
HOUSE BILL 2629

State of Washington 60th Legislature 2008 Regular Session

By Representatives Kagi, Wallace, Kenney, Simpson, Ormsby, Roberts, Moeller, Goodman, Hudgins, Haigh, Fromhold, Haler, Barlow, and Chase

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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, 72.40.220, 72.40.230, 72.40.240, 72.40.250,
6 72.40.260, 72.40.280, 72.42.060, 26.44.210, 28A.155.160, 28A.310.010,
7 28A.310.180, 28A.310.200, 28A.335.205, 28A.400.303, 28A.400.305,
8 28A.600.420, 41.40.088, and 70.198.020; adding new sections to chapter
9 72.42 RCW; creating new sections; repealing RCW 72.40.023; and
10 providing an expiration date.

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

12 NEW SECTION. **Sec. 1.** The legislature finds that the education of
13 children who are deaf presents unique challenges because deafness is a
14 low-incidence disability significantly impacting the child's ability to
15 access communication at home, at school, and in the community. The
16 legislature further finds that over the past fifty years, there have
17 been numerous advances in technology as well as a growing awareness
18 about the importance of delivering services to children in a variety of
19 communication modalities to support their early and continued access to

1 communication. The legislature intends to enhance the coordination of
2 regionally delivered educational services and supports for children who
3 are deaf or hearing impaired and to promote the development of
4 communication-rich learning environments for these children.

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

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

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

16 (a) Managing and supervising the state school for the deaf;

17 (b) Providing statewide leadership and support for the coordination
18 of regionally delivered educational services in the full range of
19 communication modalities, for children who are deaf or hearing
20 impaired; and

21 (c) Collaborating with appropriate public and private partners to
22 develop an applied research center for the training and professional
23 development of educators serving children who are deaf or hearing
24 impaired.

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

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

33 The school for the blind shall be under the direction of the
34 superintendent with the advice of the board of trustees. ~~((The school
35 for the deaf shall be under the direction of the superintendent and the
36 board of trustees.))~~

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

3 The governor shall appoint a (~~(superintendent)~~) director for the
4 (~~(state school for the deaf)~~) Washington state center for childhood
5 deafness and hearing loss. The (~~(superintendent)~~) director shall have
6 a masters or higher degree from an accredited college or university in
7 school administration or deaf education, five or more years of
8 experience teaching or providing habilitative services to deaf or hard
9 of hearing students (~~(in the classroom)~~), and three or more years
10 administrative or supervisory experience in programs for deaf or hard
11 of hearing students.

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

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

17 (1) Shall be responsible for the supervision and management of the
18 center, including the state school for the deaf, and the property of
19 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 who are deaf
27 or hearing impaired and their families;

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

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

1 students who are deaf or hearing impaired, outreach and support to
2 families of children who are deaf or 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 support to educational
11 service districts for the regional delivery of a full range of
12 educational services to students who are deaf or hearing impaired,
13 including but not limited to services relying on American sign
14 language, auditory oral education, total communication, and signed
15 exact English;

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

19 (10) May establish criteria, in addition to state certification,
20 for the teachers at the school and employees of the center;

21 (11) May establish, with the approval of the board of trustees, new
22 facilities as needs demand;

23 (12) May adopt rules, under chapter 34.05 RCW, as approved by the
24 board of trustees and as deemed necessary for the governance,
25 management, and operation of the center;

26 (13) May adopt rules, as approved by the board of trustees, for
27 pedestrian and vehicular traffic on property owned, operated, and
28 maintained by the center;

29 (14) Except as otherwise provided by law, may enter into contracts
30 as the director deems essential to the purpose of the center;

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

1 (16) May adopt rules, as approved by the board of trustees,
2 providing for the transferability of employees between the center and
3 the school for the blind consistent with collective bargaining
4 agreements in effect; and

5 (17) May adopt rules under chapter 34.05 RCW, as approved by the
6 board of trustees, and perform all other acts not forbidden by law as
7 the director deems necessary or appropriate to the administration of
8 the center.

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

11 In addition to the powers and duties under RCW 72.40.022 (~~and~~
12 ~~72.40.023~~) and section 5 of this act, the superintendent of (~~each~~)
13 the school for the blind and the director of the Washington state
14 center for childhood deafness and hearing loss shall:

15 (1) Monitor the location and educational placement of each student
16 reported to the superintendent(~~s~~) and the director by the educational
17 service district superintendents;

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

23 (3) Serve as a consultant to the office of the superintendent of
24 public instruction, provide instructional leadership, and assist school
25 districts in improving their instructional programs for students with
26 visual or hearing impairments.

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

29 All teachers (~~at the state school for the deaf~~) employed by the
30 Washington state center for childhood deafness and hearing loss and the
31 state school for the blind shall meet all certification requirements
32 and the programs shall meet all accreditation requirements and conform
33 to the standards defined by law or by rule of the Washington
34 professional educator standards board or the office of the state
35 superintendent of public instruction. The superintendent(~~s~~) and the
36 director, by rule, may adopt additional educational standards for their

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

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

11 Any appropriation for the (~~school for the deaf~~) Washington state
12 center for childhood deafness and hearing loss or the school for the
13 blind shall be made directly to the (~~school for the deaf~~) center or
14 the school for the blind.

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

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

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

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

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

29 (a) The death of the child;

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

32 (c) Allegations of child abuse or neglect in which the parent's
33 child in attendance or residence at the (~~school~~) facility is the
34 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~~) verbal
12 contact is 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 and hearing loss.
16 All references to the superintendent or the state school for the deaf
17 in the Revised Code of Washington shall be construed to mean the
18 director or the Washington state center for childhood deafness and
19 hearing loss.

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

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

33 (c) If any question arises as to the transfer of any personnel,
34 funds, books, documents, records, papers, files, equipment, or other
35 tangible property used or held in the exercise of the powers and the
36 performance of the duties and functions transferred, the director of

1 financial management shall make a determination as to the proper
2 allocation and certify the same to the state agencies concerned.

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

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

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

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

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

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

32 The school year for the state school for the blind and the
33 ~~((state))~~ school ~~((for the deaf))~~ located at the Washington state
34 center for childhood deafness and hearing loss shall commence on the
35 first day of July of each year and shall terminate on the 30th day of
36 June of the succeeding year. The regular school term shall be for a
37 period of nine months and shall commence as near as reasonably

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

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

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

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

28 Unless the context clearly requires otherwise as used in this
29 chapter "((superintendent)) director" means ((superintendent)) the
30 director of the Washington state ((school for the deaf)) center for
31 childhood deafness and hearing loss.

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

34 Unless the context clearly requires otherwise, as used in this
35 chapter:

1 (1) "Center" means the Washington state center for childhood
2 deafness and hearing loss; and

3 (2) "School" means the ((Washington)) state school for the deaf
4 located at the center.

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

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

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

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

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

16 (d) One member who is the parent of a child who is deaf or hearing
17 impaired and who is receiving or has received educational services
18 related to deafness or hearing impairment from a public educational
19 institution.

20 (2) No voting trustee may be an employee of the school or the
21 center, a member of the board of directors of any school district, a
22 member of the governing board of any public or private educational
23 institution(~~(, a school district or educational service district~~
24 ~~administrator appointed after July 1, 1986,)) or an elected officer or
25 member of the legislative authority of any municipal corporation. No
26 more than two voting trustees may be school district or educational
27 service district administrators appointed after July 1, 1986.~~

28 (3) Trustees shall be appointed by the governor to serve a term of
29 five years, except that any person appointed to fill a vacancy
30 occurring prior to the expiration of a term shall be appointed within
31 sixty days of the vacancy and appointed only for the remainder of the
32 term. Of the initial members, three must be appointed for two-year
33 terms, three must be appointed for three-year terms, and the remainder
34 must be appointed for five-year terms.

35 (4) The board shall not be deemed unlawfully constituted and a
36 trustee shall not be deemed ineligible to serve the remainder of the
37 trustee's unexpired term on the board solely by reason of the

1 establishment of new or revised boundaries for congressional districts.
2 In such an event, each trustee may continue to serve in office for the
3 balance of the term for which he or she was appointed so long as the
4 trustee continues to reside within the boundaries of the congressional
5 district as they existed at the time of his or her appointment.
6 Vacancies which occur in a trustee position during the balance of any
7 term shall be filled pursuant to subsection (3) of this section by a
8 successor who resides within the boundaries of the congressional
9 district from which the member whose office was vacated was appointed
10 as they existed at the time of his or her appointment. At the
11 completion of such term, and thereafter, a successor shall be appointed
12 from the congressional district which corresponds in number with the
13 congressional district from which the incumbent was appointed.

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

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

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

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

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

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

26 (c) Governance, management, and operation of the residential
27 facilities;

28 (d) Transferability of employees between the ((~~school for the~~
29 ~~deaf~~)) center and the school for the blind consistent with collective
30 bargaining agreements in effect; and

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

33 (3) Shall develop a process for recommending candidates for the
34 position of ((~~superintendent~~)) director and upon a vacancy shall submit
35 a list of three qualified candidates for ((~~superintendent~~)) director to
36 the governor;

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

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

8 (6) Shall prepare and submit by July 1st of each even-numbered year
9 a report to the governor and the appropriate committees of the
10 legislature which contains a detailed summary of the (~~school's~~)
11 center's progress on performance objectives and the (~~school's~~)
12 center's work, facility conditions, and revenues and costs of the
13 (~~school~~) center for the previous year and which contains those
14 recommendations it deems necessary and advisable for the governor and
15 the legislature to act on;

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

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

23 (9) Shall direct, monitor, and approve the implementation of a
24 comprehensive continuous quality improvement system for the (~~school~~)
25 center;

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

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

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

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

36 (1) Shall have full control of the school and the property of
37 various kinds.

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

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

7 (4) Shall establish the course of study including vocational
8 training, with the assistance of the faculty and the advice of the
9 board of trustees.

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

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

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

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

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

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

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

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

34 (13) May adopt rules providing for the transferability of employees
35 between the (~~school for the deaf~~) Washington state center for
36 childhood deafness and hearing loss and the school for the blind
37 consistent with collective bargaining agreements in effect.

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

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

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

9 It shall be the duty of each educational service district to make
10 a full and specific report of visually or hearing impaired youth to the
11 superintendent of the school for the blind or the ((~~school for the~~
12 ~~deaf~~)) director of the Washington state center for childhood deafness
13 and hearing loss, as the case may be and the superintendent of public
14 instruction, annually. The superintendent of public instruction shall
15 report about the hearing or visually impaired youth to the school for
16 the blind and the ((~~school for the deaf~~)) Washington state center for
17 childhood deafness and hearing loss, as the case may be, annually.

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

20 Notwithstanding any other provision of law, the state school for
21 the blind and the ((~~school for the deaf~~)) Washington state center for
22 childhood deafness and hearing loss may arrange and provide for weekend
23 transportation to and from ((~~schools~~)) their respective facilities.
24 This transportation shall be at no cost to students and parents, as
25 allowed within the appropriations allocated to the ((~~schools~~))
26 facilities.

27 **Sec. 21.** RCW 72.40.220 and 2000 c 125 s 3 are each amended to read
28 as follows:

29 (1) The ((~~superintendents~~)) director of the ((~~state school for the~~
30 ~~deaf~~)) Washington state center for childhood deafness and hearing loss
31 and the superintendent of the state school for the blind shall maintain
32 in writing and implement behavior management policies and procedures
33 that accomplish the following:

34 (a) Support the child's appropriate social behavior, self-control,
35 and the rights of others;

1 (b) Foster dignity and self-respect for the child;

2 (c) Reflect the ages and developmental levels of children in care.

3 (2) The (~~state school for the deaf~~) Washington state center for
4 childhood deafness and hearing loss and the state school for the blind
5 shall use proactive, positive behavior support techniques to manage
6 potential child behavior problems. These techniques shall include but
7 not be limited to:

8 (a) Organization of the physical environment and staffing patterns
9 to reduce factors leading to behavior incidents;

10 (b) Intervention before behavior becomes disruptive, in the least
11 invasive and least restrictive manner available;

12 (c) Emphasis on verbal deescalation to calm the upset child;

13 (d) Redirection strategies to present the child with alternative
14 resolution choices.

15 **Sec. 22.** RCW 72.40.230 and 2000 c 125 s 4 are each amended to read
16 as follows:

17 (1) The (~~state school for the deaf~~) Washington state center for
18 childhood deafness and hearing loss and the state school for the blind
19 shall ensure that all staff, within two months of beginning employment,
20 complete a minimum of fifteen hours of job orientation which shall
21 include, but is not limited to, presentation of the standard operating
22 procedures manual for each (~~school~~) facility, describing all policies
23 and procedures specific to the (~~school~~) facility.

24 (2) The (~~state school for the deaf~~) Washington state center for
25 childhood deafness and hearing loss and the state school for the blind
26 shall ensure that all new staff receive thirty-two hours of job
27 specific training within ninety days of employment which shall include,
28 but is not limited to, promoting and protecting student personal
29 safety. All staff shall receive thirty-two hours of ongoing training
30 in these areas every two years.

31 **Sec. 23.** RCW 72.40.240 and 2000 c 125 s 5 are each amended to read
32 as follows:

33 The residential program at the (~~state school for the deaf~~)
34 Washington state center for childhood deafness and hearing loss and the
35 state school for the blind shall employ residential staff in sufficient

1 numbers to ensure the physical and emotional needs of the residents are
2 met. Residential staff shall be on duty in sufficient numbers to
3 ensure the safety of the children residing there.

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

7 **Sec. 24.** RCW 72.40.250 and 2000 c 125 s 6 are each amended to read
8 as follows:

9 In addition to the powers and duties under RCW 72.40.022 and
10 72.40.024, the (~~(superintendents)~~) director of the (~~(state school for~~
11 ~~the deaf)) Washington state center for childhood deafness and hearing
12 loss and the superintendent of the state school for the blind shall:~~

13 (1) Develop written procedures for the supervision of employees and
14 volunteers who have the potential for contact with students. Such
15 procedures shall be designed to prevent child abuse and neglect by
16 providing for adequate supervision of such employees and volunteers,
17 taking into consideration such factors as the student population
18 served, architectural factors, and the size of the facility. Such
19 procedures shall include, but need not be limited to, the following:

- 20 (a) Staffing patterns and the rationale for such;
- 21 (b) Responsibilities of supervisors;
- 22 (c) The method by which staff and volunteers are made aware of the
23 identity of all supervisors, including designated on-site supervisors;
- 24 (d) Provision of written supervisory guidelines to employees and
25 volunteers;
- 26 (e) Periodic supervisory conferences for employees and volunteers;
- 27 and
- 28 (f) Written performance evaluations of staff to be conducted by
29 supervisors in a manner consistent with applicable provisions of the
30 civil service law.

31 (2) Develop written procedures for the protection of students when
32 there is reason to believe an incident has occurred which would render
33 a (~~(child)~~) minor student an abused or neglected child within the
34 meaning of RCW 26.44.020. Such procedures shall include, but need not
35 be limited to, the following:

- 36 (a) Investigation. Immediately upon notification that a report of

1 child abuse or neglect has been made to the department of social and
2 health services or a law enforcement agency, the superintendent or the
3 director shall:

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

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

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

10 (b) Safety. Upon notification that a report of suspected child
11 abuse or neglect has been made to the department of social and health
12 services or a law enforcement agency, the superintendent or the
13 director or his or her designee, with consideration for causing as
14 little disruption as possible to the daily routines of the students,
15 shall evaluate the situation and immediately take appropriate action to
16 assure the health and safety of the students involved in the report and
17 of any other students similarly situated, and take such additional
18 action as is necessary to prevent future acts of abuse or neglect.
19 Such action may include:

20 (i) Consistent with federal and state law:

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

22 (B) Increasing the degree of supervision of the alleged
23 perpetrator; and

24 (C) Initiating appropriate disciplinary action against the alleged
25 perpetrator;

26 (ii) Provision of increased training and increased supervision to
27 volunteers and staff pertinent to the prevention and remediation of
28 abuse and neglect;

29 (iii) Temporary removal of the students from a program and
30 reassignment of the students within the school, as an emergency
31 measure, if it is determined that there is a risk to the health or
32 safety of such students in remaining in that program. Whenever a
33 student is removed, pursuant to this subsection (2)(b)(iii), from a
34 special education program or service specified in his or her
35 individualized education program, the action shall be reviewed in an
36 individualized education program meeting; and

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

1 (c) Corrective action plans. Upon receipt of the results of an
2 investigation by the department of social and health services pursuant
3 to a report of suspected child abuse or neglect, the superintendent or
4 the director, after consideration of any recommendations by the
5 department of social and health services for preventive and remedial
6 action, shall implement a written plan of action designed to assure the
7 continued health and safety of students and to provide for the
8 prevention of future acts of abuse or neglect.

9 **Sec. 25.** RCW 72.40.260 and 2000 c 125 s 7 are each amended to read
10 as follows:

11 In consideration of the needs and circumstances of the program, the
12 (~~state school for the deaf~~) Washington state center for childhood
13 deafness and hearing loss and the state school for the blind shall
14 provide instruction to all students in techniques and procedures which
15 will enable the students to protect themselves from abuse and neglect.
16 Such instruction shall be described in a written plan to be submitted
17 to the board of trustees for review and approval, and shall be:

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

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

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

25 **Sec. 26.** RCW 72.40.280 and 2002 c 208 s 2 are each amended to read
26 as follows:

27 (1) The department of social and health services must periodically
28 monitor the residential program at the (~~state school for the deaf~~)
29 Washington state center for childhood deafness and hearing loss,
30 including but not limited to examining the residential-related policies
31 and procedures as well as the residential facilities. The department
32 of social and health services must make recommendations to the
33 (~~school's superintendent~~) center's director and the board of trustees
34 or its successor board on health and safety improvements related to
35 child safety and well-being. The department of social and health

1 services must conduct the monitoring reviews at least (~~quarterly until~~
2 ~~December 1, 2006~~) annually. The center may from time to time request
3 technical assistance from the department of social and health services.

4 (2) The department of social and health services must conduct a
5 comprehensive child health and safety review, as defined in rule, of
6 the residential program at the (~~state school for the deaf~~) Washington
7 state center for childhood deafness and hearing loss every three years.
8 The department of social and health services must deliver the first
9 health and safety review to the governor, the legislature, the
10 (~~school's superintendent~~) center's director, and the (~~school's~~)
11 center's board of trustees or successor board by December 1, 2004.

12 (3) The (~~state school for the deaf~~) Washington state center for
13 childhood deafness and hearing loss must provide the department of
14 social and health services' staff with full and complete access to all
15 records and documents that the department staff may request to carry
16 out the requirements of this section. The department of social and
17 health services must have full and complete access to all students and
18 staff of the (~~state school for the deaf~~) Washington state center for
19 childhood deafness and hearing loss to conduct interviews to carry out
20 the requirements of this section.

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

24 **Sec. 27.** RCW 72.42.060 and 1975-'76 2nd ex.s. c 34 s 168 are each
25 amended to read as follows:

26 Each member of the board of trustees shall receive travel expenses
27 as provided in RCW 43.03.050 and 43.03.060 as now existing or hereafter
28 amended, and such payments shall be a proper charge to any funds
29 appropriated or allocated for the support of the (~~state school for the~~
30 ~~deaf~~) Washington state center for childhood deafness and hearing loss.

31 **Sec. 28.** RCW 26.44.210 and 2002 c 208 s 1 are each amended to read
32 as follows:

33 (1) The department must investigate referrals of alleged child
34 abuse or neglect occurring at the (~~state school for the deaf~~)
35 Washington state center for childhood deafness and hearing loss,
36 including alleged incidents involving students abusing other students;

1 determine whether there is a finding of abuse or neglect; and determine
2 whether a referral to law enforcement is appropriate under this
3 chapter.

4 (2) The department must send a copy of the investigation report,
5 including the finding, regarding any incidents of alleged child abuse
6 or neglect at the (~~state school for the deaf~~) Washington state center
7 for childhood deafness and hearing loss to the (~~school's~~
8 ~~superintendent~~) center's director. The department may include
9 recommendations to the (~~superintendent~~) director and the board of
10 trustees or its successor board for increasing the safety of the
11 school's students.

12 **Sec. 29.** RCW 28A.155.160 and 2007 c 115 s 15 are each amended to
13 read as follows:

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

31 For the purposes of this section, "assistive device" means any
32 item, piece of equipment, or product system, whether acquired
33 commercially off-the-shelf, modified, or customized, that is used to
34 increase, maintain, or improve functional capabilities of children with
35 disabilities. The term "assistive technology service" means any
36 service that directly assists a child with a disability in the

1 selection, acquisition, or use of an assistive technology device.

2 Assistive technology service includes:

3 (1) The evaluation of the needs of a child with a disability,
4 including a functional evaluation of the child in the child's customary
5 environment;

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

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

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

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

15 (6) Training or technical assistance for professionals, including
16 individuals providing education and rehabilitation services, employers,
17 or other individuals who provide services to, employ, or are otherwise
18 substantially involved in the major life functions of children with
19 disabilities.

20 **Sec. 30.** RCW 28A.310.010 and 1988 c 65 s 1 are each amended to
21 read as follows:

22 It shall be the intent and purpose of this chapter to establish
23 educational service districts as regional agencies which are intended
24 to:

25 (1) Provide cooperative and informational services to local school
26 districts;

27 (2) Assist the superintendent of public instruction and the state
28 board of education in the performance of their respective statutory or
29 constitutional duties; and

30 (3) Provide services to school districts and to the (~~school for~~
31 ~~the deaf~~) Washington state center for childhood deafness and hearing
32 loss and the school for the blind to assure equal educational
33 opportunities.

34 **Sec. 31.** RCW 28A.310.180 and 1990 c 33 s 276 are each amended to
35 read as follows:

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

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

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

16 (3) Establish cooperative service programs for school districts
17 within the educational service district and joint purchasing programs
18 for schools within the educational service district pursuant to RCW
19 28A.320.080(3): PROVIDED, That on matters relating to cooperative
20 service programs the board and superintendent of the educational
21 service district shall seek the prior advice of the superintendents of
22 local school districts within the educational service district.

23 (4) Establish direct student service programs for school districts
24 within the educational service district including pupil transportation.
25 However, for the provision of state-funded pupil transportation for
26 special education cooperatives programs for special education conducted
27 under RCW 28A.155.010 through 28A.155.100, the educational service
28 district, with the consent of the participating school districts, shall
29 be entitled to receive directly state apportionment funds for that
30 purpose: PROVIDED, That the board of directors and superintendent of
31 a local school district request the educational service district to
32 perform said service or services: PROVIDED FURTHER, That the
33 educational service district board of directors and superintendents
34 agree to provide the requested services: PROVIDED, FURTHER, That the
35 provisions of chapter 39.34 RCW are strictly adhered to: PROVIDED
36 FURTHER, That the educational service district board of directors may
37 contract with the (~~school for the deaf~~) Washington state center for
38 childhood deafness and hearing loss and the school for the blind to

1 provide transportation services or other services necessary for the
2 regional delivery of educational services for children who are deaf or
3 hearing impaired.

4 **Sec. 32.** RCW 28A.310.200 and 2006 c 263 s 610 are each amended to
5 read as follows:

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

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

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

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

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

18 (5) Keep in the educational service district office a full and
19 correct transcript of the boundaries of each school district within the
20 educational service district;

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

34 (7) Under RCW 28A.310.010, upon the written request of the board of
35 directors of a local school district or districts served by the
36 educational service district, the educational service district board of
37 directors may provide cooperative and informational services not in

1 conflict with other law that provide for the development and
2 implementation of programs, activities, services, or practices that
3 support the education of preschool through twelfth grade students in
4 the public schools or that support the effective, efficient, or safe
5 management and operation of the school district or districts served by
6 the educational service district;

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

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

16 **Sec. 33.** RCW 28A.335.205 and 1997 c 104 s 2 are each amended to
17 read as follows:

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

35 For the purposes of this section, "assistive device" means any
36 item, piece of equipment, or product system, whether acquired

1 commercially off-the-shelf, modified, or customized, that is used to
2 increase, maintain, or improve functional capabilities of children with
3 disabilities.

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

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

13 **Sec. 34.** RCW 28A.400.303 and 2007 c 35 s 1 are each amended to
14 read as follows:

15 (1) School districts, educational service districts, the ((~~state~~
16 ~~school for the deaf~~)) Washington state center for childhood deafness
17 and hearing loss, the state school for the blind, and their contractors
18 hiring employees who will have regularly scheduled unsupervised access
19 to children shall require a record check through the Washington state
20 patrol criminal identification system under RCW 43.43.830 through
21 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of
22 investigation before hiring an employee. The record check shall
23 include a fingerprint check using a complete Washington state criminal
24 identification fingerprint card. The requesting entity shall provide
25 a copy of the record report to the applicant. When necessary,
26 applicants may be employed on a conditional basis pending completion of
27 the investigation. If the applicant has had a record check within the
28 previous two years, the district, the ((~~state school for the deaf~~))
29 Washington state center for childhood deafness and hearing loss, the
30 state school for the blind, or contractor may waive the requirement.
31 Except as provided in subsection (2) of this section, the district,
32 pursuant to chapter 41.59 or 41.56 RCW, the ((~~state school for the~~
33 ~~deaf~~)) Washington state center for childhood deafness and hearing loss,
34 the state school for the blind, or contractor hiring the employee shall
35 determine who shall pay costs associated with the record check.

36 (2) Federal bureau of Indian affairs-funded schools may use the

1 process in subsection (1) of this section to perform record checks for
2 their employees and applicants for employment.

3 **Sec. 35.** RCW 28A.400.305 and 2007 c 35 s 2 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 and
10 hearing loss, state school for the blind, or federal bureau of Indian
11 affairs-funded school employee or applicant for certification or
12 employment access to and review of information obtained based on the
13 record check required under RCW 28A.400.303; and

14 (2) Written procedures limiting access to the superintendent of
15 public instruction record check database to only those individuals
16 processing record check information at the office of the superintendent
17 of public instruction, the appropriate school district or districts,
18 the (~~state school for the deaf~~) Washington state center for childhood
19 deafness and hearing loss, the state school for the blind, the
20 appropriate educational service district or districts, and the
21 appropriate federal bureau of Indian affairs-funded schools.

22 **Sec. 36.** RCW 28A.600.420 and 1997 c 265 s 5 are each amended to
23 read as follows:

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

34 (2) For purposes of this section, "firearm" means a firearm as
35 defined in 18 U.S.C. Sec. 921, and a "firearm" as defined in RCW
36 9.41.010.

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

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

10 (5) This section does not apply to:

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

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

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

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

26 **Sec. 37.** RCW 41.40.088 and 2000 c 247 s 107 are each amended to
27 read as follows:

28 (1) A plan 1 member who is employed by a school district or
29 districts, an educational service district, the (~~state school for the~~
30 ~~deaf~~) Washington state center for childhood deafness and hearing loss,
31 the state school for the blind, institutions of higher education, or
32 community colleges:

33 (a) Shall receive a service credit month for each month of the
34 period from September through August of the following year if he or she
35 is employed in an eligible position, earns compensation earnable for
36 six hundred thirty hours or more during that period, and is employed

1 during nine months of that period, except that a member may not receive
2 credit for any period prior to the member's employment in an eligible
3 position;

4 (b) If a member in an eligible position does not meet the
5 requirements of (a) of this subsection, the member is entitled to a
6 service credit month for each month of the period he or she earns
7 earnable compensation for seventy or more hours; and the member is
8 entitled to a one-quarter service credit month for those calendar
9 months during which he or she earned compensation for less than seventy
10 hours.

11 (2) Except for any period prior to the member's employment in an
12 eligible position, a plan 2 or plan 3 member who is employed by a
13 school district or districts, an educational service district, the
14 state school for the blind, the (~~state school for the deaf~~)
15 Washington state center for childhood deafness and hearing loss,
16 institutions of higher education, or community colleges:

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

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

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

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

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

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

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

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

5 **Sec. 38.** RCW 70.198.020 and 2004 c 47 s 2 are each amended to read
6 as follows:

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

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

22 NEW SECTION. **Sec. 39.** (1) The director of the Washington state
23 center for childhood deafness and hearing loss shall convene an
24 advisory panel for the purpose of implementing in two educational
25 service districts a structured program for delivering education
26 services to children who are deaf and hearing impaired. The advisory
27 panel shall consist of the following persons:

28 (a) A representative from the Washington sensory disabilities
29 services program to be selected by the superintendent of public
30 instruction;

31 (b) A representative from the office of deaf and hard of hearing
32 services to be selected by the secretary of the department of social
33 and health services;

34 (c) One person representing educational service district
35 superintendents and one representing school district superintendents,

1 both of whom shall be selected by the Washington association of school
2 administrators;

3 (d) Four representatives selected by the governor, one from the
4 department of health, one from the department of early learning, and
5 two from nongovernmental entities providing educational services to
6 children who are deaf or hearing impaired, including at least one
7 provider of auditory oral educational services and at least one
8 provider of total educational services;

9 (e) Two parents of school-age children who are deaf or hearing
10 impaired, one of whom shall be selected by an organization representing
11 the educational interests of all children who are deaf or hearing
12 impaired without regard to any specific communication modality, and one
13 of whom shall be selected by the governor; and

14 (f) In addition to the director, one representative from the
15 Washington state center for childhood deafness and hearing loss to be
16 selected by the board of trustees of the center.

17 (2) Selection of advisory panel members shall be completed not
18 later than May 1, 2008. The panel shall collectively establish a
19 meeting schedule to support completion of its work.

20 (3) The panel shall develop a structure and plan for implementing
21 regional education programs at two demonstration sites that:

22 (a) Are established within an educational service district and
23 managed through shared governance by the school districts within the
24 educational service districts;

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

27 (c) Provide services at one or more central locations in the
28 educational service districts;

29 (d) Provide services to students in their resident districts,
30 including students with hearing impairments who may not qualify for
31 special education services;

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

34 (f) Support communication-rich learning environments and
35 instruction of students in the full spectrum of communication
36 modalities by qualified professionals, including American sign
37 language, auditory oral education, total communication, and signed
38 exact English.

1 (4) The panel shall jointly select and consult with two educational
2 service districts as the demonstration sites, one of which shall be in
3 eastern Washington. Not later than November 1, 2008, the panel shall
4 brief the legislature on its work and identify the resources and policy
5 changes essential for the implementation and operation of the
6 demonstration sites.

7 NEW SECTION. **Sec. 40.** RCW 72.40.023 (Superintendent of the state
8 school for the deaf--Powers and duties) and 2002 c 209 s 3 are each
9 repealed.

10 NEW SECTION. **Sec. 41.** Section 39 of this act expires January 1,
11 2009.

--- END ---