sec. 302.** A new section is added to chapter 28A.410  
10 RCW to read as follows:

11 (1) All powers, duties, and functions of the office of the  
12 superintendent of public instruction pertaining to educator  
13 certification and the approval of programs of courses, requirements,  
14 and other activities leading to educator certification, are transferred  
15 to the professional educator standards board. All references to the  
16 superintendent of public instruction or the office of the  
17 superintendent of public instruction in the Revised Code of Washington  
18 shall be construed to mean the executive director of the professional  
19 educator standards board or the professional educator standards board  
20 when referring to the functions transferred in this section.

21 (2)(a) All reports, documents, surveys, books, records, files,  
22 papers, or written material in the possession of the office of the  
23 superintendent of public instruction pertaining to the powers,  
24 functions, and duties transferred shall be delivered to the custody of  
25 the professional educator standards board. All cabinets, furniture,  
26 office equipment, motor vehicles, and other tangible property employed  
27 by the office of the superintendent of public instruction in carrying  
28 out the powers, functions, and duties transferred shall be made  
29 available to the professional educator standards board. All funds,  
30 credits, or other assets held in connection with the powers, functions,  
31 and duties transferred shall be assigned to the professional educator  
32 standards board.

33 (b) Any appropriations made to the office of the superintendent of  
34 public instruction for carrying out the powers, functions, and duties  
35 transferred shall, on the effective date of this section, be  
36 transferred and credited to the professional educator standards board.

1 (c) Whenever any question arises as to the transfer of any  
2 personnel, funds, books, documents, records, papers, files, equipment,  
3 or other tangible property used or held in the exercise of the powers  
4 and the performance of the duties and functions transferred, the  
5 director of financial management shall make a determination as to the  
6 proper allocation and certify the same to the state agencies concerned.

7 (3) All employees of the office of the superintendent of public  
8 instruction engaged in performing the powers, functions, and duties  
9 transferred are transferred to the jurisdiction of the professional  
10 educator standards board. All employees classified under chapter 41.06  
11 RCW, the state civil service law, are assigned to the professional  
12 educator standards board to perform their usual duties upon the same  
13 terms as formerly, without any loss of rights, subject to any action  
14 that may be appropriate thereafter in accordance with the laws and  
15 rules governing state civil service.

16 (4) All rules and all pending business before the office of the  
17 superintendent of public instruction pertaining to the powers,  
18 functions, and duties transferred shall be continued and acted upon by  
19 the professional educator standards board. All existing contracts and  
20 obligations shall remain in full force and shall be performed by the  
21 professional educator standards board.

22 (5) The transfer of the powers, duties, functions, and personnel of  
23 the office of the superintendent of public instruction shall not affect  
24 the validity of any act performed before the effective date of this  
25 section.

26 (6) If apportionments of budgeted funds are required because of the  
27 transfers directed by this section, the director of financial  
28 management shall certify the apportionments to the agencies affected,  
29 the state auditor, and the state treasurer. Each of these shall make  
30 the appropriate transfer and adjustments in funds and appropriation  
31 accounts and equipment records in accordance with the certification.

32 (7) Nothing contained in this section may be construed to alter any  
33 existing collective bargaining unit or the provisions of any existing  
34 collective bargaining agreement until the agreement has expired or  
35 until the bargaining unit has been modified by action of the personnel  
36 resources board as provided by law.

1 **PART 4**

2 **GOVERNANCE TASK FORCE**

3 NEW SECTION. **Sec. 401.** (1) The education governance task force is  
4 established to review and evaluate the appropriate agency to adopt  
5 rules for and implement state education responsibilities that fall  
6 under the jurisdiction of the superintendent of public instruction, the  
7 academic achievement and accountability commission, and the state board  
8 of education as reconstituted under part 1 of this act. The task force  
9 shall examine the possible elimination of the academic achievement and  
10 accountability commission and the reassignment or repeal of its duties.

11 (2) The task force shall include two members of the house of  
12 representatives, one from each major caucus, appointed by the speaker  
13 of the house of representatives; two members of the senate, one from  
14 each major caucus, appointed by the president of the senate; a  
15 representative of the governor; and other individuals who may be  
16 invited to join the task force by the other task force members.

17 (3) By December 15, 2005, the task force shall report to the  
18 governor, the superintendent of public instruction, the academic  
19 achievement and accountability commission, the state board of  
20 education, the legislative committees on education policy, and other  
21 interested parties with its recommendations, including proposed  
22 legislation, on the appropriate state-level agencies to adopt rules for  
23 and implement various statutory education responsibilities.

24 **PART 5**

25 **MISCELLANEOUS**

26 NEW SECTION. **Sec. 501.** The following acts or parts of acts are  
27 each repealed:

28 (1) RCW 28A.305.010 (Composition of board) and 1992 c 56 s 1, 1990  
29 c 33 s 257, 1988 c 255 s 1, 1980 c 179 s 1, & 1969 ex.s. c 223 s  
30 28A.04.010;

31 (2) RCW 28A.305.020 (Call and notice of elections) and 1990 c 33 s  
32 258, 1988 c 255 s 2, 1981 c 38 s 1, & 1969 ex.s. c 223 s 28A.04.020;

33 (3) RCW 28A.305.030 (Elections in new congressional districts--Call  
34 and conduct of--Member terms--Transitional measures to reduce number of  
35 members from each district) and 1992 c 56 s 3, 1990 c 33 s 259, 1982  
36 1st ex.s. c 7 s 1, & 1969 ex.s. c 223 s 28A.04.030;

1 (4) RCW 28A.305.040 (Declarations of candidacy--Qualifications of  
2 candidates--Members restricted from service on local boards--Forfeiture  
3 of office) and 1990 c 33 s 260, 1982 1st ex.s. c 7 s 2, 1980 c 179 s 4,  
4 1975 1st ex.s. c 275 s 49, 1971 c 48 s 1, & 1969 ex.s. c 223 s  
5 28A.04.040;

6 (5) RCW 28A.305.050 (Qualifications of voters--Ballots--Voting  
7 instructions--Candidates' biographical data) and 1990 c 33 s 261, 1988  
8 c 255 s 3, 1981 c 38 s 2, & 1969 ex.s. c 223 s 28A.04.050;

9 (6) RCW 28A.305.060 (Election procedure--Certificate) and 1990 c 33  
10 s 262, 1981 c 38 s 3, 1980 c 179 s 5, 1975 c 19 s 2, 1969 ex.s. c 283  
11 s 25, & 1969 ex.s. c 223 s 28A.04.060;

12 (7) RCW 28A.305.070 (Action to contest election--Grounds--  
13 Procedure) and 1980 c 179 s 6 & 1975 c 19 s 1;

14 (8) RCW 28A.305.080 (Terms of office) and 1992 c 56 s 2, 1990 c 33  
15 s 263, & 1969 ex.s. c 223 s 28A.04.070;

16 (9) RCW 28A.305.090 (Vacancies, filling) and 1990 c 33 s 264 & 1969  
17 ex.s. c 223 s 28A.04.080;

18 (10) RCW 28A.305.100 (Superintendent as ex officio member and chief  
19 executive officer of board) and 1982 c 160 s 1 & 1969 ex.s. c 223 s  
20 28A.04.090;

21 (11) RCW 28A.305.110 (Executive director--Secretary of board) and  
22 1996 c 25 s 1, 1990 c 33 s 265, 1982 c 160 s 3, & 1969 ex.s. c 223 s  
23 28A.04.100;

24 (12) RCW 28A.305.120 (Meetings--Compensation and travel expenses of  
25 members) and 1984 c 287 s 60, 1975-'76 2nd ex.s. c 34 s 67, 1973 c 106  
26 s 13, & 1969 ex.s. c 223 s 28A.04.110;

27 (13) RCW 28A.305.200 (Seal) and 1969 ex.s. c 223 s 28A.04.140; and

28 (14) RCW 28A.660.901 (Program evaluations--Contingency) and 2004 c  
29 23 s 6 & 2001 c 158 s 8.

30 **Sec. 502.** RCW 28A.300.020 and 1996 c 25 s 2 are each amended to  
31 read as follows:

32 The superintendent of public instruction may appoint assistant  
33 superintendents of public instruction, a deputy superintendent of  
34 public instruction, and may employ such other assistants and clerical  
35 help as are necessary to carry out the duties of the superintendent and  
36 the state board of education. However, the superintendent shall employ  
37 without undue delay the executive director of the state board of

1 education and other state board of education office assistants and  
2 clerical help, appointed by the state board under RCW ((~~28A.305.110~~))  
3 28A.305.130, whose positions are allotted and funded in accordance with  
4 moneys appropriated exclusively for the operation of the state board of  
5 education. The rate of compensation and termination of any such  
6 executive director, state board office assistants, and clerical help  
7 shall be subject to the prior consent of the state board of education.  
8 The assistant superintendents, deputy superintendent, and such other  
9 officers and employees as are exempted from the provisions of chapter  
10 41.06 RCW, shall serve at the pleasure of the superintendent or at the  
11 pleasure of the superintendent and the state board of education as  
12 provided in this section. Expenditures by the superintendent of public  
13 instruction for direct and indirect support of the state board of  
14 education are valid operational expenditures by and in behalf of the  
15 office of the superintendent of public instruction.

16 **Sec. 503.** RCW 28A.310.110 and 1990 c 33 s 272 are each amended to  
17 read as follows:

18 Any common school district board member eligible to vote for a  
19 candidate for membership on an educational service district or any  
20 candidate for the position, within ten days after the secretary to the  
21 state board of education's certification of election, may contest the  
22 election of the candidate pursuant to chapter 29A.68 RCW  
23 ((~~28A.305.070~~)).

24 **Sec. 504.** RCW 28A.315.085 and 1999 c 315 s 206 are each amended to  
25 read as follows:

26 (1) The superintendent of public instruction shall furnish to the  
27 state board and to regional committees the services of employed  
28 personnel and the materials and supplies necessary to enable them to  
29 perform the duties imposed upon them by this chapter and shall  
30 reimburse the members thereof for expenses necessarily incurred by them  
31 in the performance of their duties, such reimbursement for regional  
32 committee members to be in accordance with RCW 28A.315.155, and such  
33 reimbursement for state board members to be in accordance with ((RCW  
34 ~~28A.305.120~~)) section 101 of this act.

35 (2) Costs that may be incurred by an educational service district  
36 in association with school district negotiations under RCW 28A.315.195

1 and supporting the regional committee under RCW 28A.315.205 shall be  
2 reimbursed by the state from such funds as are appropriated for these  
3 purposes.

4 NEW SECTION. **Sec. 505.** The following acts or parts of acts are  
5 each repealed effective June 30, 2006:

6 (1) RCW 28A.655.020 (Academic achievement and accountability  
7 commission) and 1999 c 388 s 101;

8 (2) RCW 28A.655.030 (Essential academic learning requirements and  
9 assessments--Duties of the academic achievement and accountability  
10 commission) and 2004 c 19 s 205, 2002 c 37 s 1, & 1999 c 388 s 102; and

11 (3) RCW 28A.655.900 (Transfer of powers, duties, and functions) and  
12 1999 c 388 s 502.

13 NEW SECTION. **Sec. 506.** (1) Sections 102, 201 through 219, 302,  
14 and 401 of this act are necessary for the immediate preservation of the  
15 public peace, health, or safety, or support of the state government and  
16 its existing public institutions, and take effect July 1, 2005.

17 (2) Sections 101, 301, and 501 through 504 of this act take effect  
18 October 1, 2005.

19 (3) Section 505 of this act takes effect June 30, 2006.

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