
HOUSE BILL 2246

State of Washington

60th Legislature

2007 Regular Session

By Representatives Kagi, Haler, Fromhold, Wallace, Kenney, Dickerson, Morrell, Simpson, Conway and Ormsby

Read first time 02/14/2007. Referred to Committee on Early Learning & Children's Services.

1 AN ACT Relating to the delivery of educational services to children
2 who are deaf and hearing impaired; amending RCW 72.40.010, 72.40.019,
3 72.40.024, 72.40.028, 72.40.120, 72.40.200, 72.40.210, 72.40.031,
4 72.42.010, 72.42.015, 72.42.016, 72.42.021, 72.42.041, 72.40.022,
5 72.40.070, 72.40.090, 72.40.210, 72.40.220, 72.40.230, 72.40.240,
6 72.40.250, 72.40.260, 72.40.280, 72.42.060, 26.44.210, 28A.155.160,
7 28A.310.010, 28A.310.180, 28A.310.200, 28A.335.205, 28A.400.303,
8 28A.400.305, 28A.600.420, 41.40.088, and 70.198.020; adding new
9 sections to chapter 72.42 RCW; creating new sections; repealing RCW
10 72.40.023; providing an effective date; providing an expiration date;
11 and declaring an emergency.

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

13 NEW SECTION. **Sec. 1.** The legislature finds that the education of
14 children who are deaf presents unique challenges because deafness is a
15 low-incidence disability and because deafness significantly impacts the
16 child's ability to access communication at home, at school, and in the
17 community. The legislature further finds that since the founding of
18 the school for the deaf, there have been numerous advances in
19 technology as well as a growing awareness about the importance of

1 delivering services to children in a variety of modalities to support
2 their early and continued access to communication. The legislature
3 intends to enhance the coordination of regionally delivered services
4 and supports for children who are deaf and hearing impaired and to
5 promote more communication-rich learning environments for these
6 children.

7 NEW SECTION. **Sec. 2.** A new section is added to chapter 72.42 RCW
8 to read as follows:

9 (1) There is established at Vancouver, Clark county, the Washington
10 state center for childhood deafness which shall be housed at and
11 include the school and related facilities formerly known as the state
12 school for the deaf. The center shall be under the direction of the
13 superintendent and the board of trustees. The superintendent and board
14 of trustees of the Washington school for the deaf as of the effective
15 date of this act shall be the superintendent and board of trustees of
16 the center.

17 (2) The center's primary functions shall be:

18 (a) Managing and supervising the school and the applied research
19 center located at the center;

20 (b) Providing statewide leadership and support for the coordination
21 of regionally delivered education services in the full range of
22 communication modalities, for children who are deaf and hearing
23 impaired; and

24 (c) Collaborating with public and private partners in the
25 development and operation of an applied research center for the
26 training and professional development of educators serving children who
27 are deaf and hearing impaired.

28 **Sec. 3.** RCW 72.40.010 and 2002 c 209 s 1 are each amended to read
29 as follows:

30 There ~~((are))~~ is established at Vancouver, Clark county, a school
31 which shall be known as the state school for the blind ~~((, and a
32 separate school which shall be known as the state school for the
33 deaf))~~. The primary purpose of the state school for the blind ~~((and
34 the state school for the deaf))~~ is to educate and train ~~((hearing and))~~
35 visually impaired children.

1 The school for the blind shall be under the direction of the
2 superintendent with the advice of the board of trustees. (~~The school~~
3 ~~for the deaf shall be under the direction of the superintendent and the~~
4 ~~board of trustees.~~)

5 **Sec. 4.** RCW 72.40.019 and 1985 c 378 s 14 are each amended to read
6 as follows:

7 The governor shall appoint a superintendent for the (~~state school~~
8 ~~for the deaf~~) Washington state center for childhood deafness. The
9 superintendent shall have a masters degree from an accredited college
10 or university in school administration or deaf education, five years of
11 experience teaching deaf students in the classroom, and three years
12 administrative or supervisory experience in programs for deaf students.

13 NEW SECTION. **Sec. 5.** A new section is added to chapter 72.42 RCW
14 to read as follows:

15 In addition to any other powers and duties prescribed by law, the
16 superintendent of the Washington state center for childhood deafness:

17 (1) Shall be responsible for the supervision and management of the
18 center, including the school formerly known as the state school for the
19 deaf, and the property of various kinds;

20 (2) Shall employ members of the faculty, administrative officers,
21 and other employees, who shall all be subject to chapter 41.06 RCW, the
22 state civil service law, unless specifically exempted by other
23 provisions of law;

24 (3) Shall provide technical assistance and support as appropriate
25 to local and regional efforts to build critical mass and
26 communication-rich networking opportunities for children and families;

27 (4) Shall establish the course of study including vocational
28 training and shall in collaboration with the department of social and
29 health services provide posthigh school transition planning and
30 programming services to students at the center who are deaf and hearing
31 impaired, with the assistance of the faculty and the approval of the
32 board of trustees;

33 (5) Shall, as approved by the board of trustees, control and
34 authorize the use of the facilities for night school, summer school,
35 public meetings, applied research and training for the instruction of

1 students who are deaf and hearing impaired, outreach and support to
2 families of children who are deaf and hearing impaired, or other
3 purposes consistent with the purposes of the center;

4 (6) Shall purchase all supplies and lease or purchase equipment and
5 other personal property needed for the operation or maintenance of the
6 center;

7 (7) Shall prepare, submit to the board of trustees for approval,
8 and administer the budget consistent with RCW 43.88.160 and the budget
9 and accounting act, chapter 43.88 RCW generally, as applicable;

10 (8) Shall provide technical assistance and administrative support
11 to educational service districts for the regional delivery of services
12 to students who are deaf and hearing impaired;

13 (9) May establish criteria, in addition to state certification, for
14 the teachers at the school and employees of the center;

15 (10) May establish, with the approval of the board of trustees, new
16 facilities as needs demand;

17 (11) May adopt rules, under chapter 34.05 RCW, as approved by the
18 board of trustees and as deemed necessary for the governance,
19 management, and operation of the center;

20 (12) May adopt rules, as approved by the board of trustees, for
21 pedestrian and vehicular traffic on property owned, operated, and
22 maintained by the center;

23 (13) Except as otherwise provided by law, may enter into contracts
24 as the superintendent deems essential to the purpose of the center;

25 (14) May receive gifts, grants, conveyances, devises, and bequests
26 of real or personal property from whatever source, as may be made from
27 time to time, in trust or otherwise, whenever the terms and conditions
28 will aid in carrying out the programs of the center; sell, lease, or
29 exchange, invest, or expend the same or the proceeds, rents, profits,
30 and income thereof except as limited by the terms and conditions
31 thereof; and adopt rules to govern the receipt and expenditure of the
32 proceeds, rents, profits, and income thereof;

33 (15) May adopt rules, as approved by the board of trustees,
34 providing for the transferability of employees between the center and
35 the school for the blind consistent with collective bargaining
36 agreements in effect; and

37 (16) May adopt rules under chapter 34.05 RCW, as approved by the

1 board of trustees, and perform all other acts not forbidden by law as
2 the superintendent deems necessary or appropriate to the administration
3 of the center.

4 **Sec. 6.** RCW 72.40.024 and 2002 c 209 s 4 are each amended to read
5 as follows:

6 In addition to the powers and duties under RCW 72.40.022 (~~and~~
7 ~~72.40.023~~) and section 5 of this act, the superintendent of (~~each~~)
8 the school for the blind and the superintendent of the Washington state
9 center for childhood deafness shall:

10 (1) Monitor the location and educational placement of each student
11 reported to the superintendents by the educational service district
12 superintendents;

13 (2) Provide technical assistance and support to educational service
14 districts for the regional delivery of a full range of education
15 services to students who are deaf and hard of hearing, which includes
16 American sign language, oral education, total communication, and signed
17 exact English;

18 (3) As requested by educational service districts, recruit, employ,
19 and deploy itinerant teachers to provide in-district services to
20 children who are deaf or hearing impaired;

21 (4) Provide information about educational programs, instructional
22 techniques, materials, equipment, and resources available to students
23 with visual or auditory impairments to the parent or guardian,
24 educational service district superintendent, and the superintendent of
25 the school district where the student resides; and

26 (~~(+3)~~) (5) Serve as a consultant to the office of the
27 superintendent of public instruction, provide instructional leadership,
28 and assist school districts in improving their instructional programs
29 for students with visual or hearing impairments.

30 **Sec. 7.** RCW 72.40.028 and 2006 c 263 s 829 are each amended to
31 read as follows:

32 All teachers at the (~~state school for the deaf~~) Washington state
33 center for childhood deafness and the state school for the blind shall
34 meet all certification requirements and the programs shall meet all
35 accreditation requirements and conform to the standards defined by law
36 or by rule of the Washington professional educator standards board or

1 the office of the state superintendent of public instruction. The
2 superintendents, by rule, may adopt additional educational standards
3 for their respective (~~schools~~) facilities. Salaries of all
4 certificated employees shall be set so as to conform to and be
5 contemporary with salaries paid to other certificated employees of
6 similar background and experience in the school district in which the
7 program or facility is located. The superintendents may provide for
8 provisional certification for teachers in their respective (~~schools~~)
9 facilities including certification for emergency, temporary,
10 substitute, or provisional duty.

11 **Sec. 8.** RCW 72.40.120 and 1991 c 65 s 1 are each amended to read
12 as follows:

13 Any appropriation for the (~~school for the deaf~~) Washington state
14 center for childhood deafness or the school for the blind shall be made
15 directly to the (~~school for the deaf~~) center or the school for the
16 blind.

17 **Sec. 9.** RCW 72.40.200 and 2000 c 125 s 1 are each amended to read
18 as follows:

19 The (~~state school for the deaf~~) Washington state center for
20 childhood deafness and the state school for the blind shall promote the
21 personal safety of students and protect the children who attend from
22 child abuse and neglect as defined in RCW 26.44.020.

23 **Sec. 10.** RCW 72.40.210 and 2000 c 125 s 2 are each amended to read
24 as follows:

25 The superintendents of the (~~state school for the deaf~~) Washington
26 state center for childhood deafness and the state school for the blind
27 or their designees shall immediately report to the persons indicated
28 the following events:

29 (1) To the child's parent, custodian, or guardian:

30 (a) The death of the child;

31 (b) Hospitalization of a child in attendance or residence at the
32 (~~school~~) facility;

33 (c) Allegations of child abuse or neglect in which the parent's
34 child in attendance or residence at the (~~school~~) facility is the
35 alleged victim;

1 (d) Allegations of physical or sexual abuse in which the parent's
2 child in attendance or residence at the (~~school~~) facility is the
3 alleged perpetrator;

4 (e) Life-threatening illness;

5 (f) The attendance at the (~~school~~) facility of any child who is
6 a registered sex offender under RCW 9A.44.130 as permitted by RCW
7 4.24.550.

8 (2) Notification to the parent shall be made by the means most
9 likely to be received by the parent. If initial notification is made
10 by telephone, such notification shall be followed by notification in
11 writing within forty-eight hours after the initial oral contact is
12 made.

13 NEW SECTION. **Sec. 11.** (1) The state school for the deaf is hereby
14 abolished and its powers, duties, and functions are hereby transferred
15 to the Washington state center for childhood deafness. All references
16 to the superintendent or the state school for the deaf in the Revised
17 Code of Washington shall be construed to mean the superintendent or the
18 Washington state center for childhood deafness.

19 (2)(a) All reports, documents, surveys, books, records, files,
20 papers, or written material in the possession of the state school for
21 the deaf shall be delivered to the custody of the Washington state
22 center for childhood deafness. All cabinets, furniture, office
23 equipment, motor vehicles, and other tangible property employed by the
24 state school for the deaf shall be made available to the Washington
25 state center for childhood deafness. All funds, credits, or other
26 assets held by the state school for the deaf shall be assigned to the
27 Washington state center for childhood deafness.

28 (b) Any appropriations made to the state school for the deaf shall,
29 on the effective date of this section, be transferred and credited to
30 the Washington state center for childhood deafness.

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

1 (3) All employees of the state school for the deaf are transferred
2 to the jurisdiction of the Washington state center for childhood
3 deafness. All employees classified under chapter 41.06 RCW, the state
4 civil service law, are assigned to the Washington state center for
5 childhood deafness to perform their usual duties upon the same terms as
6 formerly, without any loss of rights, subject to any action that may be
7 appropriate thereafter in accordance with the laws and rules governing
8 state civil service.

9 (4) All rules and all pending business before the state school for
10 the deaf shall be continued and acted upon by the Washington state
11 center for childhood deafness. All existing contracts and obligations
12 shall remain in full force and shall be performed by the Washington
13 state center for childhood deafness.

14 (5) The transfer of the powers, duties, functions, and personnel of
15 the state school for the deaf shall not affect the validity of any act
16 performed before the effective date of this section.

17 (6) If apportionments of budgeted funds are required because of the
18 transfers directed by this section, the director of financial
19 management shall certify the apportionments to the agencies affected,
20 the state auditor, and the state treasurer. Each of these shall make
21 the appropriate transfer and adjustments in funds and appropriation
22 accounts and equipment records in accordance with the certification.

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

28 **Sec. 12.** RCW 72.40.031 and 1985 c 378 s 16 are each amended to
29 read as follows:

30 The school year for the state school for the blind and the
31 ((state)) school ((for the deaf)) located at the Washington state
32 center for childhood deafness shall commence on the first day of July
33 of each year and shall terminate on the 30th day of June of the
34 succeeding year. The regular school term shall be for a period of nine
35 months and shall commence as near as reasonably practical at the time
36 of the commencement of regular terms in ((the)) other public schools,
37 with the equivalent number of days as are now required by law, and the

1 regulations of the superintendent of public instruction as now or
2 hereafter amended, during the school year in ~~((the))~~ other public
3 schools. The school and the center shall observe all legal holidays,
4 in the same manner as other agencies of state government, and ~~((the~~
5 ~~schools))~~ will not be in session on such days and such other days as
6 may be approved by the respective superintendents. During the period
7 when the schools are not in session during the regular school term,
8 schools may be operated, subject to the approval of the respective
9 superintendents, for the instruction of students or for such other
10 reasons which are in furtherance of the objects and purposes of ~~((such~~
11 ~~schools))~~ the respective facilities.

12 **Sec. 13.** RCW 72.42.010 and 2002 c 209 s 5 are each amended to read
13 as follows:

14 It is the intention of the legislature, in creating a board of
15 trustees for the ~~((state school for the deaf))~~ Washington state center
16 for childhood deafness to perform the duties set forth in this chapter,
17 that the board of trustees perform needed oversight services to the
18 governor and the legislature of the ~~((Washington state school for the~~
19 ~~deaf))~~ center in the development of programs for the hearing impaired,
20 and in the operation of the ~~((Washington state))~~ school ~~((for the~~
21 ~~deaf))~~ located at the center.

22 **Sec. 14.** RCW 72.42.015 and 1985 c 378 s 32 are each amended to
23 read as follows:

24 Unless the context clearly requires otherwise as used in this
25 chapter "superintendent" means superintendent of the Washington state
26 ~~((school for the deaf))~~ center for childhood deafness.

27 **Sec. 15.** RCW 72.42.016 and 2002 c 209 s 6 are each amended to read
28 as follows:

29 Unless the context clearly requires otherwise, as used in this
30 chapter:

31 (1) "Center" means the Washington state center for childhood
32 deafness; and

33 (2) "School" means the ~~((Washington state))~~ school ~~((for the deaf))~~
34 located at the center.

1 **Sec. 16.** RCW 72.42.021 and 2002 c 209 s 7 are each amended to read
2 as follows:

3 (1) The governance of the center and the school shall be vested in
4 a board of trustees. The board shall consist of nine members appointed
5 by the governor, with the consent of the senate. The board shall be
6 composed of a resident from each of the state's congressional districts
7 and may include:

8 (a) One member who is deaf or hearing impaired;

9 (b) Two members who are experienced educational professionals;

10 (c) One member who is experienced in providing residential services
11 to youth; and

12 (d) One member who is the parent of a child who is deaf or hearing
13 impaired and who is receiving or has received educational services
14 related to deafness or hearing impairment from a public educational
15 institution.

16 (2) No voting trustee may be an employee of the school or the
17 center, a member of the board of directors of any school district, a
18 member of the governing board of any public or private educational
19 institution, a school district or educational service district
20 administrator appointed after July 1, 1986, or an elected officer or
21 member of the legislative authority of any municipal corporation.

22 (3) Trustees shall be appointed by the governor to serve a term of
23 five years, except that any person appointed to fill a vacancy
24 occurring prior to the expiration of a term shall be appointed within
25 sixty days of the vacancy and appointed only for the remainder of the
26 term. Of the initial members, three must be appointed for two-year
27 terms, three must be appointed for three-year terms, and the remainder
28 must be appointed for five-year terms.

29 (4) The board shall not be deemed unlawfully constituted and a
30 trustee shall not be deemed ineligible to serve the remainder of the
31 trustee's unexpired term on the board solely by reason of the
32 establishment of new or revised boundaries for congressional districts.
33 In such an event, each trustee may continue to serve in office for the
34 balance of the term for which he or she was appointed so long as the
35 trustee continues to reside within the boundaries of the congressional
36 district as they existed at the time of his or her appointment.
37 Vacancies which occur in a trustee position during the balance of any
38 term shall be filled pursuant to subsection (3) of this section by a

1 successor who resides within the boundaries of the congressional
2 district from which the member whose office was vacated was appointed
3 as they existed at the time of his or her appointment. At the
4 completion of such term, and thereafter, a successor shall be appointed
5 from the congressional district which corresponds in number with the
6 congressional district from which the incumbent was appointed.

7 **Sec. 17.** RCW 72.42.041 and 2002 c 209 s 8 are each amended to read
8 as follows:

9 The board of trustees of the ((~~school~~)) center:

10 (1) Shall adopt rules and regulations for its own governance;

11 (2) Shall direct the development of, approve, and monitor the
12 enforcement of policies, rules, and regulations pertaining to the
13 ((~~school~~)) center, including but not limited to:

14 (a) The use of classrooms and other facilities for summer or night
15 schools or for public meetings and any other uses consistent with the
16 mission of the center;

17 (b) Pedestrian and vehicular traffic on property owned, operated,
18 or maintained by the ((~~school~~)) center;

19 (c) Governance, management, and operation of the residential
20 facilities;

21 (d) Transferability of employees between the ((~~school for the~~
22 ~~deaf~~)) center and the school for the blind consistent with collective
23 bargaining agreements in effect; and

24 (e) Compliance with state and federal education civil rights laws
25 at the school;

26 (3) Shall develop a process for recommending candidates for the
27 position of superintendent and upon a vacancy shall submit a list of
28 three qualified candidates for superintendent to the governor;

29 (4) Shall submit an evaluation of the superintendent to the
30 governor by July 1st of each odd-numbered year that includes a
31 recommendation regarding the retention of the superintendent;

32 (5) May recommend to the governor at any time that the
33 superintendent be removed for conduct deemed by the board to be
34 detrimental to the interests of the ((~~school~~)) center;

35 (6) Shall prepare and submit by July 1st of each even-numbered year
36 a report to the governor and the appropriate committees of the
37 legislature which contains a detailed summary of the ((~~school's~~))

1 center's progress on performance objectives and the ((~~school's~~))
2 center's work, facility conditions, and revenues and costs of the
3 ((~~school~~)) center for the previous year and which contains those
4 recommendations it deems necessary and advisable for the governor and
5 the legislature to act on;

6 (7) Shall approve the ((~~school's~~)) center's budget and all funding
7 requests, both operating and capital, submitted to the governor;

8 (8) Shall direct and approve the development and implementation of
9 comprehensive programs of education, training, and as needed
10 residential living, such that students served by the ((~~school~~)) center
11 receive a challenging and quality education in a safe school
12 environment;

13 (9) Shall direct, monitor, and approve the implementation of a
14 comprehensive continuous quality improvement system for the ((~~school~~))
15 center;

16 (10) Shall monitor and inspect all existing facilities of the
17 ((~~school~~)) center and report its findings in its biennial report to the
18 governor and appropriate committees of the legislature; and

19 (11) May grant to every student of the school at the center, upon
20 graduation or completion of a program or course of study, a suitable
21 diploma, nonbaccalaureate degree, or certificate.

22 **Sec. 18.** RCW 72.40.022 and 2002 c 209 s 2 are each amended to read
23 as follows:

24 In addition to any other powers and duties prescribed by law, the
25 superintendent of the state school for the blind:

26 (1) Shall have full control of the school and the property of
27 various kinds.

28 (2) May establish criteria, in addition to state certification, for
29 teachers at the school.

30 (3) Shall employ members of the faculty, administrative officers,
31 and other employees, who shall all be subject to chapter 41.06 RCW, the
32 state civil service law, unless specifically exempted by other
33 provisions of law.

34 (4) Shall establish the course of study including vocational
35 training, with the assistance of the faculty and the advice of the
36 board of trustees.

37 (5) May establish new facilities as needs demand.

1 (6) May adopt rules, under chapter 34.05 RCW, as deemed necessary
2 for the government, management, and operation of the housing
3 facilities.

4 (7) Shall control the use of the facilities and authorize the use
5 of the facilities for night school, summer school, public meetings, or
6 other purposes consistent with the purposes of the school.

7 (8) May adopt rules for pedestrian and vehicular traffic on
8 property owned, operated, and maintained by the school.

9 (9) Shall purchase all supplies and lease or purchase equipment and
10 other personal property needed for the operation or maintenance of the
11 school.

12 (10) Except as otherwise provided by law, may enter into contracts
13 as the superintendent deems essential to the purpose of the school.

14 (11) May receive gifts, grants, conveyances, devises, and bequests
15 of real or personal property from whatever source, as may be made from
16 time to time, in trust or otherwise, whenever the terms and conditions
17 will aid in carrying out the programs of the school; sell, lease or
18 exchange, invest, or expend the same or the proceeds, rents, profits,
19 and income thereof except as limited by the terms and conditions
20 thereof; and adopt rules to govern the receipt and expenditure of the
21 proceeds, rents, profits, and income thereof.

22 (12) May, except as otherwise provided by law, enter into contracts
23 the superintendent deems essential for the operation of the school.

24 (13) May adopt rules providing for the transferability of employees
25 between the ((~~school for the deaf~~)) Washington state center for
26 childhood deafness and the school for the blind consistent with
27 collective bargaining agreements in effect.

28 (14) Shall prepare and administer the school's budget consistent
29 with RCW 43.88.160 and the budget and accounting act, chapter 43.88 RCW
30 generally, as applicable.

31 (15) May adopt rules under chapter 34.05 RCW and perform all other
32 acts not forbidden by law as the superintendent deems necessary or
33 appropriate to the administration of the school.

34 **Sec. 19.** RCW 72.40.070 and 1985 c 378 s 22 are each amended to
35 read as follows:

36 It shall be the duty of each educational service district to make
37 a full and specific report of visually or hearing impaired youth to the

1 superintendent of the school for the blind or the (~~school for the~~
2 ~~deaf~~) Washington state center for childhood deafness, as the case may
3 be and the superintendent of public instruction, annually. The
4 superintendent of public instruction shall report about the hearing or
5 visually impaired youth to the school for the blind and the (~~school~~
6 ~~for the deaf~~) Washington state center for childhood deafness, as the
7 case may be, annually.

8 **Sec. 20.** RCW 72.40.090 and 1993 c 147 s 5 are each amended to read
9 as follows:

10 Notwithstanding any other provision of law, the state school for
11 the blind and the (~~school for the deaf~~) Washington state center for
12 childhood deafness may arrange and provide for weekend transportation
13 to and from (~~schools~~) the facilities. This transportation shall be
14 at no cost to students and parents, as allowed within the
15 appropriations allocated to the (~~schools~~) facilities.

16 **Sec. 21.** RCW 72.40.210 and 2000 c 125 s 2 are each amended to read
17 as follows:

18 The superintendents of the (~~state school for the deaf~~) Washington
19 state center for childhood deafness and the state school for the blind
20 or their designees shall immediately report to the persons indicated
21 the following events:

- 22 (1) To the child's parent, custodian, or guardian:
 - 23 (a) The death of the child;
 - 24 (b) Hospitalization of a child in attendance or residence at the
25 (~~school~~) facility;
 - 26 (c) Allegations of child abuse or neglect in which the parent's
27 child in attendance or residence at the (~~school~~) facility is the
28 alleged victim;
 - 29 (d) Allegations of physical or sexual abuse in which the parent's
30 child in attendance or residence at the (~~school~~) facility is the
31 alleged perpetrator;
 - 32 (e) Life-threatening illness;
 - 33 (f) The attendance at the (~~school~~) facility of any child who is
34 a registered sex offender under RCW 9A.44.130 as permitted by RCW
35 4.24.550.

1 (2) Notification to the parent shall be made by the means most
2 likely to be received by the parent. If initial notification is made
3 by telephone, such notification shall be followed by notification in
4 writing within forty-eight hours after the initial oral contact is
5 made.

6 **Sec. 22.** RCW 72.40.220 and 2000 c 125 s 3 are each amended to read
7 as follows:

8 (1) The superintendents of the (~~state school for the deaf~~)
9 Washington state center for childhood deafness and the state school for
10 the blind shall maintain in writing and implement behavior management
11 policies and procedures that accomplish the following:

- 12 (a) Support the child's appropriate social behavior, self-control,
13 and the rights of others;
- 14 (b) Foster dignity and self-respect for the child;
- 15 (c) Reflect the ages and developmental levels of children in care.

16 (2) The (~~state school for the deaf~~) Washington state center for
17 childhood deafness and the state school for the blind shall use
18 proactive, positive behavior support techniques to manage potential
19 child behavior problems. These techniques shall include but not be
20 limited to:

- 21 (a) Organization of the physical environment and staffing patterns
22 to reduce factors leading to behavior incidents;
- 23 (b) Intervention before behavior becomes disruptive, in the least
24 invasive and least restrictive manner available;
- 25 (c) Emphasis on verbal deescalation to calm the upset child;
- 26 (d) Redirection strategies to present the child with alternative
27 resolution choices.

28 **Sec. 23.** RCW 72.40.230 and 2000 c 125 s 4 are each amended to read
29 as follows:

30 (1) The (~~state school for the deaf~~) Washington state center for
31 childhood deafness and the state school for the blind shall ensure that
32 all staff, within two months of beginning employment, complete a
33 minimum of fifteen hours of job orientation which shall include, but is
34 not limited to, presentation of the standard operating procedures
35 manual for each (~~school~~) facility, describing all policies and
36 procedures specific to the (~~school~~) facility.

1 (2) The (~~state school for the deaf~~) Washington state center for
2 childhood deafness and the state school for the blind shall ensure that
3 all new staff receive thirty-two hours of job specific training within
4 ninety days of employment which shall include, but is not limited to,
5 promoting and protecting student personal safety. All staff shall
6 receive thirty-two hours of ongoing training in these areas every two
7 years.

8 **Sec. 24.** RCW 72.40.240 and 2000 c 125 s 5 are each amended to read
9 as follows:

10 The residential program at the (~~state school for the deaf~~)
11 Washington state center for childhood deafness and the state school for
12 the blind shall employ residential staff in sufficient numbers to
13 ensure the physical and emotional needs of the residents are met.
14 Residential staff shall be on duty in sufficient numbers to ensure the
15 safety of the children residing there.

16 For purposes of this section, "residential staff" means staff in
17 charge of supervising the day-to-day living situation of the children
18 in the residential portion of the (~~schools~~) facilities.

19 **Sec. 25.** RCW 72.40.250 and 2000 c 125 s 6 are each amended to read
20 as follows:

21 In addition to the powers and duties under RCW 72.40.022 and
22 72.40.024, the superintendents of the (~~state school for the deaf~~)
23 Washington state center for childhood deafness and the state school for
24 the blind shall:

25 (1) Develop written procedures for the supervision of employees and
26 volunteers who have the potential for contact with students. Such
27 procedures shall be designed to prevent child abuse and neglect by
28 providing for adequate supervision of such employees and volunteers,
29 taking into consideration such factors as the student population
30 served, architectural factors, and the size of the facility. Such
31 procedures shall include, but need not be limited to, the following:

32 (a) Staffing patterns and the rationale for such;

33 (b) Responsibilities of supervisors;

34 (c) The method by which staff and volunteers are made aware of the
35 identity of all supervisors, including designated on-site supervisors;

1 (d) Provision of written supervisory guidelines to employees and
2 volunteers;

3 (e) Periodic supervisory conferences for employees and volunteers;
4 and

5 (f) Written performance evaluations of staff to be conducted by
6 supervisors in a manner consistent with applicable provisions of the
7 civil service law.

8 (2) Develop written procedures for the protection of students when
9 there is reason to believe an incident has occurred which would render
10 a child student an abused or neglected child within the meaning of RCW
11 26.44.020. Such procedures shall include, but need not be limited to,
12 the following:

13 (a) Investigation. Immediately upon notification that a report of
14 child abuse or neglect has been made to the department of social and
15 health services or a law enforcement agency, the superintendent shall:

16 (i) Preserve any potential evidence through such actions as
17 securing the area where suspected abuse or neglect occurred;

18 (ii) Obtain proper and prompt medical evaluation and treatment, as
19 needed, with documentation of any evidence of abuse or neglect; and

20 (iii) Provide necessary assistance to the department of social and
21 health services and local law enforcement in their investigations;

22 (b) Safety. Upon notification that a report of suspected child
23 abuse or neglect has been made to the department of social and health
24 services or a law enforcement agency, the superintendent or his or her
25 designee, with consideration for causing as little disruption as
26 possible to the daily routines of the students, shall evaluate the
27 situation and immediately take appropriate action to assure the health
28 and safety of the students involved in the report and of any other
29 students similarly situated, and take such additional action as is
30 necessary to prevent future acts of abuse or neglect. Such action may
31 include:

32 (i) Consistent with federal and state law:

33 (A) Removing the alleged perpetrator from the school;

34 (B) Increasing the degree of supervision of the alleged
35 perpetrator; and

36 (C) Initiating appropriate disciplinary action against the alleged
37 perpetrator;

1 (ii) Provision of increased training and increased supervision to
2 volunteers and staff pertinent to the prevention and remediation of
3 abuse and neglect;

4 (iii) Temporary removal of the students from a program and
5 reassignment of the students within the school, as an emergency
6 measure, if it is determined that there is a risk to the health or
7 safety of such students in remaining in that program. Whenever a
8 student is removed, pursuant to this subsection (2)(b)(iii), from a
9 special education program or service specified in his or her
10 individualized education program, the action shall be reviewed in an
11 individualized education program meeting; and

12 (iv) Provision of counseling to the students involved in the report
13 or any other students, as appropriate;

14 (c) Corrective action plans. Upon receipt of the results of an
15 investigation by the department of social and health services pursuant
16 to a report of suspected child abuse or neglect, the superintendent,
17 after consideration of any recommendations by the department of social
18 and health services for preventive and remedial action, shall implement
19 a written plan of action designed to assure the continued health and
20 safety of students and to provide for the prevention of future acts of
21 abuse or neglect.

22 **Sec. 26.** RCW 72.40.260 and 2000 c 125 s 7 are each amended to read
23 as follows:

24 In consideration of the needs and circumstances of the program, the
25 (~~state school for the deaf~~) Washington state center for childhood
26 deafness and the state school for the blind shall provide instruction
27 to all students in techniques and procedures which will enable the
28 students to protect themselves from abuse and neglect. Such
29 instruction shall be described in a written plan to be submitted to the
30 board of trustees for review and approval, and shall be:

31 (1) Appropriate for the age, individual needs, and particular
32 circumstances of students, including the existence of mental, physical,
33 emotional, or sensory disabilities;

34 (2) Provided at different times throughout the year in a manner
35 which will ensure that all students receive such instruction; and

36 (3) Provided by individuals who possess appropriate knowledge and
37 training, documentation of which shall be maintained by the school.

1 **Sec. 27.** RCW 72.40.280 and 2002 c 208 s 2 are each amended to read
2 as follows:

3 (1) The department of social and health services must periodically
4 monitor the residential program at the (~~state school for the deaf~~)
5 Washington state center for childhood deafness, including but not
6 limited to examining the residential-related policies and procedures as
7 well as the residential facilities. The department of social and
8 health services must make recommendations to the (~~school's~~) center's
9 superintendent and the board of trustees or its successor board on
10 health and safety improvements related to child safety and well-being.
11 The department of social and health services must conduct the
12 monitoring reviews at least quarterly until December 1, 2006.

13 (2) The department of social and health services must conduct a
14 comprehensive child health and safety review, as defined in rule, of
15 the residential program at the (~~state school for the deaf~~) Washington
16 state center for childhood deafness every three years. The department
17 of social and health services must deliver the first health and safety
18 review to the governor, the legislature, the (~~school's~~) center's
19 superintendent, and the (~~school's~~) center's board of trustees or
20 successor board by December 1, 2004.

21 (3) The (~~state school for the deaf~~) Washington state center for
22 childhood deafness must provide the department of social and health
23 services' staff with full and complete access to all records and
24 documents that the department staff may request to carry out the
25 requirements of this section. The department of social and health
26 services must have full and complete access to all students and staff
27 of the (~~state school for the deaf~~) Washington state center for
28 childhood deafness to conduct interviews to carry out the requirements
29 of this section.

30 (4) For the purposes of this section, the department of social and
31 health services must use the safety standards established in this
32 chapter when conducting the reviews.

33 **Sec. 28.** RCW 72.42.060 and 1975-'76 2nd ex.s. c 34 s 168 are each
34 amended to read as follows:

35 Each member of the board of trustees shall receive travel expenses
36 as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter

1 amended, and such payments shall be a proper charge to any funds
2 appropriated or allocated for the support of the ((~~state school for the~~
3 ~~deaf~~)) Washington state center for childhood deafness.

4 **Sec. 29.** RCW 26.44.210 and 2002 c 208 s 1 are each amended to read
5 as follows:

6 (1) The department must investigate referrals of alleged child
7 abuse or neglect occurring at the ((~~state school for the deaf~~))
8 Washington state center for childhood deafness, including alleged
9 incidents involving students abusing other students; determine whether
10 there is a finding of abuse or neglect; and determine whether a
11 referral to law enforcement is appropriate under this chapter.

12 (2) The department must send a copy of the investigation report,
13 including the finding, regarding any incidents of alleged child abuse
14 or neglect at the ((~~state school for the deaf~~)) Washington state center
15 for childhood deafness to the ((~~school's~~)) center's superintendent.
16 The department may include recommendations to the superintendent and
17 the board of trustees or its successor board for increasing the safety
18 of the school's students.

19 **Sec. 30.** RCW 28A.155.160 and 1997 c 104 s 3 are each amended to
20 read as follows:

21 Notwithstanding any other provision of law, the office of the
22 superintendent of public instruction, the Washington state ((~~school for~~
23 ~~the deaf~~)) center for childhood deafness, the Washington state school
24 for the blind, school districts, educational service districts, and all
25 other state and local government educational agencies and the
26 department of services for the blind, the department of social and
27 health services, and all other state and local government agencies
28 concerned with the care, education, or habilitation or rehabilitation
29 of children with disabilities may enter into interagency cooperative
30 agreements for the purpose of providing assistive technology devices
31 and services to children with disabilities. Such arrangements may
32 include but are not limited to interagency agreements for the
33 acquisition, including joint funding, maintenance, loan, sale, lease,
34 or transfer of assistive technology devices and for the provision of
35 assistive technology services including but not limited to assistive
36 technology assessments and training.

1 For the purposes of this section, "assistive device" means any
2 item, piece of equipment, or product system, whether acquired
3 commercially off-the-shelf, modified, or customized, that is used to
4 increase, maintain, or improve functional capabilities of children with
5 disabilities. The term "assistive technology service" means any
6 service that directly assists a child with a disability in the
7 selection, acquisition, or use of an assistive technology device.
8 Assistive technology service includes:

9 (1) The evaluation of the needs of a child with a disability,
10 including a functional evaluation of the child in the child's customary
11 environment;

12 (2) Purchasing, leasing, or otherwise providing for the acquisition
13 of assistive technology devices by children with disabilities;

14 (3) Selecting, designing, fitting, customizing, adapting, applying,
15 retaining, repairing, or replacing of assistive technology devices;

16 (4) Coordinating and using other therapies, interventions, or
17 services with assistive technology devices, such as those associated
18 with existing education and rehabilitation plans and programs;

19 (5) Training or technical assistance for a child with a disability
20 or if appropriate, the child's family; and

21 (6) Training or technical assistance for professionals, including
22 individuals providing education and rehabilitation services, employers,
23 or other individuals who provide services to, employ, or are otherwise
24 substantially involved in the major life functions of children with
25 disabilities.

26 **Sec. 31.** RCW 28A.310.010 and 1988 c 65 s 1 are each amended to
27 read as follows:

28 It shall be the intent and purpose of this chapter to establish
29 educational service districts as regional agencies which are intended
30 to:

31 (1) Provide cooperative and informational services to local school
32 districts;

33 (2) Assist the superintendent of public instruction and the state
34 board of education in the performance of their respective statutory or
35 constitutional duties; and

36 (3) Provide services to school districts and to the (~~school for~~

1 ~~the deaf~~) Washington state center for childhood deafness and the
2 school for the blind to assure equal educational opportunities.

3 **Sec. 32.** RCW 28A.310.180 and 1990 c 33 s 276 are each amended to
4 read as follows:

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

7 (1) Comply with rules or regulations of the state board of
8 education and the superintendent of public instruction.

9 (2) If the district board deems necessary, establish and operate
10 for the schools within the boundaries of the educational service
11 district a depository and distribution center for films, tapes, charts,
12 maps, and other instructional material as recommended by the school
13 district superintendents within the service area of the educational
14 service district: PROVIDED, That the district may also provide the
15 services of the depository and distribution center to private schools
16 within the district so long as such private schools pay such fees that
17 reflect actual costs for services and the use of instructional
18 materials as may be established by the educational service district
19 board.

20 (3) Establish cooperative service programs for school districts
21 within the educational service district and joint purchasing programs
22 for schools within the educational service district pursuant to RCW
23 28A.320.080(3): PROVIDED, That on matters relating to cooperative
24 service programs the board and superintendent of the educational
25 service district shall seek the prior advice of the superintendents of
26 local school districts within the educational service district.

27 (4) Establish direct student service programs for school districts
28 within the educational service district including pupil transportation.
29 However, for the provision of state-funded pupil transportation for
30 special education cooperatives programs for special education conducted
31 under RCW 28A.155.010 through 28A.155.100, the educational service
32 district, with the consent of the participating school districts, shall
33 be entitled to receive directly state apportionment funds for that
34 purpose: PROVIDED, That the board of directors and superintendent of
35 a local school district request the educational service district to
36 perform said service or services: PROVIDED FURTHER, That the
37 educational service district board of directors and superintendents

1 agree to provide the requested services: PROVIDED, FURTHER, That the
2 provisions of chapter 39.34 RCW are strictly adhered to: PROVIDED
3 FURTHER, That the educational service district board of directors may
4 contract with the ((~~school for the deaf~~)) Washington state center for
5 childhood deafness and the school for the blind to provide
6 transportation services.

7 **Sec. 33.** RCW 28A.310.200 and 2006 c 263 s 610 are each amended to
8 read as follows:

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

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

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

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

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

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

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

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

11 (8) Adopt such bylaws and rules for its own operation as it deems
12 necessary or appropriate; and

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

20 **Sec. 34.** RCW 28A.335.205 and 1997 c 104 s 2 are each amended to
21 read as follows:

22 Notwithstanding any other provision of law, the office of the
23 superintendent of public instruction, the Washington state school for
24 the blind, the Washington state ((~~school for the deaf~~)) center for
25 childhood deafness, school districts, educational service districts,
26 and all other state or local governmental agencies concerned with
27 education may loan, lease, sell, or transfer assistive devices for the
28 use and benefit of children with disabilities to children with
29 disabilities or their parents or to any other public or private
30 nonprofit agency providing services to or on behalf of individuals with
31 disabilities including but not limited to any agency providing
32 educational, health, or rehabilitation services. The notice
33 requirement in RCW 28A.335.180 does not apply to the loan, lease, sale,
34 or transfer of such assistive devices. The sale or transfer of such
35 devices is authorized under this section regardless of whether or not
36 the devices have been declared surplus. The sale or transfer shall be

1 recorded in an agreement between the parties and based upon the item's
2 depreciated value.

3 For the purposes of this section, "assistive device" means any
4 item, piece of equipment, or product system, whether acquired
5 commercially off-the-shelf, modified, or customized, that is used to
6 increase, maintain, or improve functional capabilities of children with
7 disabilities.

8 For the purpose of implementing this section, each educational
9 agency shall establish and maintain an inventory of assistive
10 technology devices in its possession that exceed one hundred dollars
11 and, for each such device, shall establish a value, which shall be
12 adjusted annually to reflect depreciation.

13 This section shall not enhance or diminish the obligation of school
14 districts to provide assistive technology to children with disabilities
15 where needed to achieve a free and appropriate public education and
16 equal opportunity in accessing academic and extracurricular activities.

17 **Sec. 35.** RCW 28A.400.303 and 2001 c 296 s 3 are each amended to
18 read as follows:

19 School districts, educational service districts, the (~~state school~~
20 ~~for the deaf~~) Washington state center for childhood deafness, the
21 state school for the blind, and their contractors hiring employees who
22 will have regularly scheduled unsupervised access to children shall
23 require a record check through the Washington state patrol criminal
24 identification system under RCW 43.43.830 through 43.43.834, 10.97.030,
25 and 10.97.050 and through the federal bureau of investigation before
26 hiring an employee. The record check shall include a fingerprint check
27 using a complete Washington state criminal identification fingerprint
28 card. The requesting entity shall provide a copy of the record report
29 to the applicant. When necessary, applicants may be employed on a
30 conditional basis pending completion of the investigation. If the
31 applicant has had a record check within the previous two years, the
32 district, the (~~state school for the deaf~~) Washington state center for
33 childhood deafness, the state school for the blind, or contractor may
34 waive the requirement. The district, pursuant to chapter 41.59 or
35 41.56 RCW, the (~~state school for the deaf~~) Washington state center
36 for childhood deafness, the state school for the blind, or contractor

1 hiring the employee shall determine who shall pay costs associated with
2 the record check.

3 **Sec. 36.** RCW 28A.400.305 and 2001 c 296 s 4 are each amended to
4 read as follows:

5 The superintendent of public instruction shall adopt rules as
6 necessary under chapter 34.05 RCW on record check information. The
7 rules shall include, but not be limited to the following:

8 (1) Written procedures providing a school district, (~~state school~~
9 ~~for the deaf~~) Washington state center for childhood deafness, or state
10 school for the blind employee or applicant for certification or
11 employment access to and review of information obtained based on the
12 record check required under RCW 28A.400.303; and

13 (2) Written procedures limiting access to the superintendent of
14 public instruction record check data base to only those individuals
15 processing record check information at the office of the superintendent
16 of public instruction, the appropriate school district or districts,
17 the (~~state school for the deaf~~) Washington state center for childhood
18 deafness, the state school for the blind, and the appropriate
19 educational service district or districts.

20 **Sec. 37.** RCW 28A.600.420 and 1997 c 265 s 5 are each amended to
21 read as follows:

22 (1) Any elementary or secondary school student who is determined to
23 have carried a firearm onto, or to have possessed a firearm on, public
24 elementary or secondary school premises, public school-provided
25 transportation, or areas of facilities while being used exclusively by
26 public schools, shall be expelled from school for not less than one
27 year under RCW 28A.600.010. The superintendent of the school district,
28 educational service district, (~~state school for the deaf~~) Washington
29 state center for childhood deafness, or state school for the blind may
30 modify the expulsion of a student on a case-by-case basis.

31 (2) For purposes of this section, "firearm" means a firearm as
32 defined in 18 U.S.C. Sec. 921, and a "firearm" as defined in RCW
33 9.41.010.

34 (3) This section shall be construed in a manner consistent with the
35 individuals with disabilities education act, 20 U.S.C. Sec. 1401 et
36 seq.

1 (4) Nothing in this section prevents a public school district,
2 educational service district, the (~~state school for the deaf~~)
3 Washington state center for childhood deafness, or the state school for
4 the blind if it has expelled a student from such student's regular
5 school setting from providing educational services to the student in an
6 alternative setting.

7 (5) This section does not apply to:

8 (a) Any student while engaged in military education authorized by
9 school authorities in which rifles are used but not other firearms; or

10 (b) Any student while involved in a convention, showing,
11 demonstration, lecture, or firearms safety course authorized by school
12 authorities in which the rifles of collectors or instructors are
13 handled or displayed but not other firearms; or

14 (c) Any student while participating in a rifle competition
15 authorized by school authorities.

16 (6) A school district may suspend or expel a student for up to one
17 year subject to subsections (1), (3), (4), and (5) of this section, if
18 the student acts with malice as defined under RCW 9A.04.110 and
19 displays an instrument that appeared [appears] to be a firearm, on
20 public elementary or secondary school premises, public school-provided
21 transportation, or areas of facilities while being used exclusively by
22 public schools.

23 **Sec. 38.** RCW 41.40.088 and 2000 c 247 s 107 are each amended to
24 read as follows:

25 (1) A plan 1 member who is employed by a school district or
26 districts, an educational service district, the (~~state school for the
27 deaf~~) Washington state center for childhood deafness, the state school
28 for the blind, institutions of higher education, or community colleges:

29 (a) Shall receive a service credit month for each month of the
30 period from September through August of the following year if he or she
31 is employed in an eligible position, earns compensation earnable for
32 six hundred thirty hours or more during that period, and is employed
33 during nine months of that period, except that a member may not receive
34 credit for any period prior to the member's employment in an eligible
35 position;

36 (b) If a member in an eligible position does not meet the
37 requirements of (a) of this subsection, the member is entitled to a

1 service credit month for each month of the period he or she earns
2 earnable compensation for seventy or more hours; and the member is
3 entitled to a one-quarter service credit month for those calendar
4 months during which he or she earned compensation for less than seventy
5 hours.

6 (2) Except for any period prior to the member's employment in an
7 eligible position, a plan 2 or plan 3 member who is employed by a
8 school district or districts, an educational service district, the
9 state school for the blind, the ~~((state school for the deaf))~~
10 Washington state center for childhood deafness, institutions of higher
11 education, or community colleges:

12 (a) Shall receive a service credit month for each month of the
13 period from September through August of the following year if he or she
14 is employed in an eligible position, earns compensation earnable for
15 eight hundred ten hours or more during that period, and is employed
16 during nine months of that period;

17 (b) If a member in an eligible position for each month of the
18 period from September through August of the following year does not
19 meet the hours requirements of (a) of this subsection, the member is
20 entitled to one-half service credit month for each month of the period
21 if he or she earns earnable compensation for at least six hundred
22 thirty hours but less than eight hundred ten hours during that period,
23 and is employed nine months of that period;

24 (c) In all other instances, a member in an eligible position is
25 entitled to service credit months as follows:

26 (i) One service credit month for each month in which compensation
27 is earned for ninety or more hours;

28 (ii) One-half service credit month for each month in which
29 compensation is earned for at least seventy hours but less than ninety
30 hours; and

31 (iii) One-quarter service credit month for each month in which
32 compensation is earned for less than seventy hours;

33 (d) After August 31, 2000, school districts and educational service
34 districts will no longer be employers for the public employees'
35 retirement system plan 2 or plan 3.

36 (3) The department shall adopt rules implementing this section.

1 **Sec. 39.** RCW 70.198.020 and 2004 c 47 s 2 are each amended to read
2 as follows:

3 (1) There is established an advisory council in the department of
4 social and health services for the purpose of advancing the development
5 of a comprehensive and effective statewide system to provide prompt and
6 effective early interventions for children in the state who are deaf or
7 hard of hearing and their families.

8 (2) Members of the advisory council shall have training,
9 experience, or interest in hearing loss in children. Membership shall
10 include, but not be limited to, the following: Pediatricians;
11 audiologists; teachers of the deaf and hard of hearing; parents of
12 children who are deaf or hard of hearing; a representative from the
13 Washington state (~~school for the deaf~~) center for childhood deafness;
14 and representatives of the infant toddler early intervention program in
15 the department of social and health services, the department of health,
16 and the office of the superintendent of public instruction.

17 NEW SECTION. **Sec. 40.** (1) The superintendent of the Washington
18 state center for childhood deafness shall convene an advisory panel for
19 the purpose of implementing in two educational service districts a
20 structured program for delivering education services to children who
21 are deaf and hearing impaired. The advisory panel shall consist of the
22 following persons:

23 (a) A representative from the Washington sensory disabilities
24 services program to be selected by the superintendent of public
25 instruction;

26 (b) A representative from the office of deaf and hard of hearing
27 services to be selected by the secretary of the department of social
28 and health services;

29 (c) One person representing educational service district
30 superintendents and one representing school district superintendents,
31 both of whom shall be selected by the Washington association of school
32 administrators;

33 (d) Four representatives selected by the governor, one from the
34 department of health, one from the department of early learning, and
35 two from nongovernmental entities providing education services to
36 children who are deaf and hearing impaired, including at least one
37 entity providing oral education or total communication services; and

1 (e) In addition to the superintendent of the Washington center for
2 childhood deafness, one representative from the center to be selected
3 by the board of trustees of the center.

4 (2) Selection of advisory panel members shall be completed not
5 later than June 1, 2007. The panel shall collectively establish a
6 meeting schedule to support completion of its work.

7 (3) The panel shall develop a structure for implementing regional
8 education programs at two demonstration sites that:

9 (a) Are established within an educational service district and
10 managed through shared governance by the school districts within the
11 educational service district;

12 (b) Collaborate and partner with, enhance, and avoid duplication of
13 existing and available services and programs, both public and private;

14 (c) Provide services at one or more central locations in the
15 educational service district;

16 (d) Provide services to students in their resident district,
17 including students with hearing impairments who may not qualify for
18 special education services;

19 (e) Include educational and transportation services for children,
20 consultation for teachers and staff, and outreach to families; and

21 (f) Support communication-rich learning environments and
22 instruction of students in the full spectrum of communication
23 modalities by qualified professionals, including American sign
24 language, oral education, total communication, and signed exact
25 English.

26 (4) The panel shall jointly select and consult with two educational
27 service districts as the demonstration sites, one of which shall be in
28 eastern Washington. Not later than December 1, 2007, the panel shall
29 brief the legislature on its work and identify any resources and policy
30 changes essential for the implementation and operation of the
31 demonstration sites.

32 NEW SECTION. **Sec. 41.** The superintendent of the Washington center
33 for childhood deafness and the president of Washington State
34 University, Vancouver shall consult with the higher education
35 coordinating board, the state board for community and technical
36 colleges, and other entities as appropriate to identify program
37 development and other needs to support the certification and

1 professional development of teachers, interpreters, auditory and speech
2 therapists, and other professionals essential to providing regionally
3 delivered communication-rich education environments to students who are
4 deaf and hearing impaired. By September 1, 2007, the superintendent
5 and the president shall report to the appropriate committees of the
6 legislature with recommendations that may include targeted enrollments
7 or funding, scholarships, or conditional loan forgiveness or repayment
8 assistance programs for high-demand skills or for meeting specific
9 geographical needs.

10 NEW SECTION. **Sec. 42.** RCW 72.40.023 (Superintendent of the state
11 school for the deaf--Powers and duties) and 2002 c 209 s 3 are each
12 repealed.

13 NEW SECTION. **Sec. 43.** Sections 40 and 41 of this act are
14 necessary for the immediate preservation of the public peace, health,
15 or safety, or support of the state government and its existing public
16 institutions, and take effect May 1, 2007.

17 NEW SECTION. **Sec. 44.** Sections 40 and 41 of this act expire
18 January 1, 2008.

--- END ---