
HOUSE BILL 2634

State of Washington

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By Representatives Haigh, Talcott, Appleton, Nixon, Quall, P. Sullivan, Hunt, Santos, Tom, B. Sullivan, Ormsby, Moeller, Green, Hudgins, Wallace, Hunter, Lantz, Linville, Hasegawa, O'Brien, Rodne, Murray, Schual-Berke and McDermott

Read first time 01/11/2006. Referred to Committee on Education.

1 AN ACT Relating to full-day kindergarten; amending RCW 28A.150.220,
2 28A.150.250, and 28A.525.162; and providing an effective date.

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

4 **Sec. 1.** RCW 28A.150.220 and 1993 c 371 s 2 are each amended to
5 read as follows:

6 (1) Satisfaction of the basic education program requirements
7 identified in RCW 28A.150.210 shall be considered to be implemented by
8 the following program:

9 (a) Each school district shall make available to students enrolled
10 in kindergarten at least a total instructional offering of (~~four~~)
11 nine hundred (~~fifty~~) hours. The program shall include instruction in
12 the essential academic learning requirements (~~under RCW 28A.630.885~~)
13 and such other subjects and such activities as the school district
14 shall determine to be appropriate for the education of the school
15 district's students enrolled in such program;

16 (b) Each school district shall make available to students enrolled
17 in grades one through twelve, at least a district-wide annual average
18 total instructional hour offering of one thousand hours. The state
19 board of education may define alternatives to classroom instructional

1 time for students in grades nine through twelve enrolled in alternative
2 learning experiences. The state board of education shall establish
3 rules to determine annual average instructional hours for districts
4 including fewer than twelve grades. The program shall include the
5 essential academic learning requirements (~~(under RCW 28A.630.885)~~) and
6 such other subjects and such activities as the school district shall
7 determine to be appropriate for the education of the school district's
8 students enrolled in such group;

9 (c) If the essential academic learning requirements include a
10 requirement of languages other than English, the requirement may be met
11 by students receiving instruction in one or more American Indian
12 languages.

13 (2) Nothing contained in subsection (1) of this section shall be
14 construed to require individual students to attend school for any
15 particular number of hours per day or to take any particular courses.

16 (3) Each school district's kindergarten through twelfth grade basic
17 educational program shall be accessible to all students who are five
18 years of age, as provided by RCW 28A.225.160, and less than twenty-one
19 years of age and shall consist of a minimum of one hundred eighty
20 school days per school year in such grades as are conducted by a school
21 district(~~(, and one hundred eighty half days of instruction, or~~
22 ~~equivalent, in kindergarten)~~): PROVIDED, That effective May 1, 1979,
23 a school district may schedule the last five school days of the one
24 hundred and eighty day school year for noninstructional purposes in the
25 case of students who are graduating from high school, including, but
26 not limited to, the observance of graduation and early release from
27 school upon the request of a student, and all such students may be
28 claimed as a full time equivalent student to the extent they could
29 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
30 28A.150.260.

31 (4) The state board of education shall adopt rules to implement and
32 ensure compliance with the program requirements imposed by this
33 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental
34 program approval requirements as the state board may establish.

35 **Sec. 2.** RCW 28A.150.250 and 1990 c 33 s 107 are each amended to
36 read as follows:

37 From those funds made available by the legislature for the current

1 use of the common schools, the superintendent of public instruction
2 shall distribute annually as provided in RCW 28A.510.250 to each school
3 district of the state operating a program approved by the state board
4 of education an amount which, when combined with an appropriate portion
5 of such locally available revenues, other than receipts from federal
6 forest revenues distributed to school districts pursuant to RCW
7 28A.520.010 and 28A.520.020, as the superintendent of public
8 instruction may deem appropriate for consideration in computing state
9 equalization support, excluding excess property tax levies, will
10 constitute a basic education allocation in dollars for each annual
11 average full time equivalent student enrolled, based upon one full
12 school year of one hundred eighty days(~~(, except that for kindergartens
13 one full school year shall be one hundred eighty half days of
14 instruction, or the equivalent as provided in RCW 28A.150.220))~~).

15 Basic education shall be considered to be fully funded by those
16 amounts of dollars appropriated by the legislature pursuant to RCW
17 28A.150.250 and 28A.150.260 to fund those program requirements
18 identified in RCW 28A.150.220 in accordance with the formula and ratios
19 provided in RCW 28A.150.260 and those amounts of dollars appropriated
20 by the legislature to fund the salary requirements of RCW 28A.150.100
21 and 28A.150.410.

22 Operation of a program approved by the state board of education,
23 for the purposes of this section, shall include a finding that the
24 ratio of students per classroom teacher in grades kindergarten through
25 three is not greater than the ratio of students per classroom teacher
26 in grades four and above for such district: PROVIDED, That for the
27 purposes of this section, "classroom teacher" shall be defined as an
28 instructional employee possessing at least a provisional certificate,
29 but not necessarily employed as a certificated employee, whose primary
30 duty is the daily educational instruction of students: PROVIDED
31 FURTHER, That the state board of education shall adopt rules and
32 regulations to insure compliance with the student/teacher ratio
33 provisions of this section, and such rules and regulations shall allow
34 for exemptions for those special programs and/or school districts which
35 may be deemed unable to practicably meet the student/teacher ratio
36 requirements of this section by virtue of a small number of students.

37 If a school district's basic education program fails to meet the
38 basic education requirements enumerated in RCW 28A.150.250,

1 28A.150.260, and 28A.150.220, the state board of education shall
2 require the superintendent of public instruction to withhold state
3 funds in whole or in part for the basic education allocation until
4 program compliance is assured: PROVIDED, That the state board of
5 education may waive this requirement in the event of substantial lack
6 of classroom space.

7 **Sec. 3.** RCW 28A.525.162 and 1995 c 77 s 24 are each amended to
8 read as follows:

9 (1) Funds appropriated to the state board of education from the
10 common school construction fund shall be allotted by the state board of
11 education in accordance with student enrollment and the provisions of
12 RCW 28A.525.200.

13 (2) No allotment shall be made to a school district until such
14 district has provided matching funds equal to or greater than the
15 difference between the total approved project cost and the amount of
16 state assistance to the district for financing the project computed
17 pursuant to RCW 28A.525.166, with the following exceptions:

18 (a) The state board may waive the matching requirement for
19 districts which have provided funds for school building construction
20 purposes through the authorization of bonds or through the
21 authorization of excess tax levies or both in an amount equivalent to
22 two and one-half percent of the value of its taxable property, as
23 defined in RCW 39.36.015.

24 (b) No such matching funds shall be required as a condition to the
25 allotment of funds for the purpose of making major or minor structural
26 changes to existing school facilities in order to bring such facilities
27 into compliance with the barrier free access requirements of section
28 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and
29 rules implementing the act.

30 (3) For the purpose of computing the state matching percentage
31 under RCW 28A.525.166 when a school district is granted authority to
32 enter into contracts, adjusted valuation per pupil shall be calculated
33 using headcount student enrollments from the most recent October
34 enrollment reports submitted by districts to the superintendent of
35 public instruction, adjusted as follows:

36 (a) In the case of projects for which local bonds were approved
37 after May 11, 1989:

1 (i) For districts which have been designated as serving high school
2 districts under RCW 28A.540.110, students residing in the nonhigh
3 district so designating shall be excluded from the enrollment count if
4 the student is enrolled in any grade level not offered by the nonhigh
5 district;

6 (ii) The enrollment of nonhigh school districts shall be increased
7 by the number of students residing within the district who are enrolled
8 in a serving high school district so designated by the nonhigh school
9 district under RCW 28A.540.110, including only students who are
10 enrolled in grade levels not offered by the nonhigh school district;
11 and

12 (iii) The number of preschool students with disabilities included
13 in the enrollment count shall be multiplied by one-half; and

14 (b) In the case of construction or modernization of high school
15 facilities in districts serving students from nonhigh school districts,
16 the adjusted valuation per pupil shall be computed using the combined
17 adjusted valuations and enrollments of each district, each weighted by
18 the percentage of the district's resident high school students served
19 by the high school district(~~and~~

20 ~~(c) The number of kindergarten students included in the enrollment~~
21 ~~count shall be multiplied by one-half)).~~

22 (4) The state board of education shall prescribe and make effective
23 such rules as are necessary to equate insofar as possible the efforts
24 made by school districts to provide capital funds by the means
25 aforesaid.

26 (5) For the purposes of this section, "preschool students with
27 disabilities" means developmentally disabled children of preschool age
28 who are entitled to services under RCW 28A.155.010 through 28A.155.100
29 and are not included in the kindergarten enrollment count of the
30 district.

31 NEW SECTION. **Sec. 4.** This act takes effect September 1, 2007.

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