
SECOND SUBSTITUTE HOUSE BILL 3098

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Capital Budget (originally sponsored by
Representatives McDermott, Talcott and Quall)

READ FIRST TIME 02/08/06.

1 AN ACT Relating to transferring duties of the reconstituted state
2 board of education; amending RCW 28A.305.130, 28A.305.035, 28A.300.040,
3 28A.305.011, 28A.150.230, 28A.505.140, 28A.525.020, 28A.525.030,
4 28A.525.050, 28A.525.055, 28A.525.070, 28A.525.080, 28A.525.090,
5 28A.525.162, 28A.525.164, 28A.525.166, 28A.525.168, 28A.525.170,
6 28A.525.172, 28A.525.174, 28A.525.176, 28A.525.178, 28A.525.180,
7 28A.525.190, 28A.525.200, 28A.525.216, 28A.150.260, 28A.335.160,
8 28A.540.050, 28A.150.530, 28A.335.210, 28A.335.230, 28A.540.070,
9 28A.305.220, 28A.230.100, 28A.230.170, 28A.305.170, 28A.230.130,
10 28A.205.010, 28A.215.010, 28A.215.020, 28A.205.040, 28A.215.140,
11 28A.230.020, 28A.230.040, 28A.230.050, 28A.315.175, 28A.315.195,
12 28A.315.205, 28A.315.015, 28A.315.025, 28A.315.055, 28A.315.085,
13 28A.315.125, 28A.315.185, 28A.305.210, 28A.310.080, 28A.310.030,
14 28A.310.050, 28A.310.060, 28A.310.090, 28A.310.100, 28A.310.140,
15 28A.310.150, 28A.310.200, 28A.310.310, 28A.323.020, 28A.323.040,
16 28A.305.160, 28A.150.300, 28A.225.160, 28A.300.150, 28A.600.020,
17 28A.600.030, 28A.625.360, 28A.225.330, 28A.405.110, 28A.415.010,
18 28A.415.020, 28A.415.024, 28A.415.025, 28A.415.105, 28A.415.125,
19 28A.415.130, 28A.415.145, 28A.660.040, 28A.690.020, 28A.300.050,
20 28A.625.370, 28A.625.380, 28A.625.390, 28A.600.010, 28A.225.280,
21 28A.600.200, 28A.160.210, 28A.160.100, 28A.210.070, 28A.210.160,

1 28A.335.100, 28A.335.120, 28A.320.240, 28A.155.060, 28A.600.130, and
2 28A.650.015; reenacting and amending RCW 28A.330.100 and 28A.630.400;
3 adding a new section to chapter 28A.525 RCW; adding a new section to
4 chapter 28A.545 RCW; adding a new section to chapter 28A.230 RCW;
5 adding new sections to chapter 28A.300 RCW; adding a new section to
6 chapter 28A.600 RCW; adding a new section to chapter 28A.405 RCW;
7 creating new sections; recodifying RCW 28A.305.220, 28A.305.170, and
8 28A.305.160; decodifying RCW 28A.525.120, 28A.525.122, 28A.525.124,
9 28A.525.126, 28A.525.128, 28A.525.130, 28A.525.132, 28A.525.134,
10 28A.525.140, 28A.525.142, 28A.525.144, 28A.525.146, 28A.525.148,
11 28A.525.150, 28A.525.152, 28A.525.154, 28A.525.156, 28A.525.158,
12 28A.525.160, and 28A.525.182; providing an effective date; and
13 providing an expiration date.

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

15 NEW SECTION. **Sec. 1.** In 2005, the legislature reconstituted the
16 state board of education to refocus its purpose; abolished the academic
17 achievement and accountability commission; and assigned policy and
18 rule-making authority for educator preparation and certification to the
19 professional educator standards board. The purpose of this act is to
20 address the remaining statutory responsibilities of the state board of
21 education held before 2005. The legislature finds that some duties
22 should be retained with the reconstituted board; many duties should be
23 transferred to other agencies or organizations, primarily but not
24 exclusively to the superintendent of public instruction; and some
25 duties should be repealed. This act also corrects statutes to
26 implement fully the transfer of responsibilities authorized in 2005.

27 **PART 1**
28 **NEW STATE BOARD OF EDUCATION**

29 **Sec. 101.** RCW 28A.305.130 and 2005 c 497 s 104 are each amended to
30 read as follows:

31 The purpose of the state board of education is to ~~((adopt statewide~~
32 ~~policies that promote achievement of the goals of RCW 28A.150.210;~~
33 ~~implement a standards based accountability system; and provide~~
34 ~~leadership in the creation of an education system that respects the~~

1 ~~diverse cultures, abilities, and learning styles of all students))~~
2 provide advocacy and strategic oversight of public education; implement
3 a standards-based accountability system to improve student academic
4 achievement; provide leadership in the creation of a system that
5 personalizes education for each student and respects diverse cultures,
6 abilities, and learning styles; and promote achievement of the goals of
7 RCW 28A.150.210. In addition to any other powers and duties as
8 provided by law, the state board of education shall:

9 (1) ~~((Until January 1, 2006, approve or disapprove the program of~~
10 ~~courses leading to teacher, school administrator, and school~~
11 ~~specialized personnel certification offered by all institutions of~~
12 ~~higher education within the state which may be accredited and whose~~
13 ~~graduates may become entitled to receive such certification.~~

14 (2) ~~Until January 1, 2006, conduct every five years a review of the~~
15 ~~program approval standards, including the minimum standards for~~
16 ~~teachers, administrators, and educational staff associates, to reflect~~
17 ~~research findings and assure continued improvement of preparation~~
18 ~~programs for teachers, administrators, and educational staff~~
19 ~~associates.~~

20 (3) ~~Until January 1, 2006, investigate the character of the work~~
21 ~~required to be performed as a condition of entrance to and graduation~~
22 ~~from any institution of higher education in this state relative to such~~
23 ~~certification as provided for in subsection (1) of this section, and~~
24 ~~prepare a list of accredited institutions of higher education of this~~
25 ~~and other states whose graduates may be awarded such certificates.~~

26 (4) ~~Until January 1, 2006:~~

27 (a) ~~Adopt rules to allow a teacher certification candidate to~~
28 ~~fulfill, in part, teacher preparation program requirements through work~~
29 ~~experience as a classified teacher's aide in a public school or private~~
30 ~~school meeting the requirements of RCW 28A.195.010. The rules shall~~
31 ~~include, but are not limited to, limitations based upon the recency of~~
32 ~~the teacher preparation candidate's teacher aide work experience, and~~
33 ~~limitations based on the amount of work experience that may apply~~
34 ~~toward teacher preparation program requirements under this chapter; and~~

35 (b) ~~Require that at the time of the individual's enrollment in a~~
36 ~~teacher preparation program, the supervising teacher and the building~~
37 ~~principal shall jointly provide to the teacher preparation program of~~
38 ~~the higher education institution at which the teacher candidate is~~

1 enrolled, a written assessment of the performance of the teacher
2 candidate. The assessment shall contain such information as determined
3 by the state board of education and shall include: Evidence that at
4 least fifty percent of the candidate's work as a classified teacher's
5 aide was involved in instructional activities with children under the
6 supervision of a certificated teacher and that the candidate worked a
7 minimum of six hundred thirty hours for one school year; the type of
8 work performed by the candidate; and a recommendation of whether the
9 candidate's work experience as a classified teacher's aide should be
10 substituted for teacher preparation program requirements. In
11 compliance with such rules as may be established by the state board of
12 education under this section, the teacher preparation programs of the
13 higher education institution where the candidate is enrolled shall make
14 the final determination as to what teacher preparation program
15 requirements may be fulfilled by teacher aide work experience.

16 ~~(5) Until January 1, 2006, supervise the issuance of such~~
17 ~~certificates as provided for in subsection (1) of this section and~~
18 ~~specify the types and kinds of certificates necessary for the several~~
19 ~~departments of the common schools by rule or regulation in accordance~~
20 ~~with RCW 28A.410.010.~~

21 ~~(6))~~ Hold regularly scheduled meetings at such time and place
22 within the state as the board shall determine and may hold such special
23 meetings as may be deemed necessary for the transaction of public
24 business~~((~~-~~))~~;

25 ~~((~~+7~~))~~ (2) Form committees as necessary to effectively and
26 efficiently conduct the work of the board~~((~~-~~))~~;

27 ~~((~~+8~~))~~ (3) Seek advice from the public and interested parties
28 regarding the work of the board~~((~~-~~))~~;

29 ~~((~~+9~~))~~ (4) For purposes of statewide accountability~~((~~-~~, the board~~
30 ~~shall))~~:

31 (a) Adopt and revise performance improvement goals in reading,
32 writing, science, and mathematics, by subject and grade level, once
33 assessments in these subjects are required statewide; academic and
34 technical skills, as appropriate, in secondary career and technical
35 education programs; and student attendance, as the board deems
36 appropriate to improve student learning. The goals shall be consistent
37 with student privacy protection provisions of RCW 28A.655.090(7) and
38 shall not conflict with requirements contained in Title I of the

1 federal elementary and secondary education act of 1965, or the
2 requirements of the Carl D. Perkins vocational education act of 1998,
3 each as amended. The goals may be established for all students,
4 economically disadvantaged students, limited English proficient
5 students, students with disabilities, and students from
6 disproportionately academically underachieving racial and ethnic
7 backgrounds. The board may establish school and school district goals
8 addressing high school graduation rates and dropout reduction goals for
9 students in grades seven through twelve. The board shall adopt the
10 goals by rule. However, before each goal is implemented, the board
11 shall present the goal to the education committees of the house of
12 representatives and the senate for the committees' review and comment
13 in a time frame that will permit the legislature to take statutory
14 action on the goal if such action is deemed warranted by the
15 legislature;

16 (b) Identify the scores students must achieve in order to meet the
17 standard on the Washington assessment of student learning and, for high
18 school students, to obtain a certificate of academic achievement. The
19 board shall also determine student scores that identify levels of
20 student performance below and beyond the standard. The board shall
21 consider the incorporation of the standard error of measurement into
22 the decision regarding the award of the certificates. The board shall
23 set such performance standards and levels in consultation with the
24 superintendent of public instruction and after consideration of any
25 recommendations that may be developed by any advisory committees that
26 may be established for this purpose. The initial performance standards
27 and any changes recommended by the board in the performance standards
28 for the tenth grade assessment shall be presented to the education
29 committees of the house of representatives and the senate by November
30 30th of the school year in which the changes will take place to permit
31 the legislature to take statutory action before the changes are
32 implemented if such action is deemed warranted by the legislature. The
33 legislature shall be advised of the initial performance standards and
34 any changes made to the elementary level performance standards and the
35 middle school level performance standards;

36 (c) Adopt objective, systematic criteria to identify successful
37 schools and school districts and recommend to the superintendent of
38 public instruction schools and districts to be recognized for two types

1 of accomplishments, student achievement and improvements in student
2 achievement. Recognition for improvements in student achievement shall
3 include consideration of one or more of the following accomplishments:

4 (i) An increase in the percent of students meeting standards. The
5 level of achievement required for recognition may be based on the
6 achievement goals established by the legislature and by the board under
7 (a) of this subsection;

8 (ii) Positive progress on an improvement index that measures
9 improvement in all levels of the assessment; and

10 (iii) Improvements despite challenges such as high levels of
11 mobility, poverty, English as a second language learners, and large
12 numbers of students in special populations as measured by either the
13 percent of students meeting the standard, or the improvement index.
14 When determining the baseline year or years for recognizing individual
15 schools, the board may use the assessment results from the initial
16 years the assessments were administered, if doing so with individual
17 schools would be appropriate;

18 (d) Adopt objective, systematic criteria to identify schools and
19 school districts in need of assistance and those in which significant
20 numbers of students persistently fail to meet state standards. In its
21 deliberations, the board shall consider the use of all statewide
22 mandated criterion-referenced and norm-referenced standardized tests;

23 (e) Identify schools and school districts in which state
24 intervention measures will be needed and a range of appropriate
25 intervention strategies after the legislature has authorized a set of
26 intervention strategies. After the legislature has authorized a set of
27 intervention strategies, at the request of the board, the
28 superintendent shall intervene in the school or school district and
29 take corrective actions. This chapter does not provide additional
30 authority for the board or the superintendent of public instruction to
31 intervene in a school or school district;

32 (f) Identify performance incentive systems that have improved or
33 have the potential to improve student achievement;

34 (g) Annually review the assessment reporting system to ensure
35 fairness, accuracy, timeliness, and equity of opportunity, especially
36 with regard to schools with special circumstances and unique
37 populations of students, and a recommendation to the superintendent of
38 public instruction of any improvements needed to the system; and

1 (h) Include in the biennial report required under RCW 28A.305.035,
2 information on the progress that has been made in achieving goals
3 adopted by the board((~~-~~));

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

18 ~~(11) Make rules and regulations governing the establishment in any~~
19 ~~existing nonhigh school district of any secondary program or any new~~
20 ~~grades in grades nine through twelve. Before any such program or any~~
21 ~~new grades are established the district must obtain prior approval of~~
22 ~~the state board.~~

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

29 ~~(13) Continuously reevaluate courses and other requirements and~~
30 ~~adopt and enforce regulations within the common schools so as to meet~~
31 ~~the educational needs of students.~~

32 ~~(14) Evaluate course of study requirements and));~~

33 (6) Articulate with the institutions of higher education, work
34 force representatives, and early learning policymakers and providers to
35 coordinate and unify the work of the public school system((~~-~~));

36 ((~~15~~) Carry out board powers and duties relating to the
37 organization and reorganization of school districts.

38 ~~(16) Hear and decide appeals as otherwise provided by law.~~

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

3 ~~(18))~~ (7) Hire an executive director and an administrative
4 assistant to reside in the office of the superintendent of public
5 instruction for administrative purposes. Any other personnel of the
6 board shall be appointed as provided by RCW 28A.300.020. The executive
7 director, administrative assistant, and all but one of the other
8 personnel of the board are exempt from civil service, together with
9 other staff as now or hereafter designated as exempt in accordance with
10 chapter 41.06 RCW~~((-))~~; and

11 ~~((19))~~ (8) Adopt a seal that shall be kept in the office of the
12 superintendent of public instruction.

13 **Sec. 102.** RCW 28A.305.035 and 2005 c 497 s 103 are each amended to
14 read as follows:

15 (1) By October 15th of each even-numbered year, the state board of
16 education and the professional educator standards board shall submit a
17 joint report to the legislative education committees, the governor, and
18 the superintendent of public instruction. The report shall address the
19 progress the boards have made and the obstacles they have encountered,
20 individually and collectively, in the work of achieving the goals in
21 RCW 28A.150.210.

22 (2) The state board of education shall include the chairs and
23 ranking minority members of the legislative education committees in
24 board communications so that the legislature can be kept apprised of
25 the discussions and proposed actions of the board.

26 **Sec. 103.** RCW 28A.300.040 and 2005 c 360 s 6 are each amended to
27 read as follows:

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

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

32 (2) To report to the governor and the legislature such information
33 and data as may be required for the management and improvement of the
34 schools;

35 (3) To prepare and have printed such forms, registers, courses of
36 study, rules for the government of the common schools, and such other

1 material and books as may be necessary for the discharge of the duties
2 of teachers and officials charged with the administration of the laws
3 relating to the common schools, and to distribute the same to
4 educational service district superintendents;

5 (4) To travel, without neglecting his or her other official duties
6 as superintendent of public instruction, for the purpose of attending
7 educational meetings or conventions, of visiting schools, and of
8 consulting educational service district superintendents or other school
9 officials;

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

22 ~~(6) ((To act as ex officio member and the chief executive officer
23 of the state board of education;~~

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

31 ~~((8))~~ (7) To require annually, on or before the 15th day of
32 August, of the president, manager, or principal of every educational
33 institution in this state, a report as required by the superintendent
34 of public instruction; and it is the duty of every president, manager,
35 or principal, to complete and return such forms within such time as the
36 superintendent of public instruction shall direct;

37 ~~((9))~~ (8) To keep in the superintendent's office a record of all

1 teachers receiving certificates to teach in the common schools of this
2 state;

3 ~~((+10+))~~ (9) To issue certificates as provided by law;

4 ~~((+11+))~~ (10) To keep in the superintendent's office at the capital
5 of the state, all books and papers pertaining to the business of the
6 superintendent's office, and to keep and preserve in the
7 superintendent's office a complete record of statistics, as well as a
8 record of the meetings of the state board of education;

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

18 ~~((+13+))~~ (12) To administer oaths and affirmations in the discharge
19 of the superintendent's official duties;

20 ~~((+14+))~~ (13) To deliver to his or her successor, at the expiration
21 of the superintendent's term of office, all records, books, maps,
22 documents and papers of whatever kind belonging to the superintendent's
23 office or which may have been received by the superintendent's for the
24 use of the superintendent's office;

25 ~~((+15+))~~ (14) To administer family services and programs to promote
26 the state's policy as provided in RCW 74.14A.025;

27 ~~((+16+))~~ (15) To promote the adoption of school-based curricula and
28 policies that provide quality, daily physical education for all
29 students, and to encourage policies that provide all students with
30 opportunities for physical activity outside of formal physical
31 education classes;

32 ~~((+17+))~~ (16) To perform such other duties as may be required by
33 law.

34 **Sec. 104.** RCW 28A.305.011 and 2005 c 497 s 101 are each amended to
35 read as follows:

36 (1) The membership of the state board of education shall be

1 composed of sixteen members who are residents of the state of
2 Washington:

3 (a) Seven shall be members representing the educational system, as
4 follows:

5 (i) Five members elected by school district directors. Three of
6 the members elected by school district directors shall be residents of
7 western Washington and two members shall be residents of eastern
8 Washington;

9 (ii) One member elected at-large by the members of the boards of
10 directors of all private schools in the state meeting the requirements
11 of RCW 28A.195.010; and

12 (iii) The superintendent of public instruction;

13 (b) Seven members appointed by the governor; and

14 (c) Two students selected in a manner determined by the state board
15 of education.

16 (2) Initial appointments shall be for terms from one to four years
17 in length, with the terms expiring on the second Monday of January of
18 the applicable year. As the terms of the first appointees expire or
19 vacancies on the board occur, the governor shall appoint or reappoint
20 members of the board to complete the initial terms or to four-year
21 terms, as appropriate.

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

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

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

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

33 (3) The governor may remove an appointed member of the board for
34 neglect of duty, misconduct, malfeasance, or misfeasance in office, or
35 for incompetent or unprofessional conduct as defined in chapter 18.130
36 RCW. In such a case, the governor shall file with the secretary of
37 state a statement of the causes for and the order of removal from

1 office, and the secretary of state shall send a certified copy of the
2 statement of causes and order of removal to the last known post office
3 address of the member.

4 (4)(a) The chair of the board shall be elected by a majority vote
5 of the members of the board. The chair of the board shall serve a term
6 of two years, and may be reelected to an additional term. A member of
7 the board may not serve as chair for more than two consecutive terms.

8 (b) Eight voting members of the board constitute a quorum for the
9 transaction of business.

10 (c) All members except the student members are voting members.

11 (5) Members of the board appointed by the governor who are not
12 public employees shall be compensated in accordance with RCW
13 ((~~43.03.240~~)) 43.03.250 and shall be reimbursed for travel expenses
14 incurred in carrying out the duties of the board in accordance with RCW
15 43.03.050 and 43.03.060.

16 PART 2

17 BASIC EDUCATION ACT RESPONSIBILITIES

18 **Sec. 201.** RCW 28A.150.230 and 1994 c 245 s 9 are each amended to
19 read as follows:

20 (1) It is the intent and purpose of this section to guarantee that
21 each common school district board of directors, whether or not acting
22 through its respective administrative staff, be held accountable for
23 the proper operation of their district to the local community and its
24 electorate. In accordance with the provisions of Title 28A RCW, as now
25 or hereafter amended, each common school district board of directors
26 shall be vested with the final responsibility for the setting of
27 policies ensuring quality in the content and extent of its educational
28 program and that such program provide students with the opportunity to
29 achieve those skills which are generally recognized as requisite to
30 learning.

31 (2) In conformance with the provisions of Title 28A RCW, as now or
32 hereafter amended, it shall be the responsibility of each common school
33 district board of directors to adopt policies to:

34 (a) Establish performance criteria and an evaluation process for
35 its certificated personnel, including administrative staff, and for all
36 programs constituting a part of such district's curriculum;

1 (b) Determine the final assignment of staff, certificated or
2 classified, according to board enumerated classroom and program needs;

3 (c) Determine the amount of instructional hours necessary for any
4 student to acquire a quality education in such district, in not less
5 than an amount otherwise required in RCW 28A.150.220, or rules (~~and~~
6 ~~regulations~~) of the state board of education;

7 (d) Determine the allocation of staff time, whether certificated or
8 classified;

9 (e) Establish final curriculum standards consistent with law and
10 rules (~~and regulations of the state board of education~~) of the
11 superintendent of public instruction, relevant to the particular needs
12 of district students or the unusual characteristics of the district,
13 and ensuring a quality education for each student in the district; and

14 (f) Evaluate teaching materials, including text books, teaching
15 aids, handouts, or other printed material, in public hearing upon
16 complaint by parents, guardians or custodians of students who consider
17 dissemination of such material to students objectionable.

18 **Sec. 202.** RCW 28A.505.140 and 1990 c 33 s 422 are each amended to
19 read as follows:

20 (1) Notwithstanding any other provision of law, the superintendent
21 of public instruction (~~is hereby directed to promulgate~~) shall adopt
22 such rules (~~and regulations~~) as will (~~insure~~) ensure proper
23 budgetary procedures and practices, including monthly financial
24 statements consistent with the provisions of RCW 43.09.200, and this
25 chapter.

26 (2) If the superintendent of public instruction determines upon a
27 review of the budget of any district that said budget does not comply
28 with the budget procedures established by this chapter or by rules
29 (~~and regulations promulgated~~) adopted by the superintendent of public
30 instruction, or the provisions of RCW 43.09.200, the superintendent
31 shall give written notice of this determination to the board of
32 directors of the local school district.

33 (3) The local school district, notwithstanding any other provision
34 of law, shall, within thirty days from the date the superintendent of
35 public instruction issues a notice pursuant to subsection (2) of this
36 section, submit a revised budget which meets the requirements of RCW
37 43.09.200, this chapter, and the rules (~~and regulations~~) of the

1 superintendent of public instruction(~~(: PROVIDED, That if the district~~
2 ~~fails or refuses to submit a revised budget which in the determination~~
3 ~~of the superintendent of public instruction meets the requirements of~~
4 ~~RCW 43.09.200, this chapter, and the rules and regulations of the~~
5 ~~superintendent of public instruction, the matter shall be submitted to~~
6 ~~the state board of education, which board shall meet and adopt a~~
7 ~~financial plan which shall be in effect until a budget can be adopted~~
8 ~~and submitted by the district in compliance with this section)).~~

9 **PART 3**

10 **SCHOOL FACILITIES AND ORGANIZATION**

11 **Sec. 301.** RCW 28A.525.020 and 1969 ex.s. c 223 s 28A.47.060 are
12 each amended to read as follows:

13 The ~~((state board of education))~~ superintendent of public
14 instruction, considering policy recommendations from the school
15 facilities citizen advisory panel, shall have the power and ~~((it shall~~
16 ~~be its))~~ duty (1) to prescribe rules ~~((and regulations))~~ governing the
17 administration, control, terms, conditions, and disbursements of
18 allotments to school districts to assist them in providing school plant
19 facilities; (2) to approve allotments to districts that apply for state
20 assistance whenever ~~((the board deems))~~ such action is advisable ~~((and~~
21 ~~in so doing to give due consideration to the findings, reports, and~~
22 ~~recommendations of the superintendent of public instruction pertaining~~
23 ~~thereto));~~ (3) to authorize the payment of approved allotments by
24 warrant of the state treasurer; and (4) in the event that the amount of
25 state assistance applied for exceeds the funds available for such
26 assistance during any biennium, to make allotments on the basis of the
27 urgency of need for school facilities in the districts that apply for
28 assistance and/or to prorate allotments among such districts in
29 conformity with applicable procedures and ~~((regulations applicable~~
30 ~~thereto which shall be established by the state board))~~ rules.

31 **Sec. 302.** RCW 28A.525.030 and 1995 c 77 s 23 are each amended to
32 read as follows:

33 Whenever funds are appropriated for modernization of existing
34 school facilities, the ~~((state board of education))~~ superintendent of
35 public instruction is authorized to approve the use of such funds for

1 modernization of existing facilities, modernization being limited to
2 major structural changes in such facilities and, as necessary to bring
3 such facilities into compliance with the barrier free access
4 requirements of section 504 of the federal rehabilitation act of 1973
5 (29 U.S.C. Sec. 706) and rules implementing the act, both major and
6 minor structural changes, and may include as incidental thereto the
7 replacement of fixtures, fittings, furnishings and service systems of
8 a building in order to bring it up to a contemporary state consistent
9 with the needs of changing educational programs. The allocation of
10 such funds shall be made upon the same basis as funds used for the
11 financing of a new school plant project utilized for a similar purpose.

12 **Sec. 303.** RCW 28A.525.050 and 1969 ex.s. c 223 s 28A.47.080 are
13 each amended to read as follows:

14 All applications by school districts for state assistance in
15 providing school plant facilities shall be made to the superintendent
16 of public instruction (~~((in conformity with rules and regulations which
17 shall be prescribed by the state board of education))~~). Studies and
18 surveys shall be conducted by the (~~(aforesaid officer)~~) superintendent
19 for the purpose of securing information relating to (1) the kind and
20 extent of the school plant facilities required and the urgency of need
21 for such facilities in districts that seek state assistance, (2) the
22 ability of such districts to provide capital outlay funds by local
23 effort, (3) the need for improvement of school administrative units and
24 school attendance areas among or within such districts, and (4) any
25 other pertinent matters. Recommendations respecting action on the
26 (~~(aforesaid)~~) applications shall be submitted to the (~~((state board of
27 education by the))~~) superintendent of public instruction (~~((together with
28 such reports of the findings, studies, and surveys made by said officer
29 as may be required by the state board))~~).

30 **Sec. 304.** RCW 28A.525.055 and 1994 c 219 s 11 are each amended to
31 read as follows:

32 The (~~((state board of education,))~~) rules adopted by the
33 superintendent of public instruction for (~~((purposes of))~~) determining
34 eligibility for state assistance for new construction(~~((,))~~) shall
35 (~~((adopt rules excluding))~~) exclude from the inventory of available

1 educational space those spaces that have been constructed for
2 educational and community activities from grants received from other
3 public or private entities.

4 **Sec. 305.** RCW 28A.525.070 and 1985 c 136 s 1 are each amended to
5 read as follows:

6 The superintendent of public instruction shall furnish ~~((1))~~ to
7 school districts seeking state assistance consultatory and advisory
8 service in connection with the development of school building programs
9 and the planning of school plant facilities for such district~~((, and~~
10 ~~(2) to the state board of education such service as may be required by~~
11 ~~the board in the exercise of the powers and the performance of the~~
12 ~~duties vested in and required to be performed by the board))~~.

13 **Sec. 306.** RCW 28A.525.080 and 1969 ex.s. c 223 s 28A.47.120 are
14 each amended to read as follows:

15 Insofar as is permissible under acts of congress, funds made
16 available by the federal government for the purpose of assisting school
17 districts in providing school plant facilities shall be made available
18 to such districts in conformity with rules ~~((and regulations which))~~
19 that the ((state board of education)) superintendent, considering
20 policy recommendations from the school facilities citizen advisory
21 panel, shall establish.

22 **Sec. 307.** RCW 28A.525.090 and 1999 c 313 s 2 are each amended to
23 read as follows:

24 (1) The ~~((state board of education))~~ superintendent of public
25 instruction, considering policy recommendations from the school
26 facilities citizen advisory panel, shall adopt rules for appropriate
27 use of the following construction management techniques: Value
28 engineering, constructibility review, building commissioning, and
29 construction management. Rules adopted under this section shall:

30 (a) Define each technique as it applies to school buildings;
31 (b) Describe the scope of work for each technique;
32 (c) Define the timing for implementing each technique in the
33 construction process;

34 (d) Determine the appropriate size of projects for the use of each
35 technique; and

1 (e) Determine standards for qualification and performance for each
2 technique.

3 (2) Except as provided in rules adopted under subsection (1)(d) of
4 this section, in allocating state moneys provided under this chapter,
5 the (~~state board of education~~) superintendent of public instruction
6 shall include in funding for each project, at the state matching
7 percentage, the cost of each of the construction management techniques
8 listed in subsection (1) of this section.

9 (3) When assigning priority and allocating state funds for
10 construction of common school facilities, the (~~state board of~~
11 ~~education~~) superintendent shall consider the adequacy of the
12 construction management techniques used by a district and the
13 compliance with the rules adopted under subsection (1) of this section.

14 (4) Except as provided in rules adopted under subsection (1)(d) of
15 this section, the construction management techniques in subsection (1)
16 of this section shall be used on each project submitted for approval by
17 the (~~state board of education~~) superintendent.

18 (5)(a) School districts applying for state assistance for school
19 facilities shall:

20 (i) Cause value engineering, constructibility review, and building
21 commissioning to be performed by contract with a professional firm
22 specializing in those construction management techniques; and

23 (ii) Contract or employ personnel to perform professional
24 construction management.

25 (b) All recommendations from the value engineering and
26 constructibility review construction techniques for a school project
27 shall be presented to the school district's board of directors for
28 acceptance or rejection. If the board of directors rejects a
29 recommendation it shall provide a statement explaining the reasons for
30 rejecting the recommendation and include the statement in the
31 application for state assistance to the (~~state board of education~~)
32 superintendent of public instruction.

33 (6) The office of the superintendent of public instruction shall
34 provide:

35 (a) An information and training program for school districts on the
36 use of the construction management techniques; and

37 (b) Consulting services to districts on the benefits and best uses
38 of these construction management techniques.

1 NEW SECTION. **Sec. 308.** A new section is added to chapter 28A.525
2 RCW to read as follows:

3 (1) To maintain citizen oversight on issues pertaining to school
4 facilities and funding for school construction, a school facilities
5 citizen advisory panel is hereby created. The panel shall advise and
6 make recommendations to the superintendent of public instruction
7 regarding school facilities, funding for school construction, joint
8 planning and financing of educational facilities, facility plans and
9 programs for nonhigh school districts, and determinations of remote and
10 necessary schools.

11 (2) The membership of the school facilities citizen advisory panel
12 shall be as follows:

13 (a) One member of the state board of education;

14 (b) Two school district directors representing school districts of
15 various sizes and geographic locations, who are appointed by the state
16 board of education and selected from a list of five names submitted to
17 the board by the Washington state school directors' association; and

18 (c) Four additional citizen members appointed by the state board of
19 education.

20 (3) Members of the panel shall be reimbursed for travel expenses in
21 accordance with RCW 43.03.050 and 43.03.060.

22 (4) In addition to the school facilities citizen advisory panel,
23 the superintendent of public instruction may convene a technical
24 advisory group including representatives from school business officers,
25 building and construction contracting and trade organizations,
26 architecture and engineering organizations, and other organizations
27 with expertise in school facilities.

28 **Sec. 309.** RCW 28A.525.162 and 1995 c 77 s 24 are each amended to
29 read as follows:

30 (1) Funds appropriated to the (~~state board of education~~)
31 superintendent of public instruction from the common school
32 construction fund shall be allotted by the (~~state board of education~~)
33 superintendent of public instruction in accordance with student
34 enrollment and the provisions of RCW 28A.525.200.

35 (2) No allotment shall be made to a school district until such
36 district has provided matching funds equal to or greater than the

1 difference between the total approved project cost and the amount of
2 state assistance to the district for financing the project computed
3 pursuant to RCW 28A.525.166, with the following exceptions:

4 (a) The (~~state board~~) superintendent of public instruction may
5 waive the matching requirement for districts which have provided funds
6 for school building construction purposes through the authorization of
7 bonds or through the authorization of excess tax levies or both in an
8 amount equivalent to two and one-half percent of the value of its
9 taxable property, as defined in RCW 39.36.015.

10 (b) No such matching funds shall be required as a condition to the
11 allotment of funds for the purpose of making major or minor structural
12 changes to existing school facilities in order to bring such facilities
13 into compliance with the barrier free access requirements of section
14 504 of the federal rehabilitation act of 1973 (29 U.S.C. Sec. 706) and
15 rules implementing the act.

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

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

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

29 (ii) The enrollment of nonhigh school districts shall be increased
30 by the number of students residing within the district who are enrolled
31 in a serving high school district so designated by the nonhigh school
32 district under RCW 28A.540.110, including only students who are
33 enrolled in grade levels not offered by the nonhigh school district;
34 and

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

37 (b) In the case of construction or modernization of high school
38 facilities in districts serving students from nonhigh school districts,

1 the adjusted valuation per pupil shall be computed using the combined
2 adjusted valuations and enrollments of each district, each weighted by
3 the percentage of the district's resident high school students served
4 by the high school district; and

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

7 (4) The (~~state board of education~~) superintendent of public
8 instruction, considering policy recommendations from the school
9 facilities citizen advisory panel, shall prescribe (~~and make~~
10 ~~effective~~) such rules as are necessary to equate insofar as possible
11 the efforts made by school districts to provide capital funds by the
12 means aforesaid.

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

18 **Sec. 310.** RCW 28A.525.164 and 1990 c 33 s 456 are each amended to
19 read as follows:

20 In allotting the state funds provided by RCW (~~28A.525.160 through~~
21 ~~28A.525.182~~) 28A.525.162 through 28A.525.180, the (~~state board of~~
22 ~~education~~) superintendent of public instruction shall:

23 (1) Prescribe rules (~~and regulations~~) not inconsistent with RCW
24 (~~28A.525.160 through 28A.525.182~~) 28A.525.162 through 28A.525.180
25 governing the administration, control, terms, conditions, and
26 disbursement of allotments to school districts to assist them in
27 providing school plant facilities;

28 (2) Approve(~~, whenever the board deems such action advisable,~~)
29 allotments to districts that apply for state assistance;

30 (3) Authorize the payment of approved allotments by warrant of the
31 state treasurer; and

32 (4) In the event that the amount of state assistance applied for
33 pursuant to the provisions hereof exceeds the funds available for such
34 assistance during any biennium, make allotments on the basis of the
35 urgency of need for school facilities in the districts that apply for
36 assistance or prorate allotments among such districts in conformity

1 with (~~procedures and regulations~~) applicable (~~thereto which shall be~~
2 ~~established by the board~~) rules.

3 **Sec. 311.** RCW 28A.525.166 and 1997 c 369 s 9 are each amended to
4 read as follows:

5 Allocations to school districts of state funds provided by RCW
6 (~~28A.525.160 through 28A.525.182~~) 28A.525.162 through 28A.525.180
7 shall be made by the (~~state board of education~~) superintendent of
8 public instruction and the amount of state assistance to a school
9 district in financing a school plant project shall be determined in the
10 following manner:

11 (1) The boards of directors of the districts shall determine the
12 total cost of the proposed project, which cost may include the cost of
13 acquiring and preparing the site, the cost of constructing the building
14 or of acquiring a building and preparing the same for school use, the
15 cost of necessary equipment, taxes chargeable to the project, necessary
16 architects' fees, and a reasonable amount for contingencies and for
17 other necessary incidental expenses: PROVIDED, That the total cost of
18 the project shall be subject to review and approval by the (~~state~~
19 ~~board of education~~) superintendent.

20 (2) The state matching percentage for a school district shall be
21 computed by the following formula:

22 The ratio of the school district's adjusted valuation per pupil
23 divided by the ratio of the total state adjusted valuation per pupil
24 shall be subtracted from three, and then the result of the foregoing
25 shall be divided by three plus (the ratio of the school district's
26 adjusted valuation per pupil divided by the ratio of the total state
27 adjusted valuation per pupil).

28		District adjusted	Total state	
29		3-valuation	÷ adjusted valuation	
30	Computed	per pupil	per pupil	State
31	State =	_____		= - % Assistance
32	Ratio	District adjusted	Total state	
33		3+valuation	÷ adjusted valuation	
34		per pupil	per pupil	

35 PROVIDED, That in the event the percentage of state assistance to any
36 school district based on the above formula is less than twenty percent
37 and such school district is otherwise eligible for state assistance
38 under RCW (~~28A.525.160 through 28A.525.182~~) 28A.525.162 through

1 28A.525.180, the (~~state board of education~~) superintendent may
2 establish for such district a percentage of state assistance not in
3 excess of twenty percent of the approved cost of the project, if the
4 (~~state board~~) superintendent finds that such additional assistance is
5 necessary to provide minimum facilities for housing the pupils of the
6 district.

7 (3) In addition to the computed percent of state assistance
8 developed in subsection (2) (~~above~~) of this section, a school
9 district shall be entitled to additional percentage points determined
10 by the average percentage of growth for the past three years. One
11 percent shall be added to the computed percent of state assistance for
12 each percent of growth, with a maximum of twenty percent.

13 (4) The approved cost of the project determined in the manner
14 (~~herein~~) prescribed (~~times~~) in this section multiplied by the
15 percentage of state assistance derived as provided for (~~herein~~) in
16 this section shall be the amount of state assistance to the district
17 for the financing of the project: PROVIDED, That need therefor has
18 been established to the satisfaction of the (~~state board of~~
19 ~~education~~) superintendent: PROVIDED, FURTHER, That additional state
20 assistance may be allowed if it is found by the (~~state board of~~
21 ~~education~~) superintendent, considering policy recommendations from the
22 school facilities citizen advisory panel that such assistance is
23 necessary in order to meet (a) a school housing emergency resulting
24 from the destruction of a school building by fire, the condemnation of
25 a school building by properly constituted authorities, a sudden
26 excessive and clearly foreseeable future increase in school population,
27 or other conditions similarly emergent in nature; or (b) a special
28 school housing burden resulting from industrial projects of statewide
29 significance or imposed by virtue of the admission of nonresident
30 students into educational programs established, maintained and operated
31 in conformity with the requirements of law; or (c) a deficiency in the
32 capital funds of the district resulting from financing, subsequent to
33 April 1, 1969, and without benefit of the state assistance provided by
34 prior state assistance programs, the construction of a needed school
35 building project or projects approved in conformity with the
36 requirements of such programs, after having first applied for and been
37 denied state assistance because of the inadequacy of state funds
38 available for the purpose, or (d) a condition created by the fact that

1 an excessive number of students live in state owned housing, or (e) a
2 need for the construction of a school building to provide for improved
3 school district organization or racial balance, or (f) conditions
4 similar to those defined under (a), (b), (c), (d), and (e)
5 (~~hereinabove~~) of this subsection, creating a like emergency.

6 **Sec. 312.** RCW 28A.525.168 and 1990 c 33 s 458 are each amended to
7 read as follows:

8 Whenever the voters of a school district authorize the issuance of
9 bonds and/or the levying of excess taxes in an amount sufficient to
10 meet the requirements of RCW 28A.525.162 respecting eligibility for
11 state assistance in providing school facilities, the taxable valuation
12 of the district and the percentage of state assistance in providing
13 school facilities prevailing at the time of such authorization shall be
14 the valuation and the percentage used for the purpose of determining
15 the eligibility of the district for an allotment of state funds and the
16 amount or amounts of such allotments, respectively, for all projects
17 for which the voters authorize capital funds as aforesaid, unless a
18 higher percentage of state assistance prevails on the date that state
19 funds for assistance in financing a project are allotted by the (~~state~~
20 ~~board of education~~) superintendent of public instruction in which case
21 the percentage prevailing on the date of allotment by the (~~state~~
22 ~~board~~) superintendent of funds for each project shall govern:
23 PROVIDED, That if the (~~state board of education~~) superintendent of
24 public instruction, considering policy recommendations from the school
25 facilities citizen advisory panel, determines at any time that there
26 has been undue or unwarranted delay on the part of school district
27 authorities in advancing a project to the point of readiness for an
28 allotment of state funds, the taxable valuation of the school district
29 and the percentage of state assistance prevailing on the date that the
30 allotment is made shall be used for the purposes aforesaid: PROVIDED,
31 FURTHER, That the date (~~herein~~) specified in this section as
32 applicable in determining the eligibility of an individual school
33 district for state assistance and in determining the amount of such
34 assistance shall be applicable also to cases where it is necessary in
35 administering chapter 28A.540 RCW to determine eligibility for and the
36 amount of state assistance for a group of school districts considered
37 as a single school administrative unit.

1 **Sec. 313.** RCW 28A.525.170 and 1990 c 33 s 459 are each amended to
2 read as follows:

3 If a school district which has qualified for an allotment of state
4 funds under the provisions of RCW (~~28A.525.160 through 28A.525.182~~)
5 28A.525.162 through 28A.525.180 for school building construction is
6 found by the (~~state board of education~~) superintendent of public
7 instruction, considering policy recommendations from the school
8 facilities citizen advisory panel, to have a school housing emergency
9 requiring an allotment of state funds in excess of the amount allocable
10 under RCW 28A.525.166, an additional allotment may be made to such
11 district: PROVIDED, That the total amount allotted shall not exceed
12 ninety percent of the total cost of the approved project which may
13 include the cost of the site and equipment. At any time thereafter
14 when the (~~state board of education~~) superintendent finds that the
15 financial position of such school district has improved through an
16 increase in its taxable valuation or through retirement of bonded
17 indebtedness or through a reduction in school housing requirements, or
18 for any combination of these reasons, the amount of such additional
19 allotment, or any part of such amount as the (~~state board of~~
20 ~~education~~) superintendent determines, shall be deducted, under terms
21 and conditions prescribed by the (~~board~~) superintendent, from any
22 state school building construction funds which might otherwise be
23 provided to such district.

24 **Sec. 314.** RCW 28A.525.172 and 1969 ex.s. c 244 s 7 are each
25 amended to read as follows:

26 All applications by school districts for state assistance in
27 providing school plant facilities shall be made to the superintendent
28 of public instruction in conformity with rules (~~and regulations which~~
29 ~~shall be prescribed~~) adopted by the (~~state board of education~~)
30 superintendent of public instruction, considering policy
31 recommendations from the school facilities citizen advisory panel.
32 Studies and surveys shall be conducted by the (~~state board~~)
33 superintendent for the purpose of securing information relating to (a)
34 the kind and extent of the school plant facilities required and the
35 urgency of need for such facilities in districts that seek state
36 assistance, (b) the ability of such districts to provide capital funds

1 by local effort, (c) the need for improvement of school administrative
2 units and school attendance areas among or within such districts, and
3 (d) any other pertinent matters.

4 **Sec. 315.** RCW 28A.525.174 and 1990 c 33 s 460 are each amended to
5 read as follows:

6 It shall be the duty of the (~~state board of education~~)
7 superintendent of public instruction, in consultation with the
8 Washington state department of social and health services, to prepare
9 a manual and/or to specify other materials for the information and
10 guidance of local school district authorities and others responsible
11 for and concerned with the designing, planning, maintenance and
12 operation of school plant facilities for the public schools. In so
13 doing due consideration shall be given to the presentation of
14 information regarding (~~(a)~~) (1) the need for cooperative state-local
15 district action in planning school plant facilities arising out of the
16 cooperative plan for financing said facilities provided for in RCW
17 (~~28A.525.160 through 28A.525.182; (b)~~) 28A.525.162 through
18 28A.525.180; (2) procedures in inaugurating and conducting a school
19 plant planning program for a school district; (~~(c)~~) (3) standards for
20 use in determining the selection and development of school sites and in
21 designing, planning, and constructing school buildings to the end that
22 the health, safety, and educational well-being and development of
23 school children will be served; (~~(d)~~) (4) the planning of readily
24 expansible and flexible school buildings to meet the requirements of an
25 increasing school population and a constantly changing educational
26 program; (~~(e)~~) (5) an acceptable school building maintenance program
27 and the necessity therefor; (~~(f)~~) (6) the relationship of an
28 efficient school building operations service to the health and
29 educational progress of pupils; and (~~(g)~~) (7) any other matters
30 regarded by the (~~state board~~) superintendent as pertinent or related
31 to the purposes and requirements of RCW (~~28A.525.160 through~~
32 ~~28A.525.182~~) 28A.525.162 through 28A.525.180.

33 **Sec. 316.** RCW 28A.525.176 and 1990 c 33 s 461 are each amended to
34 read as follows:

35 The (~~state board of education~~) superintendent of public
36 instruction shall furnish to school districts seeking state assistance

1 under the provisions of RCW (~~28A.525.160 through 28A.525.182~~)
2 28A.525.162 through 28A.525.180 consultatory and advisory service in
3 connection with the development of school building programs and the
4 planning of school plant facilities.

5 **Sec. 317.** RCW 28A.525.178 and 1990 c 33 s 462 are each amended to
6 read as follows:

7 (~~Whenever in the judgment of the state board of education~~) When
8 economies may be (~~effected~~) affected without impairing the usefulness
9 and adequacy of school buildings, (~~said board~~) the superintendent of
10 public instruction, considering policy recommendations from the school
11 facilities citizen advisory panel, may prescribe rules (~~and~~
12 ~~regulations~~) and establish procedures governing the preparation and
13 use of modifiable basic or standard plans for school building
14 construction projects for which state assistance funds provided by RCW
15 (~~28A.525.160 through 28A.525.182~~) 28A.525.162 through 28A.525.180 are
16 allotted.

17 **Sec. 318.** RCW 28A.525.180 and 1990 c 33 s 463 are each amended to
18 read as follows:

19 The total amount of funds appropriated under the provisions of RCW
20 (~~28A.525.160 through 28A.525.182~~) 28A.525.162 through 28A.525.180
21 shall be reduced by the amount of federal funds made available during
22 each biennium for school construction purposes under any applicable
23 federal law. The funds appropriated by RCW (~~28A.525.160 through~~
24 ~~28A.525.182~~) 28A.525.162 through 28A.525.180 and available for
25 allotment by the (~~state board of education~~) superintendent of public
26 instruction shall be reduced by the amount of such federal funds made
27 available. Notwithstanding the foregoing provisions of this section,
28 the total amount of funds appropriated by RCW (~~28A.525.160 through~~
29 ~~28A.525.182~~) 28A.525.162 through 28A.525.180 shall not be reduced by
30 reason of any grants to any school district of federal moneys paid
31 under Public Law No. 815 or any other federal act authorizing school
32 building construction assistance to federally affected areas.

33 **Sec. 319.** RCW 28A.525.190 and 1975 1st ex.s. c 98 s 2 are each
34 amended to read as follows:

35 The (~~state board of education~~) superintendent of public

1 instruction, considering policy recommendations from the school
2 facilities citizen advisory panel shall prioritize the construction of
3 common school facilities only from funds appropriated and available in
4 the common school construction fund.

5 **Sec. 320.** RCW 28A.525.200 and 1990 c 33 s 465 are each amended to
6 read as follows:

7 Notwithstanding any other provision of RCW 28A.525.010 through
8 28A.525.222, the allocation and distribution of funds by the ((state
9 board of education which are now or may hereafter be appropriated))
10 superintendent of public instruction, considering policy
11 recommendations from the school facilities citizen advisory panel, for
12 the purposes of providing assistance in the construction of school
13 plant facilities shall be governed by ((RCW 28A.525.010 through
14 28A.525.080 and 28A.525.162 through 28A.525.178)) this chapter.

15 **Sec. 321.** RCW 28A.525.216 and 1990 c 33 s 467 are each amended to
16 read as follows:

17 The proceeds from the sale of the bonds deposited under RCW
18 28A.525.214 in the common school construction fund shall be
19 administered by the ((state board of education)) superintendent of
20 public instruction.

21 **Sec. 322.** RCW 28A.150.260 and 1997 c 13 s 2 are each amended to
22 read as follows:

23 The basic education allocation for each annual average full time
24 equivalent student shall be determined in accordance with the following
25 procedures:

26 (1) The governor shall and the superintendent of public instruction
27 may recommend to the legislature a formula based on a ratio of students
28 to staff for the distribution of a basic education allocation for each
29 annual average full time equivalent student enrolled in a common
30 school. The distribution formula shall have the primary objective of
31 equalizing educational opportunities and shall provide appropriate
32 recognition of the following costs among the various districts within
33 the state:

- 34 (a) Certificated instructional staff and their related costs;
- 35 (b) Certificated administrative staff and their related costs;

1 (c) Classified staff and their related costs;

2 (d) Nonsalary costs;

3 (e) Extraordinary costs, including school facilities, of remote and
4 necessary schools as judged by the superintendent of public
5 instruction, with recommendations from the school facilities citizen
6 advisory panel under section 308 of this act, and small high schools,
7 including costs of additional certificated and classified staff; and

8 (f) The attendance of students pursuant to RCW 28A.335.160 and
9 28A.225.250 who do not reside within the servicing school district.

10 (2)(a) This formula for distribution of basic education funds shall
11 be reviewed biennially by the superintendent and governor. The
12 recommended formula shall be subject to approval, amendment or
13 rejection by the legislature. The formula shall be for allocation
14 purposes only. While the legislature intends that the allocations for
15 additional instructional staff be used to increase the ratio of such
16 staff to students, nothing in this section shall require districts to
17 reduce the number of administrative staff below existing levels.

18 (b) The formula adopted by the legislature shall reflect the
19 following ratios at a minimum: (i) Forty-nine certificated
20 instructional staff to one thousand annual average full time equivalent
21 students enrolled in grades kindergarten through three; (ii) forty-six
22 certificated instructional staff to one thousand annual average full
23 time equivalent students in grades four through twelve; (iii) four
24 certificated administrative staff to one thousand annual average full
25 time equivalent students in grades kindergarten through twelve; and
26 (iv) sixteen and sixty-seven one-hundredths classified personnel to one
27 thousand annual average full time equivalent students enrolled in
28 grades kindergarten through twelve.

29 (c) In the event the legislature rejects the distribution formula
30 recommended by the governor, without adopting a new distribution
31 formula, the distribution formula for the previous school year shall
32 remain in effect: PROVIDED, That the distribution formula developed
33 pursuant to this section shall be for state apportionment and
34 equalization purposes only and shall not be construed as mandating
35 specific operational functions of local school districts other than
36 those program requirements identified in RCW 28A.150.220 and
37 28A.150.100. The enrollment of any district shall be the annual
38 average number of full time equivalent students and part time students

1 as provided in RCW 28A.150.350, enrolled on the first school day of
2 each month and shall exclude full time equivalent students with
3 disabilities recognized for the purposes of allocation of state funds
4 for programs under RCW 28A.155.010 through 28A.155.100. The definition
5 of full time equivalent student shall be determined by rules of the
6 superintendent of public instruction: PROVIDED, That the definition
7 shall be included as part of the superintendent's biennial budget
8 request: PROVIDED, FURTHER, That any revision of the present
9 definition shall not take effect until approved by the house
10 appropriations committee and the senate ways and means committee:
11 PROVIDED, FURTHER, That the office of financial management shall make
12 a monthly review of the superintendent's reported full time equivalent
13 students in the common schools in conjunction with RCW 43.62.050.

14 (3)(a) Certificated instructional staff shall include those persons
15 employed by a school district who are nonsupervisory employees within
16 the meaning of RCW 41.59.020(8): PROVIDED, That in exceptional cases,
17 people of unusual competence but without certification may teach
18 students so long as a certificated person exercises general
19 supervision: PROVIDED, FURTHER, That the hiring of such classified
20 people shall not occur during a labor dispute and such classified
21 people shall not be hired to replace certificated employees during a
22 labor dispute.

23 (b) Certificated administrative staff shall include all those
24 persons who are chief executive officers, chief administrative
25 officers, confidential employees, supervisors, principals, or assistant
26 principals within the meaning of RCW 41.59.020(4).

27 **Sec. 323.** RCW 28A.335.160 and 1995 c 335 s 604 are each amended to
28 read as follows:

29 Any school district may cooperate with one or more school districts
30 in the joint financing, planning, construction, equipping and operating
31 of any educational facility otherwise authorized by law: PROVIDED,
32 That any cooperative financing plan involving the construction of
33 school plant facilities must be approved by the (~~state board of~~
34 ~~education~~) superintendent of public instruction, considering policy
35 recommendations from the school facilities citizen advisory panel under
36 section 308 of this act, pursuant to such rules (~~as may now or~~

1 ~~hereafter be promulgated~~) adopted relating to state approval of school
2 construction.

3 **Sec. 324.** RCW 28A.540.050 and 1990 c 33 s 485 are each amended to
4 read as follows:

5 Subsequent to the holding of a hearing or hearings as provided in
6 RCW 28A.540.040, the regional committee on school district organization
7 shall determine the nonhigh school districts to be included in the plan
8 and the amount of capital funds to be provided by every school district
9 included therein, and shall submit the proposed plan to the (~~state~~
10 ~~board of education~~) superintendent of public instruction together with
11 such maps and other materials pertaining thereto as the (~~state board~~)
12 superintendent may require. The (~~state board~~) superintendent,
13 considering policy recommendations from the school facilities citizen
14 advisory panel under section 308 of this act, shall review such plan,
15 shall approve any plan which in (~~its~~) his or her judgment makes
16 adequate and satisfactory provision for participation by the nonhigh
17 school districts in providing capital funds to be used for the purpose
18 above stated, and shall notify the regional committee of such action.
19 Upon receipt by the regional committee of such notification, the
20 educational service district superintendent, or his or her designee,
21 shall notify the board of directors of each school district included in
22 the plan, supplying each board with complete details of the plan and
23 shall state the total amount of funds to be provided and the amount to
24 be provided by each district.

25 If any such plan submitted by a regional committee is not approved
26 by the (~~state board~~) superintendent of public instruction, the
27 regional committee shall be so notified, which notification shall
28 contain a statement of reasons therefor and suggestions for revision.
29 Within sixty days thereafter the regional committee shall submit to the
30 (~~state board~~) superintendent a revised plan which revision shall be
31 subject to approval or disapproval by the (~~state board~~)
32 superintendent, considering policy recommendations from the school
33 facilities citizen advisory panel, and the procedural requirements and
34 provisions of law applicable to an original plan submitted to (~~said~~
35 ~~board~~) the superintendent.

1 appropriated for state assistance to school districts for the original
2 construction of any school plant facility the amount of one-half of one
3 percent of the appropriation to be expended by the Washington state
4 arts commission for the acquisition of works of art. The works of art
5 may be placed in accordance with Article IX, sections 2 and 3 of the
6 state Constitution on public lands, integral to or attached to a public
7 building or structure, detached within or outside a public building or
8 structure, part of a portable exhibition or collection, part of a
9 temporary exhibition, or loaned or exhibited in other public
10 facilities. The Washington state arts commission shall, in
11 consultation with the superintendent of public instruction, determine
12 the amount to be made available for the purchase of works of art under
13 this section, and payments therefor shall be made in accordance with
14 law. The designation of projects and sites, selection, contracting,
15 purchase, commissioning, reviewing of design, execution and placement,
16 acceptance, maintenance, and sale, exchange, or disposition of works of
17 art shall be the responsibility of the Washington state arts commission
18 in consultation with the superintendent of public instruction and
19 representatives of school district boards of directors. The
20 superintendent of public instruction and the school district board of
21 directors of the districts where the sites are selected shall have the
22 right to:

23 (1) Waive its use of the one-half of one percent of the
24 appropriation for the acquisition of works of art before the selection
25 process by the Washington state arts commission;

26 (2) Appoint a representative to the body established by the
27 Washington state arts commission to be part of the selection process
28 with full voting rights;

29 (3) Reject the results of the selection process;

30 (4) Reject the placement of a completed work or works of art on
31 school district premises if such works are portable.

32 Rejection at any point before or after the selection process shall
33 not cause the loss of or otherwise endanger state construction funds
34 available to the local school district. Any works of art rejected
35 under this section shall be applied to the provision of works of art
36 under this chapter, at the discretion of the Washington state arts
37 commission, notwithstanding any contract or agreement between the
38 affected school district and the artist involved. In addition to the

1 cost of the works of art the one-half of one percent of the
2 appropriation as provided (~~herein~~) in this section shall be used to
3 provide for the administration, including conservation of the state art
4 collection, by the Washington state arts commission and all costs for
5 installation of the work of art. For the purpose of this section
6 building shall not include sheds, warehouses, or other buildings of a
7 temporary nature.

8 The executive director of the arts commission, the superintendent
9 of public instruction, and the Washington state school directors
10 association shall appoint a study group to review the operations of the
11 one-half of one percent for works of art under this section.

12 **Sec. 328.** RCW 28A.335.230 and 1987 c 112 s 1 are each amended to
13 read as follows:

14 School districts shall be required to lease for a reasonable fee
15 vacant school plant facilities from a contiguous school district
16 wherever possible.

17 No school district with unhoused students may be eligible for the
18 state matching funds for the construction of school plant facilities
19 if:

20 (1) The school district contiguous to the school district applying
21 for the state matching percentage has vacant school plant facilities;

22 (2) The superintendent of public instruction (~~and the state board~~
23 ~~of education have~~) has determined the vacant school plant facilities
24 available in the contiguous district will fulfill the needs of the
25 applicant district in housing unhoused students. In determining
26 whether the contiguous district school plant facilities meet the needs
27 of the applicant district, consideration shall be given, but not
28 limited to the geographic location of the vacant facilities as they
29 relate to the applicant district; and

30 (3) A lease of the vacant school plant facilities can be
31 negotiated.

32 **Sec. 329.** RCW 28A.540.070 and 1990 c 33 s 486 are each amended to
33 read as follows:

34 In the event that a proposal or proposals for providing capital
35 funds as provided in RCW 28A.540.060 is not approved by the voters of
36 a nonhigh school district a second election thereon shall be held

1 within sixty days thereafter. If the vote of the electors of the
2 nonhigh school district is again in the negative, the high school
3 students residing therein shall not be entitled to admission to the
4 high school under the provisions of RCW 28A.225.210, following the
5 close of the school year during which the second election is held:
6 PROVIDED, That in any such case the regional committee on school
7 district organization shall determine within thirty days after the date
8 of the aforesaid election the advisability of initiating a proposal for
9 annexation of such nonhigh school district to the school district in
10 which the proposed facilities are to be located or to some other
11 district where its students can attend high school without undue
12 inconvenience: PROVIDED FURTHER, That pending such determination by
13 the regional committee and action thereon as required by law the board
14 of directors of the high school district shall continue to admit high
15 school students residing in the nonhigh school district. Any proposal
16 for annexation of a nonhigh school district initiated by a regional
17 committee shall be subject to the procedural requirements of this
18 chapter respecting a public hearing and submission to and approval by
19 the (~~state board of education~~) superintendent of public instruction,
20 considering policy recommendations from the school facilities citizen
21 advisory panel under section 308 of this act. Upon approval by the
22 (~~state board~~) superintendent of public instruction of any such
23 proposal, the educational service district superintendent shall make an
24 order, establishing the annexation.

25 NEW SECTION. Sec. 330. The following sections are each
26 decodified:

27 RCW 28A.525.120

28 RCW 28A.525.122

29 RCW 28A.525.124

30 RCW 28A.525.126

31 RCW 28A.525.128

32 RCW 28A.525.130

33 RCW 28A.525.132

34 RCW 28A.525.134

35 RCW 28A.525.140

36 RCW 28A.525.142

37 RCW 28A.525.144

1 RCW 28A.525.146
2 RCW 28A.525.148
3 RCW 28A.525.150
4 RCW 28A.525.152
5 RCW 28A.525.154
6 RCW 28A.525.156
7 RCW 28A.525.158
8 RCW 28A.525.160
9 RCW 28A.525.182

10 **PART 4**

11 **COURSES OF STUDY AND EDUCATIONAL PROGRAMS**

12 **Sec. 401.** RCW 28A.305.220 and 2004 c 19 s 108 are each amended to
13 read as follows:

14 (1) The (~~state board of education~~) superintendent of public
15 instruction, in consultation with the higher education coordinating
16 board, the state board for community and technical colleges, and the
17 work force training and education coordinating board, shall develop for
18 use by all public school districts a standardized high school
19 transcript. The (~~state board of education~~) superintendent shall
20 establish clear definitions for the terms "credits" and "hours" so that
21 school programs operating on the quarter, semester, or trimester system
22 can be compared.

23 (2) The standardized high school transcript shall include the
24 following information:

25 (a) The highest scale score and level achieved in each content area
26 on the high school Washington assessment of student learning or other
27 high school measures successfully completed by the student as provided
28 by RCW 28A.655.061 and 28A.155.045;

29 (b) All scholar designations as provided by RCW 28A.655.061;

30 (c) A notation of whether the student has earned a certificate of
31 individual achievement or a certificate of academic achievement by
32 means of the Washington assessment of student learning or by an
33 alternative assessment.

34 (3) Transcripts are important documents to students who will apply
35 for admission to postsecondary institutions of higher education.
36 Transcripts are also important to students who will seek employment

1 upon or prior to graduation from high school. It is recognized that
2 student transcripts may be the only record available to employers in
3 their decision-making processes regarding prospective employees. The
4 superintendent of public instruction shall require school districts to
5 inform annually all high school students that prospective employers may
6 request to see transcripts and that the prospective employee's decision
7 to release transcripts can be an important part of the process of
8 applying for employment.

9 **Sec. 402.** RCW 28A.230.100 and 1991 c 116 s 8 are each amended to
10 read as follows:

11 The ~~((state board of education))~~ superintendent of public
12 instruction, in consultation with the higher education coordinating
13 board, the state board for community and technical colleges, and the
14 work force training and education coordinating board, shall adopt rules
15 pursuant to chapter 34.05 RCW, to implement the course requirements set
16 forth in RCW 28A.230.090. The rules shall include, as the ~~((state~~
17 ~~board))~~ superintendent deems necessary, granting equivalencies for and
18 temporary exemptions from the course requirements in RCW 28A.230.090
19 and special alterations of the course requirements in RCW 28A.230.090.
20 In developing such rules the ~~((state board))~~ superintendent shall
21 recognize the relevance of vocational and applied courses and allow
22 such courses to fulfill in whole or in part the courses required for
23 graduation in RCW 28A.230.090. The rules may include provisions for
24 competency testing in lieu of such courses required for graduation in
25 RCW 28A.230.090 or demonstration of specific skill proficiency or
26 understanding of concepts through work or experience.

27 **Sec. 403.** RCW 28A.230.170 and 1985 c 341 s 1 are each amended to
28 read as follows:

29 The study of the Constitution of the United States and the
30 Constitution of the state of Washington shall be a condition
31 prerequisite to graduation from the public and private high schools of
32 this state. The ~~((state board of education acting upon the advice of~~
33 ~~the))~~ superintendent of public instruction shall provide by rule ~~((or~~
34 ~~regulation))~~ for the implementation of this section.

1 NEW SECTION. **Sec. 404.** The state board of education, in
2 consultation with the state board for community and technical colleges,
3 shall examine the statutory authority, rules, and jurisdiction between
4 the K-12 and postsecondary education systems regarding the general
5 educational development test and adult education. The board shall make
6 recommendations for change or clarification to the education committees
7 of the legislature by January 15, 2007.

8 **Sec. 405.** RCW 28A.305.170 and 2002 c 291 s 3 are each amended to
9 read as follows:

10 (1) In addition to any other powers and duties as provided by law,
11 the ((state board of education)) superintendent of public instruction,
12 in consultation with the military department, shall adopt rules
13 governing and authorizing the acceptance of national guard high school
14 career training and the national guard youth challenge program in lieu
15 of either required high school credits or elective high school credits.

16 (2) With the exception of students enrolled in the national guard
17 youth challenge program, students enrolled in such national guard
18 programs shall be considered enrolled in the common school last
19 attended preceding enrollment in such national guard program.

20 (3) The ((board)) superintendent shall adopt rules to ensure that
21 students who successfully complete the national guard youth challenge
22 program are granted an appropriate number of high school credits, based
23 on the students' levels of academic proficiency as measured by the
24 program.

25 **Sec. 406.** RCW 28A.230.130 and 2003 c 49 s 2 are each amended to
26 read as follows:

27 (1) All public high schools of the state shall provide a program,
28 directly or in cooperation with a community college or another school
29 district, for students whose educational plans include application for
30 entrance to a baccalaureate-granting institution after being granted a
31 high school diploma. The program shall help these students to meet at
32 least the minimum entrance requirements under RCW 28B.10.050.

33 (2) All public high schools of the state shall provide a program,
34 directly or in cooperation with a community or technical college, a
35 skills center, an apprenticeship committee, or another school district,

1 for students who plan to pursue career or work opportunities other than
2 entrance to a baccalaureate-granting institution after being granted a
3 high school diploma. These programs may:

4 (a) Help students demonstrate the application of essential academic
5 learning requirements to the world of work, occupation-specific skills,
6 knowledge of more than one career in a chosen pathway, and
7 employability and leadership skills; and

8 (b) Help students demonstrate the knowledge and skill needed to
9 prepare for industry certification, and/or have the opportunity to
10 articulate to postsecondary education and training programs.

11 ~~((3) The state board of education, upon request from local school
12 districts, may grant waivers from the requirements to provide the
13 program described in subsections (1) and (2) of this section for
14 reasons relating to school district size and the availability of staff
15 authorized to teach subjects which must be provided. In considering
16 waiver requests related to programs in subsection (2) of this section,
17 the state board of education shall consider the extent to which the
18 school district has offered such programs before the 2003-04 school
19 year.))~~

20 **Sec. 407.** RCW 28A.205.010 and 2005 c 497 s 214 are each amended to
21 read as follows:

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

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

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

29 (b) Operates on a clinical, client centered basis. This shall
30 include, but not be limited to, performing diagnosis of individual
31 educational abilities, determination and setting of individual goals,
32 prescribing and providing individual courses of instruction therefor,
33 and evaluation of each individual client's progress in his or her
34 educational program.

35 (c) Conducts courses of instruction by professionally trained
36 personnel certificated by the Washington professional educator
37 standards board according to rules adopted for the purposes of this

1 chapter and providing, for certification purposes, that a year's
2 teaching experience in an education center shall be deemed equal to a
3 year's teaching experience in a common or private school.

4 (2) For purposes of this chapter, basic academic skills shall
5 include the study of mathematics, speech, language, reading and
6 composition, science, history, literature and political science or
7 civics; it shall not include courses of a vocational training nature
8 and shall not include courses deemed nonessential to the accrediting
9 (~~of the common schools~~) or the approval of private schools under RCW
10 28A.305.130.

11 (3) The (~~state board of education~~) superintendent of public
12 instruction shall certify an education center only upon application and
13 (a) determination that such school comes within the definition thereof
14 as set forth in subsection (1) of this section and (b) demonstration on
15 the basis of actual educational performance of such applicants'
16 students which shows after consideration of their students'
17 backgrounds, educational gains that are a direct result of the
18 applicants' educational program. Such certification may be withdrawn
19 if the (~~board~~) superintendent finds that a center fails to provide
20 adequate instruction in basic academic skills. No education center
21 certified by the (~~state board of education~~) superintendent of public
22 instruction pursuant to this section shall be deemed a common school
23 under RCW 28A.150.020 or a private school for the purposes of RCW
24 28A.195.010 through 28A.195.050.

25 **Sec. 408.** RCW 28A.215.010 and 1995 c 335 s 104 are each amended to
26 read as follows:

27 The board of directors of any school district shall have the power
28 to establish and maintain preschools and to provide before-and-after-
29 school and vacation care in connection with the common schools of said
30 district located at such points as the board shall deem most suitable
31 for the convenience of the public, for the care and instruction of
32 infants and children residing in said district. The board shall
33 establish such courses, activities, rules, and regulations governing
34 preschools and before-and-after-school care as it may deem best:
35 PROVIDED, That these courses and activities shall meet the minimum
36 standard for such preschools as established by the United States
37 department of health, education and welfare, or its successor agency,

1 and the (~~state board of education~~) superintendent of public
2 instruction. Except as otherwise provided by state or federal law, the
3 board of directors may fix a reasonable charge for the care and
4 instruction of children attending such schools. The board may, if
5 necessary, supplement such funds as are received for the superintendent
6 of public instruction or any agency of the federal government, by an
7 appropriation from the general school fund of the district.

8 **Sec. 409.** RCW 28A.215.020 and 1995 c 335 s 308 are each amended to
9 read as follows:

10 Expenditures under federal funds and/or state appropriations made
11 to carry out the purposes of RCW 28A.215.010 through 28A.215.050 shall
12 be made by warrants issued by the state treasurer upon order of the
13 superintendent of public instruction. The (~~state board of education~~)
14 superintendent of public instruction shall make necessary rules (~~and~~
15 ~~regulations~~) to carry out the purpose of RCW 28A.215.010. After being
16 notified by the office of the governor that there is an agency or
17 department responsible for early learning, the superintendent shall
18 consult with that agency when establishing relevant rules.

19 **Sec. 410.** RCW 28A.205.040 and 1999 c 348 s 4 are each amended to
20 read as follows:

21 (1)(a) From funds appropriated for that purpose, the superintendent
22 of public instruction shall pay fees to a certified center on a monthly
23 basis for each student enrolled in compliance with RCW 28A.205.020.
24 The superintendent shall set fees by rule.

25 (b) Revisions in such fees proposed by an education center shall
26 become effective after thirty days notice unless the superintendent
27 finds such a revision is unreasonable in which case the revision shall
28 not take effect. (~~An education center may, within fifteen days after~~
29 ~~such a finding by the superintendent, file notification of appeal with~~
30 ~~the state board of education which shall, no later than its second~~
31 ~~regularly scheduled meeting following notification of such appeal,~~
32 ~~either grant or deny the proposed revision.)) The administration of
33 any general education development test shall not be a part of such
34 initial diagnostic procedure.~~

35 (c) Reimbursements shall not be made for students who are absent.

1 (d) No center shall make any charge to any student, or the
2 student's parent, guardian or custodian, for whom a fee is being
3 received under the provisions of this section.

4 (2) Payments shall be made from available funds first to those
5 centers that have in the judgment of the superintendent demonstrated
6 superior performance based upon consideration of students' educational
7 gains taking into account such students' backgrounds, and upon
8 consideration of cost effectiveness. In considering the cost
9 effectiveness of nonprofit centers the superintendent shall take into
10 account not only payments made under this section but also factors such
11 as tax exemptions, direct and indirect subsidies or any other cost to
12 taxpayers at any level of government which result from such nonprofit
13 status.

14 (3) To be eligible for such payment, every such center, without
15 prior notice, shall permit a review of its accounting records by
16 personnel of the state auditor during normal business hours.

17 (4) If total funds for this purpose approach depletion, the
18 superintendent shall notify the centers of the date after which further
19 funds for reimbursement of the centers' services will be exhausted.

20 **Sec. 411.** RCW 28A.215.140 and 1988 c 174 s 5 are each amended to
21 read as follows:

22 The department shall establish an advisory committee composed of
23 interested parents and representatives from (~~the state board of~~
24 ~~education,~~) the office of the superintendent of public instruction,
25 the division of children and family services within the department of
26 social and health services, early childhood education and development
27 staff preparation programs, the head start programs, school districts,
28 and such other community and business organizations as deemed necessary
29 by the department to assist with the establishment of the preschool
30 program and advise the department on matters regarding the on-going
31 promotion and operation of the program.

32 **Sec. 412.** RCW 28A.230.020 and 1991 c 116 s 6 are each amended to
33 read as follows:

34 All common schools shall give instruction in reading, penmanship,
35 orthography, written and mental arithmetic, geography, the history of
36 the United States, English grammar, physiology and hygiene with special

1 reference to the effects of alcohol and drug abuse on the human system,
2 science with special reference to the environment, and such other
3 studies as may be prescribed by rule (~~(or regulation)~~) of the (~~(state~~
4 ~~board of education)~~) superintendent of public instruction. All
5 teachers shall stress the importance of the cultivation of manners, the
6 fundamental principles of honesty, honor, industry and economy, the
7 minimum requisites for good health including the beneficial effect of
8 physical exercise and methods to prevent exposure to and transmission
9 of sexually transmitted diseases, and the worth of kindness to all
10 living creatures and the land. The prevention of child abuse may be
11 offered as part of the curriculum in the common schools.

12 **Sec. 413.** RCW 28A.230.040 and 1984 c 52 s 1 are each amended to
13 read as follows:

14 Every pupil attending grades one through eight of the public
15 schools shall receive instruction in physical education as prescribed
16 by rule (~~(or regulation)~~) of the (~~(state board of education)~~)
17 superintendent of public instruction: PROVIDED, That individual pupils
18 or students may be excused on account of physical disability, religious
19 belief, or participation in directed athletics.

20 **Sec. 414.** RCW 28A.230.050 and 1985 c 384 s 3 are each amended to
21 read as follows:

22 All high schools of the state shall emphasize the work of physical
23 education, and carry into effect all physical education requirements
24 established by rule (~~(or regulation)~~) of the (~~(state board of~~
25 ~~education)~~) superintendent of public instruction: PROVIDED, That
26 individual students may be excused from participating in physical
27 education otherwise required under this section on account of physical
28 disability, employment, or religious belief, or because of
29 participation in directed athletics or military science and tactics or
30 for other good cause.

31 **Sec. 415.** RCW 28A.330.100 and 1995 c 335 s 503 and 1995 c 77 s 22
32 are each reenacted and amended to read as follows:

33 Every board of directors of a school district of the first class,
34 in addition to the general powers for directors enumerated in this
35 title, shall have the power:

- 1 (1) To employ for a term of not exceeding three years a
2 superintendent of schools of the district, and for cause to dismiss him
3 or her((÷)); and to fix his or her duties and compensation((÷));
4 (2) To employ, and for cause dismiss one or more assistant
5 superintendents and to define their duties and fix their
6 compensation((÷));
7 (3) To employ a business manager, attorneys, architects, inspectors
8 of construction, superintendents of buildings and a superintendent of
9 supplies, all of whom shall serve at the board's pleasure, and to
10 prescribe their duties and fix their compensation((÷));
11 (4) To employ, and for cause dismiss, supervisors of instruction
12 and to define their duties and fix their compensation((÷));
13 (5) To prescribe a course of study and a program of exercises which
14 shall be consistent with the course of study prepared by the ((state
15 ~~board of education~~)) superintendent of public instruction for the use
16 of the common schools of this state((÷));
17 (6) To, in addition to the minimum requirements imposed by this
18 title establish and maintain such grades and departments, including
19 night, high, kindergarten, vocational training and, except as otherwise
20 provided by law, industrial schools, and schools and departments for
21 the education and training of any class or classes of youth with
22 disabilities, as in the judgment of the board, best shall promote the
23 interests of education in the district((÷));
24 (7) To determine the length of time over and above one hundred
25 eighty days that school shall be maintained: PROVIDED, That for
26 purposes of apportionment no district shall be credited with more than
27 one hundred and eighty-three days' attendance in any school year; and
28 to fix the time for annual opening and closing of schools and for the
29 daily dismissal of pupils before the regular time for closing
30 schools((÷));
31 (8) To maintain a shop and repair department, and to employ, and
32 for cause dismiss, a foreman and the necessary help for the maintenance
33 and conduct thereof((÷));
34 (9) To provide free textbooks and supplies for all children
35 attending school((÷));
36 (10) To require of the officers or employees of the district to
37 give a bond for the honest performance of their duties in such penal
38 sum as may be fixed by the board with good and sufficient surety, and

1 to cause the premium for all bonds required of all such officers or
2 employees to be paid by the district: PROVIDED, That the board may, by
3 written policy, allow that such bonds may include a deductible proviso
4 not to exceed two percent of the officer's or employee's annual
5 salary(~~(-)~~);

6 (11) To prohibit all secret fraternities and sororities among the
7 students in any of the schools of the said districts(~~(-)~~); and

8 (12) To appoint a practicing physician, resident of the school
9 district, who shall be known as the school district medical inspector,
10 and whose duty it shall be to decide for the board of directors all
11 questions of sanitation and health affecting the safety and welfare of
12 the public schools of the district who shall serve at the board's
13 pleasure: PROVIDED, That children shall not be required to submit to
14 vaccination against the will of their parents or guardian.

15 NEW SECTION. Sec. 416. RCW 28A.305.220 is recodified as a new
16 section in chapter 28A.230 RCW.

17 NEW SECTION. Sec. 417. RCW 28A.305.170 is recodified as a new
18 section in chapter 28A.300 RCW.

19 **PART 5**

20 **SCHOOL DISTRICT BOUNDARIES**

21 **Sec. 501.** RCW 28A.315.175 and 1999 c 315 s 302 are each amended to
22 read as follows:

23 (~~The powers and duties of the state board with respect to this~~
24 ~~chapter shall be~~) The superintendent of public instruction shall:

25 (1) (~~To~~) Aid regional committees in the performance of their
26 duties by furnishing them with plans of procedure, standards, data,
27 maps, forms, and other necessary materials and services essential to a
28 study and understanding of the problems of school district organization
29 in their respective educational service districts(~~(-)~~); and

30 (2) (~~To hear appeals as provided in RCW 28A.315.205~~) Carry out
31 powers and duties of the superintendent of public instruction relating
32 to the organization and reorganization of school districts.

1 **Sec. 502.** RCW 28A.315.195 and 2003 c 413 s 2 are each amended to
2 read as follows:

3 (1) A proposed change in school district organization by transfer
4 of territory from one school district to another may be initiated by a
5 petition in writing presented to the educational service district
6 superintendent:

7 (a) Signed by at least fifty percent plus one of the active
8 registered voters residing in the territory proposed to be transferred;
9 or

10 (b) Signed by a majority of the members of the board of directors
11 of one of the districts affected by a proposed transfer of territory.

12 (2) The petition shall state the name and number of each district
13 affected, describe the boundaries of the territory proposed to be
14 transferred, and state the reasons for desiring the change and the
15 number of children of school age, if any, residing in the territory.

16 (3) The educational service district superintendent shall not
17 complete any transfer of territory under this section that involves ten
18 percent or more of the common school student population of the entire
19 district from which the transfer is proposed, unless the educational
20 service district superintendent has first called and held a special
21 election of the voters of the entire school district from which the
22 transfer of territory is proposed. The purpose of the election is to
23 afford those voters an opportunity to approve or reject the proposed
24 transfer. A simple majority shall determine approval or rejection.

25 (4) The (~~state board~~) superintendent of public instruction may
26 establish rules limiting the frequency of petitions that may be filed
27 pertaining to territory included in whole or in part in a previous
28 petition.

29 (5) Upon receipt of the petition, the educational service district
30 superintendent shall notify in writing the affected districts that:

31 (a) Each school district board of directors, whether or not
32 initiating a proposed transfer of territory, is required to enter into
33 negotiations with the affected district or districts;

34 (b) In the case of a citizen-initiated petition, the affected
35 districts must negotiate on the entire proposed transfer of territory;

36 (c) The districts have ninety calendar days in which to agree to
37 the proposed transfer of territory;

1 (d) The districts may request and shall be granted by the
2 educational service district superintendent one thirty-day extension to
3 try to reach agreement; and

4 (e) Any district involved in the negotiations may at any time
5 during the ninety-day period notify the educational service district
6 superintendent in writing that agreement will not be possible.

7 (6) If the negotiating school boards cannot come to agreement about
8 the proposed transfer of territory, the educational service district
9 superintendent, if requested by the affected districts, shall appoint
10 a mediator. The mediator has thirty days to work with the affected
11 school districts to see if an agreement can be reached on the proposed
12 transfer of territory.

13 (7) If the affected school districts cannot come to agreement about
14 the proposed transfer of territory, and the districts do not request
15 the services of a mediator or the mediator was unable to bring the
16 districts to agreement, either district may file with the educational
17 service district superintendent a written request for a hearing by the
18 regional committee.

19 (8) If the affected school districts cannot come to agreement about
20 the proposed transfer of territory initiated by citizen petition, and
21 the districts do not request the services of a mediator or the mediator
22 was unable to bring the districts to agreement, the district in which
23 the citizens who filed the petition reside shall file with the
24 educational service district superintendent a written request for a
25 hearing by the regional committee, unless a majority of the citizen
26 petitioners request otherwise.

27 (9) Upon receipt of a notice under subsection (7) or (8) of this
28 section, the educational service district superintendent shall notify
29 the chair of the regional committee in writing within ten days.

30 (10) Costs incurred by school districts under this section shall be
31 reimbursed by the state from such funds as are appropriated for this
32 purpose.

33 **Sec. 503.** RCW 28A.315.205 and 2003 c 413 s 1 are each amended to
34 read as follows:

35 (1) The chair of the regional committee shall schedule a hearing on
36 the proposed transfer of territory at a location in the educational

1 service district within sixty calendar days of being notified under RCW
2 28A.315.195 (7) or (8).

3 (2) Within thirty calendar days of the hearing under subsection (1)
4 of this section, or final hearing if more than one is held by the
5 committee, the committee shall issue its written findings and decision
6 to approve or disapprove the proposed transfer of territory. The
7 educational service district superintendent shall transmit a copy of
8 the committee's decision to the superintendents of the affected school
9 districts within ten calendar days.

10 (3) In carrying out the purposes of RCW 28A.315.015 and in making
11 decisions as authorized under RCW 28A.315.095(1), the regional
12 committee shall base its judgment upon whether and to the extent the
13 proposed change in school district organization complies with RCW
14 28A.315.015(2) and rules adopted by the (~~state board~~) superintendent
15 of public instruction under chapter 34.05 RCW.

16 (4) (~~State board~~) The rules under subsection (3) of this section
17 shall provide for giving consideration to all of the following:

18 (a) Student educational opportunities as measured by the percentage
19 of students performing at each level of the statewide mandated
20 assessments and data regarding student attendance, graduation, and
21 dropout rates;

22 (b) The safety and welfare of pupils. For the purposes of this
23 subsection, "safety" means freedom or protection from danger, injury,
24 or damage and "welfare" means a positive condition or influence
25 regarding health, character, and well-being;

26 (c) The history and relationship of the property affected to the
27 students and communities affected, including, for example, inclusion
28 within a single school district, for school attendance and
29 corresponding tax support purposes, of entire master planned
30 communities that were or are to be developed pursuant to an integrated
31 commercial and residential development plan with over one thousand
32 dwelling units;

33 (d) Whether or not geographic accessibility warrants a favorable
34 consideration of a recommended change in school district organization,
35 including remoteness or isolation of places of residence and time
36 required to travel to and from school; and

37 (e) All funding sources of the affected districts, equalization
38 among school districts of the tax burden for general fund and capital

1 purposes through a reduction in disparities in per pupil valuation when
2 all funding sources are considered, improvement in the economies in the
3 administration and operation of schools, and the extent the proposed
4 change would potentially reduce or increase the individual and
5 aggregate transportation costs of the affected school districts.

6 (5)(a)(i) A petitioner or school district may appeal a decision by
7 the regional committee to the (~~state board~~) superintendent of public
8 instruction based on the claim that the regional committee failed to
9 follow the applicable statutory and regulatory procedures or acted in
10 an arbitrary and capricious manner. Any such appeal shall be based on
11 the record and the appeal must be filed within thirty days of the final
12 decision of the regional committee. The appeal shall be heard and
13 determined by an administrative law judge in the office of
14 administrative hearings, based on the standards in (a)(ii) of this
15 subsection.

16 (ii) If the (~~state board~~) administrative law judge finds that all
17 applicable procedures were not followed or that the regional committee
18 acted in an arbitrary and capricious manner, (~~it~~) the administrative
19 law judge shall refer the matter back to the regional committee with an
20 explanation of (~~the board's~~) his or her findings. The regional
21 committee shall rehear the proposal.

22 (iii) If the (~~state board~~) administrative law judge finds that
23 all applicable procedures were followed or that the regional committee
24 did not act in an arbitrary and capricious manner, depending on the
25 appeal, the educational service district shall be notified and directed
26 to implement the changes.

27 (b) Any school district or citizen petitioner affected by a final
28 decision of the regional committee may seek judicial review of the
29 committee's decision in accordance with RCW 34.05.570.

30 **Sec. 504.** RCW 28A.315.015 and 1999 c 315 s 101 are each amended to
31 read as follows:

32 (1) It is the purpose of this chapter to:

33 (a) Incorporate into a single, comprehensive, school district
34 organization law all essential provisions governing:

35 (i) The formation and establishment of new school districts;

36 (ii) The alteration of the boundaries of existing districts; and

1 (iii) The adjustment of the assets and liabilities of school
2 districts when changes are made under this chapter; and

3 (b) Establish methods and procedures whereby changes in the school
4 district system may be brought about by the people concerned and
5 affected.

6 (2) It is the state's policy that decisions on proposed changes in
7 school district organization should be made, whenever possible, by
8 negotiated agreement between the affected school districts. If the
9 districts cannot agree, the decision shall be made by the regional
10 committees on school district organization, based on the committees'
11 best judgment, taking into consideration the following factors and
12 factors under RCW 28A.315.205:

13 (a) A balance of local petition requests and the needs of the
14 statewide community at large in a manner that advances the best
15 interest of public education in the affected school districts and
16 communities, the educational service district, and the state;

17 (b) Responsibly serving all of the affected citizens and students
18 by contributing to logical service boundaries and recognizing a
19 changing economic pattern within the educational service districts of
20 the state;

21 (c) Enhancing the educational opportunities of pupils in the
22 territory by reducing existing disparities among the affected school
23 districts' ability to provide operating and capital funds through an
24 equitable adjustment of the assets and liabilities of the affected
25 districts;

26 (d) Promoting a wiser use of public funds through improvement in
27 the school district system of the educational service districts and the
28 state; and

29 (e) Other criteria or considerations as may be established in rule
30 by the (~~state board of education~~) superintendent of public
31 instruction.

32 (3) It is neither the intent nor purpose of this chapter to apply
33 to organizational changes and the procedure therefor relating to
34 capital fund aid by nonhigh school districts as provided for in chapter
35 28A.540 RCW.

36 **Sec. 505.** RCW 28A.315.025 and 1990 c 33 s 293 are each amended to
37 read as follows:

1 As used in this chapter:

2 (1) "Change in the organization and extent of school districts"
3 means the formation and establishment of new school districts, the
4 dissolution of existing school districts, the alteration of the
5 boundaries of existing school districts, or all of them.

6 (2) "Regional committee" means the regional committee on school
7 district organization created by this chapter.

8 (3) (~~"State board" means the state board of education.~~

9 ~~(4)~~) "School district" means the territory under the jurisdiction
10 of a single governing board designated and referred to as the board of
11 directors.

12 (~~(5)~~) (4) "Educational service district superintendent" means the
13 educational service district superintendent as provided for in RCW
14 28A.310.170 or his or her designee.

15 **Sec. 506.** RCW 28A.315.055 and 1999 c 315 s 203 are each amended to
16 read as follows:

17 In case the boundaries of any of the school districts are
18 conflicting or incorrectly described, the educational service district
19 board of directors, after due notice and a public hearing, shall
20 change, harmonize, and describe them and shall so certify, with a
21 complete transcript of boundaries of all districts affected, such
22 action to the (~~state board~~) superintendent of public instruction for
23 (~~its~~) approval or revision. Upon receipt of notification of (~~state~~
24 ~~board~~) action by the superintendent of public instruction, the
25 educational service district superintendent shall transmit to the
26 county legislative authority of the county or counties in which the
27 affected districts are located a complete transcript of the boundaries
28 of all districts affected.

29 **Sec. 507.** RCW 28A.315.085 and 2005 c 497 s 405 are each amended to
30 read as follows:

31 (1) The superintendent of public instruction shall furnish (~~to the~~
32 ~~state board and~~) to regional committees the services of employed
33 personnel and the materials and supplies necessary to enable them to
34 perform the duties imposed upon them by this chapter (~~and~~). Members
35 shall be reimbursed (~~the members thereof~~) for expenses necessarily
36 incurred by them in the performance of their duties (~~such~~

1 reimbursement for regional committee members to be)) in accordance with
2 RCW 28A.315.155(~~(, and such reimbursement for state board members to be~~
3 ~~in accordance with RCW 28A.305.011)~~).

4 (2) Costs that may be incurred by an educational service district
5 in association with school district negotiations under RCW 28A.315.195
6 and supporting the regional committee under RCW 28A.315.205 shall be
7 reimbursed by the state from such funds as are appropriated for these
8 purposes.

9 **Sec. 508.** RCW 28A.315.125 and 1993 c 416 s 2 are each amended to
10 read as follows:

11 The members of each regional committee shall be elected in the
12 following manner:

13 (1) On or before the 25th day of September, 1994, and not later
14 than the 25th day of September of every subsequent even-numbered year,
15 each superintendent of an educational service district shall call an
16 election to be held in each educational service district within which
17 resides a member of a regional committee whose term of office expires
18 on the second Monday of January next following, and shall give written
19 notice thereof to each member of the board of directors of each school
20 district in the educational service district. Such notice shall
21 include instructions, and the rules (~~and regulations~~) established by
22 the (~~state board of education~~) superintendent of public instruction
23 for the conduct of the election. The (~~state board of education~~)
24 superintendent of public instruction is (~~hereby~~) empowered to adopt
25 rules pursuant to chapter 34.05 RCW which establish standards and
26 procedures which the (~~state board~~) superintendent deems necessary to
27 conduct elections pursuant to this section; to conduct run-off
28 elections in the event an election for a position is indecisive; and to
29 decide run-off elections which result in tie votes, in a fair and
30 orderly manner.

31 (2) Candidates for membership on a regional committee shall file a
32 declaration of candidacy with the superintendent of the educational
33 service district wherein they reside. Declarations of candidacy may be
34 filed by person or by mail not earlier than the 1st day of October, and
35 not later than the 15th day of October of each even-numbered year. The
36 superintendent may not accept any declaration of candidacy that is not
37 on file in his or her office or not postmarked before the 16th day of

1 October, or if not postmarked or the postmark is not legible, if
2 received by mail after the 20th day of October of each even-numbered
3 year.

4 (3) Each member of the regional committee shall be elected by a
5 majority of the votes cast for all candidates for the position by the
6 members of the boards of directors of school districts in the
7 educational service district. All votes shall be cast by mail ballot
8 addressed to the superintendent of the educational service district
9 wherein the school director resides. No votes shall be accepted for
10 counting if postmarked after the 16th day of November or if not
11 postmarked or the postmark is not legible, if received by mail after
12 the 21st day of November of each even-numbered year. An election board
13 comprised of three persons appointed by the board of the educational
14 service district shall count and tally the votes not later than the
15 25th day of November or the next business day if the 25th falls on a
16 Saturday, Sunday, or legal holiday of each even-numbered year. Each
17 vote cast by a school director shall be recorded as one vote. Within
18 ten days following the count of votes, the educational service district
19 superintendent shall certify to the superintendent of public
20 instruction the name or names of the person(s) elected to be members of
21 the regional committee.

22 (4) In the event of a change in the number of educational service
23 districts or in the number of educational service district board
24 members pursuant to chapter 28A.310 RCW a new regional committee shall
25 be elected for each affected educational service district at the next
26 election conducted pursuant to this section. Those persons who were
27 serving on a regional committee within an educational service district
28 affected by a change in the number of districts or board members shall
29 continue to constitute the regional committee for the educational
30 service district within which they are registered to vote until the
31 majority of a new board has been elected and certified.

32 (5) No member of a regional committee shall continue to serve
33 thereon if he or she ceases to be a registered voter of the educational
34 service district board member district or if he or she is absent from
35 three consecutive meetings of the committee without an excuse
36 acceptable to the committee.

1 numbered year, the (~~secretary to the state board of education~~)
2 superintendent of public instruction shall call an election to be held
3 in each educational service district within which resides a member of
4 the board of the educational service district whose term of office
5 expires on the second Monday of January next following, and shall give
6 written notice thereof to each member of the board of directors of each
7 school district in such educational service district. Such notice
8 shall include instructions(~~(,)~~) and rules(~~(, and regulations)~~)
9 established by the (~~state board of education~~) superintendent of
10 public instruction for the conduct of the election.

11 **Sec. 603.** RCW 28A.310.030 and 1990 c 33 s 271 are each amended to
12 read as follows:

13 Except as otherwise provided in this chapter, in each educational
14 service district there shall be an educational service district board
15 consisting of seven members elected by the school directors of the
16 educational service district, one from each of seven educational
17 service district board-member districts. Board-member districts in
18 districts reorganized under RCW 28A.310.020, or as provided for in RCW
19 28A.310.120 and under this section, shall be initially determined by
20 the state board of education. If a reorganization pursuant to RCW
21 28A.310.020 places the residence of a board member into another or
22 newly created educational service district, such member shall serve on
23 the board of the educational service district of residence and at the
24 next election called by the (~~secretary to the state board of~~
25 ~~education~~) superintendent of public instruction pursuant to RCW
26 28A.310.080 a new seven member board shall be elected. If the
27 redrawing of board-member district boundaries pursuant to this chapter
28 shall cause the resident board-member district of two or more board
29 members to coincide, such board members shall continue to serve on the
30 board and at the next election called by the (~~secretary to the state~~
31 ~~board of education~~) superintendent of public instruction a new board
32 shall be elected. The board-member districts shall be arranged so far
33 as practicable on a basis of equal population, with consideration being
34 given existing board members of existing educational service district
35 boards. Each educational service district board member shall be
36 elected by the school directors of each school district within the
37 educational service district. Beginning in 1971 and every ten years

1 thereafter, educational service district boards shall review and, if
2 necessary, shall change the boundaries of board-member districts so as
3 to provide so far as practicable equal representation according to
4 population of such board-member districts and to conform to school
5 district boundary changes: PROVIDED, That all board-member district
6 boundaries, to the extent necessary to conform with this chapter, shall
7 be immediately redrawn for the purposes of the next election called by
8 the ((~~secretary to the state board of education~~)) superintendent of
9 public instruction following any reorganization pursuant to this
10 chapter. Such district board, if failing to make the necessary changes
11 prior to June 1st of the appropriate year, shall refer for settlement
12 questions on board-member district boundaries to the ((~~state board of~~
13 ~~education~~)) office of the superintendent of public instruction, which,
14 after a public hearing, shall decide such questions.

15 **Sec. 604.** RCW 28A.310.050 and 1977 ex.s. c 283 s 19 are each
16 amended to read as follows:

17 Any educational service district board may elect by resolution of
18 the board to increase the board member size to nine board members. In
19 such case positions number eight and nine shall be filled at the next
20 election called by the ((~~secretary to the state board of education~~))
21 superintendent of public instruction, position numbered eight to be for
22 a term of two years, position numbered nine to be for a term of four
23 years. Thereafter the terms for such positions shall be for four
24 years.

25 **Sec. 605.** RCW 28A.310.060 and 1977 ex.s. c 283 s 20 are each
26 amended to read as follows:

27 The term of every educational service district board member shall
28 begin on the second Monday in January next following the election at
29 which he or she was elected: PROVIDED, That a person elected to less
30 than a full term pursuant to this section shall take office as soon as
31 the election returns have been certified and he or she has qualified.
32 In the event of a vacancy in the board from any cause, such vacancy
33 shall be filled by appointment of a person from the same board-member
34 district by the educational service district board. In the event that
35 there are more than three vacancies in a seven-member board or four
36 vacancies in a nine-member board, the ((~~state board of education~~))

1 superintendent of public instruction shall fill by appointment
2 sufficient vacancies so that there shall be a quorum of the board
3 serving. Each appointed board member shall serve until his or her
4 successor has been elected at the next election called by the
5 (~~secretary to the state board of education~~) superintendent of public
6 instruction and has qualified.

7 **Sec. 606.** RCW 28A.310.090 and 1977 ex.s. c 283 s 16 are each
8 amended to read as follows:

9 Candidates for membership on an educational service district board
10 shall file declarations of candidacy with the (~~secretary to the state~~
11 ~~board of education~~) superintendent of public instruction on forms
12 prepared by the (~~secretary~~) superintendent. Declarations of
13 candidacy may be filed by person or by mail not earlier than the first
14 day of September, nor later than the sixteenth day of September. The
15 (~~secretary to the state board of education~~) superintendent may not
16 accept any declaration of candidacy that is not on file in his or her
17 office or is not postmarked before the seventeenth day of September.

18 **Sec. 607.** RCW 28A.310.100 and 1980 c 179 s 7 are each amended to
19 read as follows:

20 Each member of an educational service district board shall be
21 elected by a majority of the votes cast at the election for all
22 candidates for the position. All votes shall be cast by mail addressed
23 to the (~~secretary to the state board of education~~) superintendent of
24 public instruction and no votes shall be accepted for counting if
25 postmarked after the sixteenth day of October or if not postmarked or
26 the postmark is not legible, if received by mail after the twenty-first
27 day of October following the call of the election. The (~~secretary to~~
28 ~~the state board of education~~) superintendent of public instruction and
29 an election board comprised of three persons appointed by the (~~state~~
30 ~~board of education~~) superintendent shall count and tally the votes not
31 later than the twenty-fifth day of October in the following manner:
32 Each vote cast by a school director shall be accorded as one vote. If
33 no candidate receives a majority of the votes cast, then, not later
34 than the first day of November, the (~~secretary to the state board of~~
35 ~~education~~) superintendent of public instruction shall call a second
36 election to be conducted in the same manner and at which the candidates

1 shall be the two candidates receiving the highest number of votes cast.
2 No vote cast at such second election shall be received for counting if
3 postmarked after the sixteenth day of November or if not postmarked or
4 the postmark is not legible, if received by mail after the twenty-first
5 day of November and the votes shall be counted as hereinabove provided
6 on the twenty-fifth day of November. The candidate receiving a
7 majority of votes at any such second election shall be declared
8 elected. In the event of a tie in such second election, the candidate
9 elected shall be determined by a chance drawing of a nature established
10 by the (~~secretary to the state board of education~~) superintendent of
11 public instruction. Within ten days following the count of votes in an
12 election at which a member of an educational service district board is
13 elected, the (~~secretary to the state board of education~~)
14 superintendent of public instruction shall certify to the county
15 auditor of the headquarters county of the educational service district
16 the name or names of the persons elected to be members of the
17 educational service district board.

18 **Sec. 608.** RCW 28A.310.140 and 1990 c 33 s 274 are each amended to
19 read as follows:

20 Every school district must be included entirely within a single
21 educational service district. If the boundaries of any school district
22 within an educational service district are changed in any manner so as
23 to extend the school district beyond the boundaries of that educational
24 service district, the (~~state board~~) superintendent of public
25 instruction shall change the boundaries of the educational service
26 districts so affected in a manner consistent with the purposes of RCW
27 28A.310.010 and this section.

28 **Sec. 609.** RCW 28A.310.150 and 1990 c 33 s 275 are each amended to
29 read as follows:

30 Every candidate for membership on a educational service district
31 board shall be a registered voter and a resident of the board-member
32 district for which such candidate files. On or before the date for
33 taking office, every member shall make an oath or affirmation to
34 support the Constitution of the United States and the state of
35 Washington and to faithfully discharge the duties of the office
36 according to the best of such member's ability. The members of the

1 board shall not be required to give bond unless so directed by the
2 (~~state board of education~~) superintendent of public instruction. At
3 the first meeting of newly elected members and after the qualification
4 for office of the newly elected members, each educational service
5 district board shall reorganize by electing a chair and a vice chair.
6 A majority of all of the members of the board shall constitute a
7 quorum.

8 **Sec. 610.** RCW 28A.310.200 and 2001 c 143 s 1 are each amended to
9 read as follows:

10 In addition to other powers and duties as provided by law, every
11 educational service district board shall:

12 (1) Approve the budgets of the educational service district in
13 accordance with the procedures provided for in this chapter(~~(-)~~);

14 (2) Meet regularly according to the schedule adopted at the
15 organization meeting and in special session upon the call of the chair
16 or a majority of the board(~~(-)~~);

17 (3) Approve the selection of educational service district personnel
18 and clerical staff as provided in RCW 28A.310.230(~~(-)~~);

19 (4) Fix the amount of and approve the bonds for those educational
20 service district employees designated by the board as being in need of
21 bonding(~~(-)~~);

22 (5) Keep in the educational service district office a full and
23 correct transcript of the boundaries of each school district within the
24 educational service district(~~(-)~~);

25 (6) Acquire by borrowing funds or by purchase, lease, devise,
26 bequest, and gift and otherwise contract for real and personal property
27 necessary for the operation of the educational service district and to
28 the execution of the duties of the board and superintendent thereof and
29 sell, lease, or otherwise dispose of that property not necessary for
30 district purposes. No real property shall be acquired or alienated
31 without the prior approval of the (~~state board of education~~)
32 superintendent of public instruction and the acquisition or alienation
33 of all such property shall be subject to such provisions as the
34 (~~board~~) superintendent may establish. When borrowing funds for the
35 purpose of acquiring property, the educational service district board
36 shall pledge as collateral the property to be acquired. Borrowing

1 shall be evidenced by a note or other instrument between the district
2 and the lender(~~(-)~~);

3 (7) Under RCW 28A.310.010, upon the written request of the board of
4 directors of a local school district or districts served by the
5 educational service district, the educational service district board of
6 directors may provide cooperative and informational services not in
7 conflict with other law that provide for the development and
8 implementation of programs, activities, services, or practices that
9 support the education of preschool through twelfth grade students in
10 the public schools or that support the effective, efficient, or safe
11 management and operation of the school district or districts served by
12 the educational service district(~~(-)~~);

13 (8) Adopt such bylaws and rules (~~(and regulations)~~) for its own
14 operation as it deems necessary or appropriate(~~(-)~~); and

15 (9) Enter into contracts, including contracts with common and
16 educational service districts and the school for the deaf and the
17 school for the blind for the joint financing of cooperative service
18 programs conducted pursuant to RCW 28A.310.180(3), and employ
19 consultants and legal counsel relating to any of the duties, functions,
20 and powers of the educational service districts.

21 **Sec. 611.** RCW 28A.310.310 and 1990 c 33 s 284 are each amended to
22 read as follows:

23 The educational service district board shall designate the
24 headquarters office of the educational service district. Educational
25 service districts shall provide for their own office space, heating,
26 contents insurance, electricity, and custodial services, which may be
27 obtained through contracting with any board of county commissioners.
28 Official records of the educational service district board and
29 superintendent, including each of the county superintendents abolished
30 by chapter 176, Laws of 1969 ex. sess., shall be kept by the
31 educational service district superintendent. Whenever the boundaries
32 of any of the educational service districts are reorganized pursuant to
33 RCW 28A.310.020, the (~~(state board of education)~~) superintendent of
34 public instruction shall supervise the transferral of such records so
35 that each educational service district superintendent shall receive
36 those records relating to school districts within the appropriate
37 educational service district.

1 **Sec. 612.** RCW 28A.323.020 and 1985 c 385 s 25 are each amended to
2 read as follows:

3 The duties in this chapter imposed upon and required to be
4 performed by a regional committee and by an educational service
5 district superintendent in connection with a change in the organization
6 and extent of school districts and/or with the adjustment of the assets
7 and liabilities of school districts and with all matters related to
8 such change or adjustment whenever territory lying in a single
9 educational service district is involved shall be performed jointly by
10 the regional committees and by the superintendents of the several
11 educational service districts as required whenever territory lying in
12 more than one educational service district is involved in a proposed
13 change in the organization and extent of school districts: PROVIDED,
14 That a regional committee may designate three of its members, or two of
15 its members and the educational service district superintendent, as a
16 subcommittee to serve in lieu of the whole committee, but action by a
17 subcommittee shall not be binding unless approved by a majority of the
18 regional committee. Proposals for changes in the organization and
19 extent of school districts and proposed terms of adjustment of assets
20 and liabilities thus prepared and approved shall be submitted to the
21 (~~state board~~) superintendent of public instruction by the regional
22 committee of the educational service district in which is located the
23 part of the proposed or enlarged district having the largest number of
24 common school pupils residing therein.

25 **Sec. 613.** RCW 28A.323.040 and 1973 c 47 s 3 are each amended to
26 read as follows:

27 For all purposes essential to the maintenance, operation, and
28 administration of the schools of a district, including the
29 apportionment of current state and county school funds, the county in
30 which a joint school district shall be considered as belonging shall be
31 as designated by the (~~state board of education~~) superintendent of
32 public instruction. Prior to making such designation, the (~~state~~
33 ~~board of education~~) superintendent of public instruction shall hold at
34 least one public hearing on the matter, at which time the
35 recommendation of the joint school district shall be presented and, in
36 addition to such recommendation, the (~~state board~~) superintendent
37 shall consider the following prior to its designation:

- 1 (1) Service needs of such district;
- 2 (2) Availability of services;
- 3 (3) Geographic location of district and servicing agencies; and
- 4 (4) Relationship to contiguous school districts.

5 **PART 7**
6 **STUDENTS**

7 **Sec. 701.** RCW 28A.305.160 and 1996 c 321 s 2 are each amended to
8 read as follows:

9 (1) The (~~state board of education~~) superintendent of public
10 instruction shall adopt and distribute to all school districts lawful
11 and reasonable rules prescribing the substantive and procedural due
12 process guarantees of pupils in the common schools. Such rules shall
13 authorize a school district to use informal due process procedures in
14 connection with the short-term suspension of students to the extent
15 constitutionally permissible: PROVIDED, That the (~~state board~~)
16 superintendent of public instruction deems the interest of students to
17 be adequately protected. When a student suspension or expulsion is
18 appealed, the rules shall authorize a school district to impose the
19 suspension or expulsion temporarily after an initial hearing for no
20 more than ten consecutive school days or until the appeal is decided,
21 whichever is earlier. Any days that the student is temporarily
22 suspended or expelled before the appeal is decided shall be applied to
23 the term of the student suspension or expulsion and shall not limit or
24 extend the term of the student suspension or expulsion.

25 (2) Short-term suspension procedures may be used for suspensions of
26 students up to and including, ten consecutive school days.

27 **Sec. 702.** RCW 28A.150.300 and 1993 c 68 s 1 are each amended to
28 read as follows:

29 The use of corporal punishment in the common schools is prohibited.
30 The (~~state board of education, in consultation with the~~)
31 superintendent of public instruction(~~(7)~~) shall develop and adopt a
32 policy prohibiting the use of corporal punishment in the common
33 schools. The policy shall be adopted (~~by the state board of education~~
34 ~~no later than February 1, 1994,~~) and (~~shall take effect~~) implemented
35 in all school districts (~~September 1, 1994~~)).

1 **Sec. 703.** RCW 28A.225.160 and 1999 c 348 s 5 are each amended to
2 read as follows:

3 Except as otherwise provided by law, it is the general policy of
4 the state that the common schools shall be open to the admission of all
5 persons who are five years of age and less than twenty-one years
6 residing in that school district. Except as otherwise provided by law
7 or rules adopted by the (~~state board of education~~) superintendent of
8 public instruction, districts may establish uniform entry
9 qualifications, including but not limited to birth date requirements,
10 for admission to kindergarten and first grade programs of the common
11 schools. Such rules may provide for exceptions based upon the ability,
12 or the need, or both, of an individual student. For the purpose of
13 complying with any rule adopted by the (~~state board of education~~
14 ~~which~~) superintendent of public instruction that authorizes a
15 preadmission screening process as a prerequisite to granting exceptions
16 to the uniform entry qualifications, a school district may collect fees
17 to cover expenses incurred in the administration of any preadmission
18 screening process: PROVIDED, That in so establishing such fee or fees,
19 the district shall adopt regulations for waiving and reducing such fees
20 in the cases of those persons whose families, by reason of their low
21 income, would have difficulty in paying the entire amount of such fees.

22 NEW SECTION. **Sec. 704.** A new section is added to chapter 28A.300
23 RCW to read as follows:

24 The superintendent of public instruction shall adopt rules relating
25 to pupil tests and records.

26 **Sec. 705.** RCW 28A.300.150 and 1994 c 245 s 8 are each amended to
27 read as follows:

28 The superintendent of public instruction shall collect and
29 disseminate to school districts information on child abuse and neglect
30 prevention curriculum and shall adopt rules dealing with the prevention
31 of child abuse for purposes of curriculum use in the common schools.
32 The superintendent of public instruction and the departments of social
33 and health services and community, trade, and economic development
34 shall share relevant information.

1 **Sec. 706.** RCW 28A.600.020 and 1997 c 266 s 11 are each amended to
2 read as follows:

3 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
4 interpreted to (~~insure~~) ensure that the optimum learning atmosphere
5 of the classroom is maintained, and that the highest consideration is
6 given to the judgment of qualified certificated educators regarding
7 conditions necessary to maintain the optimum learning atmosphere.

8 (2) Any student who creates a disruption of the educational process
9 in violation of the building disciplinary standards while under a
10 teacher's immediate supervision may be excluded by the teacher from his
11 or her individual classroom and instructional or activity area for all
12 or any portion of the balance of the school day, or up to the following
13 two days, or until the principal or designee and teacher have
14 conferred, whichever occurs first. Except in emergency circumstances,
15 the teacher first must attempt one or more alternative forms of
16 corrective action. In no event without the consent of the teacher may
17 an excluded student return to the class during the balance of that
18 class or activity period or up to the following two days, or until the
19 principal or his or her designee and the teacher have conferred.

20 (3) In order to preserve a beneficial learning environment for all
21 students and to maintain good order and discipline in each classroom,
22 every school district board of directors shall provide that written
23 procedures are developed for administering discipline at each school
24 within the district. Such procedures shall be developed with the
25 participation of parents and the community, and shall provide that the
26 teacher, principal or designee, and other authorities designated by the
27 board of directors, make every reasonable attempt to involve the parent
28 or guardian and the student in the resolution of student discipline
29 problems. Such procedures shall provide that students may be excluded
30 from their individual classes or activities for periods of time in
31 excess of that provided in subsection (2) of this section if such
32 students have repeatedly disrupted the learning of other students. The
33 procedures must be consistent with the rules of the (~~state board of~~
34 ~~education~~) superintendent of public instruction and must provide for
35 early involvement of parents in attempts to improve the student's
36 behavior.

37 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that

1 all staff work cooperatively toward consistent enforcement of proper
2 student behavior throughout each school as well as within each
3 classroom.

4 (5) A principal shall consider imposing long-term suspension or
5 expulsion as a sanction when deciding the appropriate disciplinary
6 action for a student who, after July 27, 1997:

7 (a) Engages in two or more violations within a three-year period of
8 RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460, 28A.635.020,
9 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

10 (b) Engages in one or more of the offenses listed in RCW 13.04.155.

11 The principal shall communicate the disciplinary action taken by
12 the principal to the school personnel who referred the student to the
13 principal for disciplinary action.

14 **Sec. 707.** RCW 28A.600.030 and 1990 c 33 s 498 are each amended to
15 read as follows:

16 Each school district board of directors may establish student
17 grading policies which permit teachers to consider a student's
18 attendance in determining the student's overall grade or deciding
19 whether the student should be granted or denied credit. Such policies
20 shall take into consideration the circumstances pertaining to the
21 student's inability to attend school. However, no policy shall be
22 adopted whereby a grade shall be reduced or credit shall be denied for
23 disciplinary reasons only, rather than for academic reasons, unless due
24 process of law is provided as set forth by the (~~state board of~~
25 ~~education~~) superintendent of public instruction under RCW 28A.305.160
26 (as recodified by this act).

27 NEW SECTION. **Sec. 708.** RCW 28A.305.160 is recodified as a new
28 section in chapter 28A.600 RCW.

29 **PART 8**

30 **TRANSFER OF PROFESSIONAL EDUCATOR STANDARDS BOARD DUTIES**

31 **Sec. 801.** RCW 28A.625.360 and 1990 1st ex.s. c 10 s 2 are each
32 amended to read as follows:

33 (1) The (~~state board of education~~) professional educator

1 standards board shall establish an annual award program for excellence
2 in teacher preparation to recognize higher education teacher educators
3 for their leadership, contributions, and commitment to education.

4 (2) The program shall recognize annually one teacher preparation
5 faculty member from one of the teacher preparation programs approved by
6 the (~~state board of education~~) professional educator standards board.

7 **Sec. 802.** RCW 28A.225.330 and 1999 c 198 s 3 are each amended to
8 read as follows:

9 (1) When enrolling a student who has attended school in another
10 school district, the school enrolling the student may request the
11 parent and the student to briefly indicate in writing whether or not
12 the student has:

13 (a) Any history of placement in special educational programs;

14 (b) Any past, current, or pending disciplinary action;

15 (c) Any history of violent behavior, or behavior listed in RCW
16 13.04.155;

17 (d) Any unpaid fines or fees imposed by other schools; and

18 (e) Any health conditions affecting the student's educational
19 needs.

20 (2) The school enrolling the student shall request the school the
21 student previously attended to send the student's permanent record
22 including records of disciplinary action, history of violent behavior
23 or behavior listed in RCW 13.04.155, attendance, immunization records,
24 and academic performance. If the student has not paid a fine or fee
25 under RCW 28A.635.060, or tuition, fees, or fines at approved private
26 schools the school may withhold the student's official transcript, but
27 shall transmit information about the student's academic performance,
28 special placement, immunization records, records of disciplinary
29 action, and history of violent behavior or behavior listed in RCW
30 13.04.155. If the official transcript is not sent due to unpaid
31 tuition, fees, or fines, the enrolling school shall notify both the
32 student and parent or guardian that the official transcript will not be
33 sent until the obligation is met, and failure to have an official
34 transcript may result in exclusion from extracurricular activities or
35 failure to graduate.

36 (3) If information is requested under subsection (2) of this
37 section, the information shall be transmitted within two school days

1 after receiving the request and the records shall be sent as soon as
2 possible. Any school district or district employee who releases the
3 information in compliance with this section is immune from civil
4 liability for damages unless it is shown that the school district
5 employee acted with gross negligence or in bad faith. The ((state
6 board of education)) professional educator standards board shall
7 provide by rule for the discipline under chapter 28A.410 RCW of a
8 school principal or other chief administrator of a public school
9 building who fails to make a good faith effort to assure compliance
10 with this subsection.

11 (4) Any school district or district employee who releases the
12 information in compliance with federal and state law is immune from
13 civil liability for damages unless it is shown that the school district
14 or district employee acted with gross negligence or in bad faith.

15 (5) When a school receives information under this section or RCW
16 13.40.215 that a student has a history of disciplinary actions,
17 criminal or violent behavior, or other behavior that indicates the
18 student could be a threat to the safety of educational staff or other
19 students, the school shall provide this information to the student's
20 teachers and security personnel.

21 **Sec. 803.** RCW 28A.405.110 and 1985 c 420 s 1 are each amended to
22 read as follows:

23 The legislature recognizes the importance of teachers in the
24 educational system. Teachers are the fundamental element in assuring
25 a quality education for the state's and the nation's children.
26 Teachers, through their direct contact with children, have a great
27 impact on the development of the child. The legislature finds that
28 this important role of the teacher requires an assurance that teachers
29 are as successful as possible in attaining the goal of a well-educated
30 society. The legislature finds, therefore, that the evaluation of
31 those persons seeking to enter the teaching profession is no less
32 important than the evaluation of those persons currently teaching. The
33 evaluation of persons seeking teaching credentials should be strenuous
34 while making accommodations uniquely appropriate to the applicants.
35 Strenuous teacher training and preparation should be complemented by
36 examinations of prospective teachers prior to candidates being granted
37 official certification by the ((state board of education)) professional

1 educator standards board. Teacher preparation program entrance
2 evaluations, teacher training, teacher preparation program exit
3 examinations, official certification, in-service training, and ongoing
4 evaluations of individual progress and professional growth are all part
5 of developing and maintaining a strong precertification and
6 postcertification professional education system.

7 The legislature further finds that an evaluation system for
8 teachers has the following elements, goals, and objectives: (1) An
9 evaluation system must be meaningful, helpful, and objective; (2) an
10 evaluation system must encourage improvements in teaching skills,
11 techniques, and abilities by identifying areas needing improvement; (3)
12 an evaluation system must provide a mechanism to make meaningful
13 distinctions among teachers and to acknowledge, recognize, and
14 encourage superior teaching performance; and (4) an evaluation system
15 must encourage respect in the evaluation process by the persons
16 conducting the evaluations and the persons subject to the evaluations
17 through recognizing the importance of objective standards and
18 minimizing subjectivity.

19 **Sec. 804.** RCW 28A.415.010 and 1991 c 285 s 1 are each amended to
20 read as follows:

21 It shall be the responsibility of each educational service district
22 board to establish a center for the improvement of teaching. The
23 center shall administer, coordinate, and act as fiscal agent for such
24 programs related to the recruitment and training of certificated and
25 classified K-12 education personnel as may be delegated to the center
26 by the superintendent of public instruction under RCW 28A.310.470(~~(or~~
27 ~~the state board of education under RCW 28A.310.480))~~). To assist in
28 these activities, each educational service district board shall
29 establish an improvement of teaching coordinating council to include,
30 at a minimum, representatives as specified in RCW 28A.415.040. An
31 existing in-service training task force, established pursuant to RCW
32 28A.415.040, may serve as the improvement of teaching coordinating
33 council. The educational service district board shall ensure
34 coordination of programs established pursuant to RCW 28A.415.030,
35 28A.410.060, and 28A.415.250.

36 The educational service district board may arrange each year for
37 the holding of one or more teachers' institutes and/or workshops for

1 professional staff preparation and in-service training in such manner
2 and at such time as the board believes will be of benefit to the
3 teachers and other professional staff of school districts within the
4 educational service district and shall comply with rules (~~and~~
5 ~~regulations of the state board of education~~) of the professional
6 educator standards board pursuant to RCW 28A.410.060 or the
7 superintendent of public instruction (~~or state board of education~~)
8 pursuant to RCW 28A.415.250. The board may provide such additional
9 means of teacher and other professional staff preparation and in-
10 service training as it may deem necessary or appropriate and there
11 shall be a proper charge against the educational service district
12 general expense fund when approved by the educational service district
13 board.

14 Educational service district boards of contiguous educational
15 service districts, by mutual arrangements, may hold joint institutes
16 and/or workshops, the expenses to be shared in proportion to the
17 numbers of certificated personnel as shown by the last annual reports
18 of the educational service districts holding such joint institutes or
19 workshops.

20 In local school districts employing more than one hundred teachers
21 and other professional staff, the school district superintendent may
22 hold a teachers' institute of one or more days in such district, said
23 institute when so held by the school district superintendent to be in
24 all respects governed by the provisions of this title and (~~state board~~
25 ~~of education~~) rules (~~and regulations~~) relating to teachers'
26 institutes held by educational service district superintendents.

27 **Sec. 805.** RCW 28A.415.020 and 1995 c 284 s 2 are each amended to
28 read as follows:

29 (1) Certificated personnel shall receive for each ten clock hours
30 of approved in-service training attended the equivalent of a one credit
31 college quarter course on the salary schedule developed by the
32 legislative evaluation and accountability program committee.

33 (2) Certificated personnel shall receive for each ten clock hours
34 of approved continuing education earned, as continuing education is
35 defined by rule adopted by the (~~state board of education~~)
36 professional educator standards board, the equivalent of a one credit

1 college quarter course on the salary schedule developed by the
2 legislative evaluation and accountability program committee.

3 (3) Certificated personnel shall receive for each forty clock hours
4 of participation in an approved internship with a business, an
5 industry, or government, as an internship is defined by rule of the
6 (~~state board of education~~) professional educator standards board in
7 accordance with RCW 28A.415.025, the equivalent of a one credit college
8 quarter course on the salary schedule developed by the legislative
9 evaluation and accountability program committee.

10 (4) An approved in-service training program shall be a program
11 approved by a school district board of directors, which meet standards
12 adopted by the (~~state board of education~~) professional educator
13 standards board, and the development of said program has been
14 participated in by an in-service training task force whose membership
15 is the same as provided under RCW 28A.415.040, or a program offered by
16 an education agency approved to provide in-service for the purposes of
17 continuing education as provided for under rules adopted by the (~~state~~
18 ~~board of education~~) professional educator standards board, or both.

19 (5) Clock hours eligible for application to the salary schedule
20 developed by the legislative evaluation and accountability program
21 committee as described in subsections (1) and (2) of this section,
22 shall be those hours acquired after August 31, 1987. Clock hours
23 eligible for application to the salary schedule as described in
24 subsection (3) of this section shall be those hours acquired after
25 December 31, 1995.

26 **Sec. 806.** RCW 28A.415.024 and 2005 c 461 s 1 are each amended to
27 read as follows:

28 (1) All credits earned in furtherance of degrees earned by
29 certificated staff, that are used to increase earnings on the salary
30 schedule consistent with RCW 28A.415.023, must be obtained from an
31 educational institution accredited by an accrediting association
32 recognized by rule of the (~~state board of education~~) professional
33 educator standards board.

34 (2) The office of the superintendent of public instruction shall
35 verify for school districts the accreditation status of educational
36 institutions granting degrees that are used by certificated staff to

1 increase earnings on the salary schedule consistent with RCW
2 28A.415.023.

3 (3) The office of the superintendent of public instruction shall
4 provide school districts with training and additional resources to
5 ensure they can verify that degrees earned by certificated staff, that
6 are used to increase earnings on the salary schedule consistent with
7 RCW 28A.415.023, are obtained from an educational institution
8 accredited by an accrediting association recognized by rule of the
9 (~~state board of education~~) professional educator standards board.

10 (4)(a) No school district may submit degree information before
11 there has been verification of accreditation under subsection (3) of
12 this section.

13 (b) Certificated staff who submit degrees received from an
14 unaccredited educational institution for the purposes of receiving a
15 salary increase shall be fined three hundred dollars. The fine shall
16 be paid to the office of the superintendent of public instruction and
17 used for costs of administering this section.

18 (c) In addition to the fine in (b) of this subsection, certificated
19 staff who receive salary increases based upon degrees earned from
20 educational institutions that have been verified to be unaccredited
21 must reimburse the district for any compensation received based on
22 these degrees.

23 **Sec. 807.** RCW 28A.415.025 and 1995 c 284 s 3 are each amended to
24 read as follows:

25 The (~~state board of education~~) professional educator standards
26 board shall establish rules for awarding clock hours for participation
27 of certificated personnel in internships with business, industry, or
28 government. To receive clock hours for an internship, the individual
29 must demonstrate that the internship will provide beneficial skills and
30 knowledge in an area directly related to his or her current assignment,
31 or to his or her assignment for the following school year. An
32 individual may not receive more than the equivalent of two college
33 quarter credits for internships during a calendar-year period. The
34 total number of credits for internships that an individual may earn to
35 advance on the salary schedule developed by the legislative evaluation
36 and accountability program committee or its successor agency is limited
37 to the equivalent of fifteen college quarter credits.

1 **Sec. 808.** RCW 28A.415.105 and 1995 c 335 s 403 are each amended to
2 read as follows:

3 Unless the context clearly requires otherwise, the definitions in
4 this section apply throughout RCW 28A.415.125 through 28A.415.140.

5 (1) "Cooperating organizations" means that at least one school
6 district, one college or university, and one educational service
7 district are involved jointly with the development of a student
8 teaching center.

9 (2) "Cooperating teacher" means a teacher who holds a continuing
10 certificate and supervises and coaches a student teacher.

11 (3) "Field experience" means opportunities for observation,
12 tutoring, microteaching, extended practicums, and clinical and
13 laboratory experiences which do not fall within the meaning of student
14 teaching.

15 (4) "School setting" means a classroom in a public, common school
16 in the state of Washington.

17 (5) "Student teacher" means a candidate for initial teacher
18 certification who is in a (~~state board of education approved~~)
19 professional educator standards board-approved, or regionally or
20 nationally accredited teacher preparation program in a school setting
21 as part of the field-based component of their preparation program.

22 (6) "Student teaching" means the full quarter or semester in a
23 school setting during which the student teacher observes the
24 cooperating teacher, participates in instructional activities, and
25 assumes both part-time and full-time teaching responsibilities under
26 the supervision of the cooperating teacher.

27 (7) "Student teaching center" means the program established to
28 provide student teachers in a geographic region of the state with
29 special support and training as part of their teacher preparation
30 program.

31 (8) "Supervisor or university supervisor" means the regular or
32 adjunct faculty member, or college or university-approved designee, who
33 assists and supervises the work of cooperating teachers and student
34 teachers.

35 **Sec. 809.** RCW 28A.415.125 and 1991 c 258 s 6 are each amended to
36 read as follows:

37 The (~~state board of education~~) professional educator standards

1 board, from appropriated funds, shall establish a network of student
2 teaching centers to support the continuing development of the field-
3 based component of teacher preparation programs. The purpose of the
4 training centers is to:

5 (1) Expand opportunities for student teacher placements in school
6 districts statewide, with an emphasis on those populations and
7 locations that are unserved or underserved;

8 (2) Provide cooperating teachers for all student teachers during
9 their student internship for up to two academic quarters;

10 (3) Enhance the student teaching component of teacher preparation
11 programs, including a placement of student teachers in special
12 education and multi-ethnic school settings; and

13 (4) Expand access to each other and opportunities for collaboration
14 in teacher education between colleges and universities and school
15 districts.

16 **Sec. 810.** RCW 28A.415.130 and 1991 c 258 s 7 are each amended to
17 read as follows:

18 Funds for the student teaching centers shall be allocated by the
19 superintendent of public instruction among the educational service
20 district regions on the basis of student teaching placements. The
21 fiscal agent for each center shall be either an educational service
22 district or a state institution of higher education. Prospective
23 fiscal agents shall document to the (~~state board of education~~)
24 professional educator standards board the following information:

25 (1) The existing or proposed center was developed jointly through
26 a process including participation by at least one school district, one
27 college or university, and one educational service district;

28 (2) Primary administration for each center shall be the
29 responsibility of one or more of the cooperating organizations;

30 (3) Assurance that the training center program provides appropriate
31 and necessary training in observation, supervision, and assistance
32 skills and techniques for:

- 33 (a) Cooperating teachers;
- 34 (b) Other school building personnel; and
- 35 (c) School district employees.

1 Partnership grants funded under this chapter shall operate one to
2 four specific route programs. Successful completion of the program
3 shall make a candidate eligible for residency teacher certification.
4 For route one and two candidates, the mentor of the teacher candidate
5 at the school and the supervisor of the teacher candidate from the
6 higher education teacher preparation program must both agree that the
7 teacher candidate has successfully completed the program. For route
8 three and four candidates, the mentor of the teacher candidate shall
9 make the determination that the candidate has successfully completed
10 the program.

11 (1) Partnership grant programs seeking funds to operate route one
12 programs shall enroll currently employed classified instructional
13 employees with transferable associate degrees seeking residency teacher
14 certification with endorsements in special education, bilingual
15 education, or English as a second language. It is anticipated that
16 candidates enrolled in this route will complete both their
17 baccalaureate degree and requirements for residency certification in
18 two years or less, including a mentored internship to be completed in
19 the final year. In addition, partnership programs shall uphold entry
20 requirements for candidates that include:

21 (a) District or building validation of qualifications, including
22 three years of successful student interaction and leadership as a
23 classified instructional employee;

24 (b) Successful passage of the statewide basic skills exam, when
25 available; and

26 (c) Meeting the age, good moral character, and personal fitness
27 requirements adopted by rule for teachers.

28 (2) Partnership grant programs seeking funds to operate route two
29 programs shall enroll currently employed classified staff with
30 baccalaureate degrees seeking residency teacher certification in
31 subject matter shortage areas and areas with shortages due to
32 geographic location. Candidates enrolled in this route must complete
33 a mentored internship complemented by flexibly scheduled training and
34 coursework offered at a local site, such as a school or educational
35 service district, or online or via video-conference over the K-20
36 network, in collaboration with the partnership program's higher
37 education partner. In addition, partnership grant programs shall
38 uphold entry requirements for candidates that include:

1 (a) District or building validation of qualifications, including
2 three years of successful student interaction and leadership as
3 classified staff;

4 (b) A baccalaureate degree from a regionally accredited institution
5 of higher education. The individual's college or university grade
6 point average may be considered as a selection factor;

7 (c) Successful completion of the content test, once the state
8 content test is available;

9 (d) Meeting the age, good moral character, and personal fitness
10 requirements adopted by rule for teachers; and

11 (e) Successful passage of the statewide basic skills exam, when
12 available.

13 (3) Partnership grant programs seeking funds to operate route three
14 programs shall enroll individuals with baccalaureate degrees, who are
15 not employed in the district at the time of application. When
16 selecting candidates for certification through route three, districts
17 shall give priority to individuals who are seeking residency teacher
18 certification in subject matter shortage areas or shortages due to
19 geographic locations. For route three only, the districts may include
20 additional candidates in nonshortage subject areas if the candidates
21 are seeking endorsements with a secondary grade level designation as
22 defined by rule by the (~~state board of education~~) professional
23 educator standards board. The districts shall disclose to candidates
24 in nonshortage subject areas available information on the demand in
25 those subject areas. Cohorts of candidates for this route shall attend
26 an intensive summer teaching academy, followed by a full year employed
27 by a district in a mentored internship, followed, if necessary, by a
28 second summer teaching academy. In addition, partnership programs
29 shall uphold entry requirements for candidates that include:

30 (a) Five years' experience in the work force;

31 (b) A baccalaureate degree from a regionally accredited institution
32 of higher education. The individual's grade point average may be
33 considered as a selection factor;

34 (c) Successful completion of the content test, once the state
35 content test is available;

36 (d) External validation of qualifications, including demonstrated
37 successful experience with students or children, such as (~~references~~

1 ~~{reference}}~~) reference letters and letters of support from previous
2 employers;

3 (e) Meeting the age, good moral character, and personal fitness
4 requirements adopted by rule for teachers; and

5 (f) Successful passage of statewide basic skills exams, when
6 available.

7 (4) Partnership grant programs seeking funds to operate route four
8 programs shall enroll individuals with baccalaureate degrees, who are
9 employed in the district at the time of application, or who hold
10 conditional teaching certificates or emergency substitute certificates.
11 Cohorts of candidates for this route shall attend an intensive summer
12 teaching academy, followed by a full year employed by a district in a
13 mentored internship. In addition, partnership programs shall uphold
14 entry requirements for candidates that include:

15 (a) Five years' experience in the work force;

16 (b) A baccalaureate degree from a regionally accredited institution
17 of higher education. The individual's grade point average may be
18 considered as a selection factor;

19 (c) Successful completion of the content test, once the state
20 content test is available;

21 (d) External validation of qualifications, including demonstrated
22 successful experience with students or children, such as reference
23 letters and letters of support from previous employers;

24 (e) Meeting the age, good moral character, and personal fitness
25 requirements adopted by rule for teachers; and

26 (f) Successful passage of statewide basic skills exams, when
27 available.

28 **Sec. 814.** RCW 28A.690.020 and 1990 c 33 s 546 are each amended to
29 read as follows:

30 The "designated state official" for this state under Article II of
31 RCW 28A.690.010 shall be the superintendent of public instruction, who
32 shall be the compact administrator and who shall have power to
33 (~~promulgate~~) adopt rules to carry out the terms of this compact. The
34 superintendent of public instruction shall enter into contracts
35 pursuant to Article III of the Agreement only with the approval of the
36 specific text thereof by the (~~state board of education~~) professional
37 educator standards board.

1 The professional education advisory board for the institution from
2 which the teacher educator has been selected to receive an award shall
3 be eligible to apply for an educational grant as provided under RCW
4 28A.625.370. The (~~state board of education~~) professional educator
5 standards board shall award the grant after the (~~state~~) board has
6 approved the grant application as long as the written grant application
7 is submitted to the (~~state~~) board within one year after the award is
8 received by the teacher educator. The grant application shall identify
9 the educational purpose toward which the grant shall be used.

10 **PART 9**

11 **OTHER DUTIES**

12 **Sec. 901.** RCW 28A.600.010 and 1997 c 265 s 4 are each amended to
13 read as follows:

14 Every board of directors, unless otherwise specifically provided by
15 law, shall:

16 (1) Enforce the rules prescribed by the superintendent of public
17 instruction (~~and the state board of education~~) for the government of
18 schools, pupils, and certificated employees.

19 (2) Adopt and make available to each pupil, teacher and parent in
20 the district reasonable written rules regarding pupil conduct,
21 discipline, and rights, including but not limited to short-term
22 suspensions as referred to in RCW 28A.305.160 (as recodified by this
23 act) and suspensions in excess of ten consecutive days. Such rules
24 shall not be inconsistent with any of the following: Federal statutes
25 and regulations, state statutes, common law, and the rules of the
26 superintendent of public instruction(~~, and the state board of~~
27 ~~education~~). The board's rules shall include such substantive and
28 procedural due process guarantees as prescribed by the (~~state board of~~
29 ~~education~~) superintendent of public instruction under RCW 28A.305.160
30 (as recodified by this act). (~~Commencing with the 1976-77 school~~
31 ~~year,~~) When such rules are made available to each pupil, teacher, and
32 parent, they shall be accompanied by a detailed description of rights,
33 responsibilities, and authority of teachers and principals with respect
34 to the discipline of pupils as prescribed by state statutory law, the
35 superintendent of public instruction, (~~and state board of education~~
36 ~~rules~~) and the rules (~~and regulations~~) of the school district.

1 For the purposes of this subsection, computation of days included
2 in "short-term" and "long-term" suspensions shall be determined on the
3 basis of consecutive school days.

4 (3) Suspend, expel, or discipline pupils in accordance with RCW
5 28A.305.160 (as recodified by this act).

6 NEW SECTION. **Sec. 902.** A new section is added to chapter 28A.405
7 RCW to read as follows:

8 Each school district board of directors shall adopt a policy
9 regarding the presence at their respective schools of teachers and
10 other certificated personnel before the opening of school in the
11 morning and after the closing of school in the afternoon or evening.
12 The board of directors shall make the policy available to parents and
13 the public through the school district report card and other means of
14 communication.

15 **Sec. 903.** RCW 28A.225.280 and 1990 1st ex.s. c 9 s 206 are each
16 amended to read as follows:

17 Eligibility of transfer students under RCW 28A.225.220 and
18 28A.225.225 for participation in extracurricular activities shall be
19 subject to rules adopted by the Washington interscholastic activities
20 association (~~((as authorized by the state board of education))~~).

21 **Sec. 904.** RCW 28A.600.200 and 1990 c 33 s 502 are each amended to
22 read as follows:

23 Each school district board of directors is hereby granted and shall
24 exercise the authority to control, supervise and regulate the conduct
25 of interschool athletic activities and other interschool
26 extracurricular activities of an athletic, cultural, social or
27 recreational nature for students of the district. A board of directors
28 may delegate control, supervision and regulation of any such activity
29 to the Washington interscholastic activities association or any other
30 voluntary nonprofit entity and compensate such entity for services
31 provided, subject to the following conditions:

32 (1) (~~((The voluntary nonprofit entity shall submit an annual report
33 to the state board of education of student appeal determinations,
34 assets, and financial receipts and disbursements at such time and in
35 such detail as the state board shall establish by rule;~~

1 ~~(2))~~ The voluntary nonprofit entity shall not discriminate in
2 connection with employment or membership upon its governing board, or
3 otherwise in connection with any function it performs, on the basis of
4 race, creed, national origin, sex or marital status;

5 ~~((3))~~ (2) Any rules and policies applied by the voluntary
6 nonprofit entity which govern student participation in any interschool
7 activity shall be written ~~((and subject to the annual review and
8 approval of the state board of education at such time as it shall
9 establish;~~

10 ~~(4) All amendments and repeals of such rules and policies shall be
11 subject to the review and approval of the state board)); and~~

12 ~~((5))~~ (3) Such rules and policies shall provide for notice of the
13 reasons and a fair opportunity to contest such reasons prior to a final
14 determination to reject a student's request to participate in or to
15 continue in an interschool activity. Any such decision shall be
16 considered a decision of the school district conducting the activity in
17 which the student seeks to participate or was participating and may be
18 appealed pursuant to RCW 28A.645.010 through 28A.645.030.

19 **Sec. 905.** RCW 28A.160.210 and 1989 c 178 s 20 are each amended to
20 read as follows:

21 In addition to other powers and duties, the ~~((state board of
22 education))~~ superintendent of public instruction shall adopt rules
23 ~~((and regulations))~~ governing the training and qualifications of school
24 bus drivers. Such rules ~~((and regulations))~~ shall be designed to
25 insure that persons will not be employed to operate school buses unless
26 they possess such physical health and driving skills as are necessary
27 to safely operate school buses: PROVIDED, That such rules ~~((and
28 regulations))~~ shall insure that school bus drivers are provided a due
29 process hearing before any certification required by such rules ~~((and
30 regulations))~~ is cancelled: PROVIDED FURTHER, That such rules ~~((and
31 regulations))~~ shall not conflict with the authority of the department
32 of licensing to license school bus drivers in accordance with chapter
33 46.25 RCW. The ~~((state board of education))~~ superintendent of public
34 instruction may obtain a copy of the driving record, as maintained by
35 the department of licensing, for consideration when evaluating a school
36 bus driver's driving skills.

1 **Sec. 906.** RCW 28A.160.100 and 1990 c 33 s 138 are each amended to
2 read as follows:

3 In addition to the authority otherwise provided in RCW 28A.160.010
4 through 28A.160.120 to school districts for the transportation of
5 persons, whether school children, school personnel, or otherwise, any
6 school district authorized to use school buses and drivers hired by the
7 district for the transportation of school children to and from a school
8 activity, along with such school employees as necessary for their
9 supervision, shall, if such school activity be an interscholastic
10 activity, be authorized to transport members of the general public to
11 such event and utilize the school district's buses, transportation
12 equipment and facilities, and employees therefor: PROVIDED, That
13 provision shall be made for the reimbursement and payment to the school
14 district by such members of the general public of not less than the
15 district's actual costs and the reasonable value of the use of the
16 district's buses and facilities provided in connection with such
17 transportation: PROVIDED FURTHER, That wherever private transportation
18 certified or licensed by the utilities and transportation commission or
19 public transportation is reasonably available (~~(as determined by rule
20 and regulation of the state board of education)~~), this section shall
21 not apply.

22 **Sec. 907.** RCW 28A.210.070 and 1990 c 33 s 191 are each amended to
23 read as follows:

24 As used in RCW 28A.210.060 through 28A.210.170:

25 (1) "Chief administrator" shall mean the person with the authority
26 and responsibility for the immediate supervision of the operation of a
27 school or day care center as defined in this section or, in the
28 alternative, such other person as may hereafter be designated in
29 writing for the purposes of RCW 28A.210.060 through 28A.210.170 by the
30 statutory or corporate board of directors of the school district,
31 school, or day care center or, if none, such other persons or person
32 with the authority and responsibility for the general supervision of
33 the operation of the school district, school or day care center.

34 (2) "Full immunization" shall mean immunization against certain
35 vaccine-preventable diseases in accordance with schedules and with
36 immunizing agents approved by the state board of health.

1 (3) "Local health department" shall mean the city, town, county,
2 district or combined city-county health department, board of health, or
3 health officer which provides public health services.

4 (4) "School" shall mean and include each building, facility, and
5 location at or within which any or all portions of a preschool,
6 kindergarten and grades one through twelve program of education and
7 related activities are conducted for two or more children by or in
8 behalf of any public school district and by or in behalf of any private
9 school or private institution subject to approval by the state board of
10 education pursuant to RCW 28A.305.130(~~(+6)~~), 28A.195.010 through
11 28A.195.050, and 28A.410.120.

12 (5) "Day care center" shall mean an agency which regularly provides
13 care for a group of thirteen or more children for periods of less than
14 twenty-four hours and is licensed pursuant to chapter 74.15 RCW.

15 (6) "Child" shall mean any person, regardless of age, in attendance
16 at a public or private school or a licensed day care center.

17 **Sec. 908.** RCW 28A.210.160 and 1990 c 33 s 199 are each amended to
18 read as follows:

19 The state board of (~~education~~) health shall and is hereby
20 empowered to adopt rules pursuant to chapter 34.05 RCW which establish
21 the procedural and substantive due process requirements governing the
22 exclusion of children from public and private schools pursuant to RCW
23 28A.210.120.

24 **Sec. 909.** RCW 28A.335.100 and 1975-'76 2nd ex.s. c 23 s 1 are each
25 amended to read as follows:

26 Any association established by school districts pursuant to the
27 interlocal cooperation act, chapter 39.34 RCW for the purpose of
28 jointly and cooperatively purchasing school supplies, materials and
29 equipment, if otherwise authorized for school district purposes to
30 purchase personal or real property, is (~~hereby~~) authorized(~~(, subject~~
31 ~~to rules and regulations of the state board of education,~~)
32 to mortgage, or convey a purchase money security interest in real or
33 personal property of such association of every kind, character or
34 description whatsoever, or any interest in such personal or real
35 property: PROVIDED, That any such association shall be prohibited from
36 causing any creditor of the association to acquire any rights against

1 the property, properties or assets of any of its constituent school
2 districts and any creditor of such association shall be entitled to
3 look for payment of any obligation incurred by such association solely
4 to the assets and properties of such association.

5 **Sec. 910.** RCW 28A.335.120 and 2001 c 183 s 2 are each amended to
6 read as follows:

7 (1) The board of directors of any school district of this state
8 may:

9 (a) Sell for cash, at public or private sale, and convey by deed
10 all interest of the district in or to any of the real property of the
11 district which is no longer required for school purposes; and

12 (b) Purchase real property for the purpose of locating thereon and
13 affixing thereto any house or houses and appurtenant buildings removed
14 from school sites owned by the district and sell for cash, at public or
15 private sale, and convey by deed all interest of the district in or to
16 such acquired and improved real property.

17 (2) When the board of directors of any school district proposes a
18 sale of school district real property pursuant to this section and the
19 value of the property exceeds seventy thousand dollars, the board shall
20 publish a notice of its intention to sell the property. The notice
21 shall be published at least once each week during two consecutive weeks
22 in a legal newspaper with a general circulation in the area in which
23 the school district is located. The notice shall describe the property
24 to be sold and designate the place where and the day and hour when a
25 hearing will be held. The board shall hold a public hearing upon the
26 proposal to dispose of the school district property at the place and
27 the day and hour fixed in the notice and admit evidence offered for and
28 against the propriety and advisability of the proposed sale.

29 (3) The board of directors of any school district desiring to sell
30 surplus real property shall publish a notice in a newspaper of general
31 circulation in the school district. School districts shall not sell
32 the property for at least forty-five days following the publication of
33 the newspaper notice.

34 (4) Private schools shall have the same rights as any other person
35 or entity to submit bids for the purchase of surplus real property and
36 to have such bids considered along with all other bids.

1 (5) Any sale of school district real property authorized pursuant
2 to this section shall be preceded by a market value appraisal by a
3 professionally designated real estate appraiser as defined in RCW
4 74.46.020 or a general real estate appraiser certified under chapter
5 18.140 RCW selected by the board of directors and no sale shall take
6 place if the sale price would be less than ninety percent of the
7 appraisal made by the real estate appraiser: PROVIDED, That if the
8 property has been on the market for one year or more the property may
9 be reappraised and sold for not less than seventy-five percent of the
10 reappraised value with the unanimous consent of the board.

11 (6) If in the judgment of the board of directors of any district
12 the sale of real property of the district not needed for school
13 purposes would be facilitated and greater value realized through use of
14 the services of licensed real estate brokers, a contract for such
15 services may be negotiated and concluded: PROVIDED, That the use of a
16 licensed real estate broker will not eliminate the obligation of the
17 board of directors to provide the notice described in this section:
18 PROVIDED FURTHER, That the fee or commissions charged for any broker
19 services shall not exceed seven percent of the resulting sale value for
20 a single parcel: PROVIDED FURTHER, That any professionally designated
21 real estate appraiser as defined in RCW 74.46.020 or a general real
22 estate appraiser certified under chapter 18.140 RCW selected by the
23 board to appraise the market value of a parcel of property to be sold
24 may not be a party to any contract with the school district to sell
25 such parcel of property for a period of three years after the
26 appraisal.

27 (7) If in the judgment of the board of directors of any district
28 the sale of real property of the district not needed for school
29 purposes would be facilitated and greater value realized through sale
30 on contract terms, a real estate sales contract may be executed between
31 the district and buyer(~~PROVIDED, That the terms and conditions of~~
32 ~~any such sales contract must comply with rules and regulations of the~~
33 ~~state board of education, herein authorized, governing school district~~
34 ~~real property contract sales)).~~

35 **Sec. 911.** RCW 28A.320.240 and 1969 ex.s. c 223 s 28A.58.104 are
36 each amended to read as follows:

37 (1) The purpose of this section is to identify quality criteria for

1 school library media programs that support the student learning goals
2 under RCW 28A.150.210, the essential academic learning requirements
3 under RCW 28A.655.070, and high school graduation requirements adopted
4 under RCW 28A.230.090.

5 (2) Every board of directors shall provide for the operation and
6 stocking of such libraries as the board deems necessary for the proper
7 education of the district's students or as otherwise required by law or
8 rule (~~(or regulation)~~) of the superintendent of public instruction (~~(or~~
9 ~~the state board of education)~~).

10 (3) "Teacher-librarian" means a certified teacher with a library
11 media endorsement under rules adopted by the professional educator
12 standards board.

13 (4) "School-library media program" means a school-based program
14 that is staffed by a certificated teacher-librarian and provides a
15 variety of resources that support student mastery of the essential
16 academic learning requirements in all subject areas and the
17 implementation of the district's school improvement plan.

18 (5) The teacher-librarian, through the school-library media
19 program, shall collaborate as an instructional partner to help all
20 students meet the content goals in all subject areas, and assist high
21 school students completing the culminating project and high school and
22 beyond plans required for graduation.

23 **Sec. 912.** RCW 28A.155.060 and 1995 c 77 s 12 are each amended to
24 read as follows:

25 For the purpose of carrying out the provisions of RCW 28A.155.020
26 through 28A.155.050, the board of directors of every school district
27 shall be authorized to contract with agencies approved by the (~~state~~
28 ~~board of education~~) superintendent of public instruction for operating
29 special education programs for students with disabilities. Approval
30 standards for such agencies shall conform substantially with those
31 promulgated for approval of special education aid programs in the
32 common schools.

33 **Sec. 913.** RCW 28A.600.130 and 1995 1st sp.s. c 5 s 1 are each
34 amended to read as follows:

35 The higher education coordinating board shall establish a planning
36 committee to develop criteria for screening and selection of the

1 Washington scholars each year in accordance with RCW 28A.600.110(1).
2 It is the intent that these criteria shall emphasize scholastic
3 achievement but not exclude such criteria as leadership ability and
4 community contribution in final selection procedures. The Washington
5 scholars planning committee shall have members from selected state
6 agencies and private organizations having an interest and
7 responsibility in education, including but not limited to, the (~~state~~
8 ~~board of education, the~~) office of superintendent of public
9 instruction, the council of presidents, the state board for community
10 and technical colleges, and the Washington friends of higher education.

11 **Sec. 914.** RCW 28A.650.015 and 1995 c 335 s 507 are each amended to
12 read as follows:

13 (1) The superintendent of public instruction, to the extent funds
14 are appropriated, shall develop and implement a Washington state K-12
15 education technology plan. The technology plan shall be updated on at
16 least a biennial basis, shall be developed to coordinate and expand the
17 use of education technology in the common schools of the state. The
18 plan shall be consistent with applicable provisions of chapter 43.105
19 RCW. The plan, at a minimum, shall address:

20 (a) The provision of technical assistance to schools and school
21 districts for the planning, implementation, and training of staff in
22 the use of technology in curricular and administrative functions;

23 (b) The continued development of a network to connect school
24 districts, institutions of higher learning, and other sources of on-
25 line information; and

26 (c) Methods to equitably increase the use of education technology
27 by students and school personnel throughout the state.

28 (2) The superintendent of public instruction shall appoint an
29 educational technology advisory committee to assist in the development
30 and implementation of the technology plan in subsection (1) of this
31 section. The committee shall include, but is not limited to, persons
32 representing: The (~~state board of education, the commission on~~
33 ~~student learning, the~~) department of information services, educational
34 service districts, school directors, school administrators, school
35 principals, teachers, classified staff, higher education faculty,
36 parents, students, business, labor, scientists and mathematicians, the

1 higher education coordinating board, the work force training and
2 education coordinating board, and the state library.

3 **PART 10**
4 **MISCELLANEOUS**

5 NEW SECTION. **Sec. 1001.** Part headings used in this act are not
6 any part of the law.

7 NEW SECTION. **Sec. 1002.** Section 406 of this act takes effect
8 September 1, 2009.

--- END ---