
SENATE BILL 5880

State of Washington

61st Legislature

2009 Regular Session

By Senators McAuliffe, Oemig, Hobbs, and McDermott

Read first time 02/05/09. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to flexibility in the education system; amending
2 RCW 28A.300.130, 28A.300.137, 28A.300.160, 28A.300.270, 28A.300.290,
3 28A.300.300, 28A.300.450, 28A.300.490, 28A.300.520, 28A.320.080,
4 28A.345.020, 28A.345.050, 28A.415.010, 28A.415.100, 28A.415.125,
5 28A.415.130, 28A.415.135, 28A.415.140, 28A.415.145, 28A.625.020,
6 28A.625.042, 28A.625.050, 28A.625.360, 28A.625.370, 28A.625.380,
7 28A.625.390, 28A.640.020, 28A.150.520, 28A.160.210, 28A.170.050,
8 28A.210.310, 28A.210.330, 28A.210.350, 28A.210.370, 28A.210.380, and
9 39.35D.040; repealing RCW 28A.300.090, 28A.300.801, 28A.210.255,
10 28A.210.360, and 28A.210.365; and providing an expiration date.

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

12 **Sec. 1.** RCW 28A.300.130 and 2008 c 165 s 1 are each amended to
13 read as follows:

14 (1) To facilitate access to information and materials on
15 educational improvement and research, the superintendent of public
16 instruction, to the extent funds are appropriated, shall establish the
17 center for the improvement of student learning. The center shall work
18 in conjunction with parents, educational service districts,

1 institutions of higher education, and education, parent, community, and
2 business organizations.

3 (2) The center, in conjunction with other staff in the office of
4 the superintendent of public instruction, shall:

5 (a) Serve as a clearinghouse for information regarding successful
6 educational improvement and parental involvement programs in schools
7 and districts, and information about efforts within institutions of
8 higher education in the state to support educational improvement
9 initiatives in Washington schools and districts;

10 (b) Provide best practices research that can be used to help
11 schools develop and implement: Programs and practices to improve
12 instruction; systems to analyze student assessment data, with an
13 emphasis on systems that will combine the use of state and local data
14 to monitor the academic progress of each and every student in the
15 school district; comprehensive, school-wide improvement plans; school-
16 based shared decision-making models; programs to promote lifelong
17 learning and community involvement in education; school-to-work
18 transition programs; programs to meet the needs of highly capable
19 students; programs and practices to meet the needs of students with
20 disabilities; programs and practices to meet the diverse needs of
21 students based on gender, racial, ethnic, economic, and special needs
22 status; research, information, and technology systems; and other
23 programs and practices that will assist educators in helping students
24 learn the essential academic learning requirements;

25 (c) Develop and maintain an internet web site to increase the
26 availability of information, research, and other materials;

27 (d) Work with appropriate organizations to inform teachers,
28 district and school administrators, and school directors about the
29 waivers available and the broadened school board powers under RCW
30 28A.320.015;

31 (e) Provide training and consultation services, including
32 conducting regional summer institutes;

33 (f) Identify strategies for improving the success rates of ethnic
34 and racial student groups and students with disabilities, with
35 disproportionate academic achievement;

36 (g) Work with parents, teachers, and school districts in
37 establishing a model absentee notification procedure that will properly
38 notify parents when their student has not attended a class or has

1 missed a school day. The office of the superintendent of public
2 instruction shall consider various types of communication with parents
3 including, but not limited to, electronic mail, phone, and postal mail;
4 and

5 (h) Perform other functions consistent with the purpose of the
6 center as prescribed in subsection (1) of this section.

7 (3) The superintendent of public instruction shall select and
8 employ a director for the center.

9 (4) The superintendent may enter into contracts with individuals or
10 organizations including but not limited to: School districts;
11 educational service districts; educational organizations; teachers;
12 higher education faculty; institutions of higher education; state
13 agencies; business or community-based organizations; and other
14 individuals and organizations to accomplish the duties and
15 responsibilities of the center. In carrying out the duties and
16 responsibilities of the center, the superintendent, whenever possible,
17 shall use practitioners to assist agency staff as well as assist
18 educators and others in schools and districts.

19 (5) The office of the superintendent of public instruction shall
20 report to the legislature by September 1, 2007, and thereafter
21 biennially, regarding the effectiveness of the center for the
22 improvement of student learning, how the services provided by the
23 center for the improvement of student learning have been used and by
24 whom, and recommendations to improve the accessibility and application
25 of knowledge and information that leads to improved student learning
26 and greater family and community involvement in the public education
27 system.

28 (6) This section is suspended until July 1, 2011.

29 **Sec. 2.** RCW 28A.300.137 and 2008 c 298 s 3 are each amended to
30 read as follows:

31 (1) Beginning in January 2010, the center for the improvement of
32 student learning shall report annually to the superintendent of public
33 instruction, the state board of education, the governor, the P-20
34 council, and the education committees of the legislature on the
35 implementation status of strategies to address the achievement gap for
36 African-American students and on the progress in improvement of
37 education performance measures for African-American students.

1 (2) This section is suspended until July 1, 2011.

2 **Sec. 3.** RCW 28A.300.160 and 1995 c 399 s 21 are each amended to
3 read as follows:

4 (1) The office of the superintendent of public instruction shall be
5 the lead agency and shall assist the department of social and health
6 services, the department of community, trade, and economic development,
7 and school districts in establishing a coordinated primary prevention
8 program for child abuse and neglect.

9 (2) In developing the program, consideration shall be given to the
10 following:

11 (a) Parent, teacher, and children's workshops whose information and
12 training is:

13 (i) Provided in a clear, age-appropriate, nonthreatening manner,
14 delineating the problem and the range of possible solutions;

15 (ii) Culturally and linguistically appropriate to the population
16 served;

17 (iii) Appropriate to the geographic area served; and

18 (iv) Designed to help counteract common stereotypes about child
19 abuse victims and offenders;

20 (b) Training for school age children's parents and school staff,
21 which includes:

22 (i) Physical and behavioral indicators of abuse;

23 (ii) Crisis counseling techniques;

24 (iii) Community resources;

25 (iv) Rights and responsibilities regarding reporting;

26 (v) School district procedures to facilitate reporting and apprise
27 supervisors and administrators of reports; and

28 (vi) Caring for a child's needs after a report is made;

29 (c) Training for licensed day care providers and parents that
30 includes:

31 (i) Positive child guidance techniques;

32 (ii) Physical and behavioral indicators of abuse;

33 (iii) Recognizing and providing safe, quality day care;

34 (iv) Community resources;

35 (v) Rights and responsibilities regarding reporting; and

36 (vi) Caring for the abused or neglected child;

37 (d) Training for children that includes:

- 1 (i) The right of every child to live free of abuse;
2 (ii) How to disclose incidents of abuse and neglect;
3 (iii) The availability of support resources and how to obtain help;
4 (iv) Child safety training and age-appropriate self-defense
5 techniques; and
6 (v) A period for crisis counseling and reporting immediately
7 following the completion of each children's workshop in a school
8 setting which maximizes the child's privacy and sense of safety.

9 (3) The office of the superintendent of public instruction shall
10 not require annual training under subsection (2) of this section. The
11 office of the superintendent of public instruction may consider
12 offering training every four years.

13 (4) The primary prevention program established under this section
14 shall be a voluntary program and shall not be part of the basic program
15 of education.

16 ~~((+4))~~ (5) Parents shall be given notice of the primary prevention
17 program and may refuse to have their children participate in the
18 program.

19 **Sec. 4.** RCW 28A.300.270 and 1994 sp.s. c 7 s 602 are each amended
20 to read as follows:

21 (1) The superintendent of public instruction shall, to the extent
22 funding is available, contract with school districts, educational
23 service districts, and approved in-service providers to conduct
24 training sessions for school certificated and classified employees in
25 conflict resolution and other violence prevention topics. The training
26 shall be developmentally and culturally appropriate for the school
27 populations being served and be research based. The training shall not
28 be based solely on providing materials, but also shall include
29 techniques on imparting these skills to students. The training
30 sessions shall be developed in coordination with school districts, the
31 superintendent of public instruction, parents, law enforcement
32 agencies, human services providers, and other interested parties. The
33 training shall be offered to school districts and school staff
34 requesting the training, and shall be made available at locations
35 throughout the state.

36 (2) The office of the superintendent of public instruction shall

1 not require annual training sessions. The training may be offered
2 every four years.

3 **Sec. 5.** RCW 28A.300.290 and 1996 c 273 s 1 are each amended to
4 read as follows:

5 (1) Beginning in 2011, the center for the improvement of student
6 learning, or its designee, shall develop and implement a process for
7 identifying programs that have been proven to be effective based upon
8 valid research in teaching elementary students to read. Additional
9 programs shall be reviewed after the initial identification of
10 effective programs.

11 (2) In identifying effective reading programs, beginning in 2011
12 the center for the improvement of student learning, or its designee,
13 shall consult primary education teachers, statewide reading
14 organizations, institutions of higher education, the commission on
15 student learning, parents, legislators, and other appropriate
16 individuals and organizations.

17 (3) In identifying effective reading programs, the following
18 criteria shall be used:

19 (a) Whether the program will help the student meet the state-level
20 and classroom-based assessments for reading;

21 (b) Whether the program has achieved documented results for
22 students on valid and reliable assessments;

23 (c) Whether the results of the program have been replicated at
24 different locations over a period of time;

25 (d) Whether the requirements and specifications for implementing
26 the program are clear so that potential users can clearly determine the
27 requirements of the program and how to implement it;

28 (e) Whether, when considering the cost of implementing the program,
29 the program is cost-effective relative to other similar types of
30 programs;

31 (f) Whether the program addresses differing student populations;
32 and

33 (g) Other appropriate criteria and considerations.

34 (4) The initial identification of effective reading programs shall
35 be completed and a list of the identified programs prepared by December
36 31, 1996.

1 **Sec. 6.** RCW 28A.300.300 and 1998 c 245 s 11 are each amended to
2 read as follows:

3 (1) After effective programs have been identified in accordance
4 with RCW 28A.300.290, beginning in 2011 the center for the improvement
5 of student learning, or its designee, shall provide, upon request,
6 online information and take other appropriate steps to inform
7 elementary school teachers, principals, curriculum directors,
8 superintendents, school board members, college and university reading
9 instruction faculty, and others of its findings.

10 (2) Beginning in 2011, the center, in cooperation with statewide
11 organizations interested in improving literacy, also shall develop and
12 implement strategies to improve reading instruction in the state, with
13 a special emphasis on the instruction of reading in the primary grades
14 using the effective reading programs that have been identified in
15 accordance with RCW 28A.300.290. The strategies may include, but
16 should not be limited to, expanding and improving reading instruction
17 of elementary school teachers in teacher preparation programs, expanded
18 in-service training in reading instruction, the training of
19 paraprofessionals and volunteers in reading instruction, improving
20 classroom-based assessment of reading, and increasing statewide and
21 regional technical assistance in reading instruction.

22 **Sec. 7.** RCW 28A.300.450 and 2004 c 247 s 2 are each amended to
23 read as follows:

24 (1) A financial literacy public-private partnership is established,
25 composed of up to four members representing the legislature, one from
26 and appointed by the office of the superintendent of public
27 instruction, one from and appointed by the department of financial
28 institutions, up to four from the financial services sector, and four
29 educators. One or two members of the senate, one of whom is a member
30 of the senate committee on financial services, insurance and housing,
31 shall be appointed by the president of the senate. One or two members
32 of the house of representatives, one of whom is a member of the house
33 committee on financial institutions and insurance, shall be appointed
34 by the speaker of the house of representatives. The superintendent of
35 public instruction shall appoint the members from the financial
36 services sector and educator members. The chair of the partnership
37 shall be selected by the members of the partnership.

1 (2) To the extent funds are appropriated or are available for this
2 purpose, technical and logistical support may be provided by the office
3 of the superintendent of public instruction, the organizations
4 composing the partnership, and other participants in the financial
5 literacy public-private partnership. The superintendent of public
6 instruction shall compile the initial list of members and convene the
7 first meeting of the partnership.

8 (3) The members of the committee shall be appointed by July 1,
9 2004.

10 (4) Legislative members of the partnership shall receive per diem
11 and travel under RCW 44.04.120.

12 (5) Travel and other expenses of members of the partnership shall
13 be provided by the agency, association, or organization that member
14 represents.

15 (6) This section is suspended until July 1, 2011.

16 **Sec. 8.** RCW 28A.300.490 and 2007 c 406 s 2 are each amended to
17 read as follows:

18 (1) A task force on gangs in schools is created to examine current
19 adult and youth gang activities that are affecting school safety. The
20 task force shall work under the guidance of the superintendent of
21 public instruction school safety center, the school safety center
22 advisory committee, and the Washington association of sheriffs and
23 police chiefs.

24 (2) The task force shall be comprised of representatives, selected
25 by the superintendent of public instruction, who possess expertise
26 relevant to gang activity in schools. The task force shall outline
27 methods for preventing new gangs, eliminating existing gangs, gathering
28 intelligence, and sharing information about gang activities.

29 (3) Beginning December 1, 2007, the task force shall annually
30 report its findings and recommendations to the education committees of
31 the legislature.

32 (4) This section is suspended until July 1, 2011.

33 **Sec. 9.** RCW 28A.300.520 and 2007 c 384 s 5 are each amended to
34 read as follows:

35 (1) The superintendent of public instruction shall review current
36 policies and assess the adequacy and availability of programs targeted

1 at children who have a parent who is incarcerated in a department of
2 corrections facility. The superintendent of public instruction shall
3 adopt policies that support the children of incarcerated parents and
4 meet their needs with the goal of facilitating normal child
5 development, including maintaining adequate academic progress, while
6 reducing intergenerational incarceration.

7 (2) The superintendent shall conduct the following activities to
8 assist in implementing the requirements of subsection (1) of this
9 section:

10 (a) Gather information and data on the students who are the
11 children of inmates incarcerated in department of corrections
12 facilities; and

13 (b) Participate in the children of incarcerated parents advisory
14 committee and report information obtained under this section to the
15 advisory committee.

16 (3) This section is suspended until July 1, 2011.

17 **Sec. 10.** RCW 28A.320.080 and 1995 c 77 s 21 are each amended to
18 read as follows:

19 Every board of directors, unless otherwise specifically provided by
20 law, shall:

21 (1) Provide for the expenditure of a reasonable amount for suitable
22 commencement exercises;

23 (2) ~~((In addition to providing))~~ To the extent funds are available,
24 provide free instruction in lip reading for children disabled by
25 defective hearing~~((7))~~ and make arrangements for free instruction in
26 lip reading to adults disabled by defective hearing whenever in its
27 judgment such instruction appears to be in the best interests of the
28 school district and adults concerned;

29 (3) Join with boards of directors of other school districts or an
30 educational service district pursuant to RCW 28A.310.180(3), or both
31 such school districts and educational service district in buying
32 supplies, equipment and services by establishing and maintaining a
33 joint purchasing agency, or otherwise, when deemed for the best
34 interests of the district, any joint agency formed hereunder being
35 herewith authorized and empowered to issue interest bearing warrants in
36 payment of any obligation owed: PROVIDED, HOWEVER, That those agencies
37 issuing interest bearing warrants shall assign accounts receivable in

1 an amount equal to the amount of the outstanding interest bearing
2 warrants to the county treasurer issuing such interest bearing
3 warrants: PROVIDED FURTHER, That the joint purchasing agency shall
4 consider the request of any one or more private schools requesting the
5 agency to jointly buy supplies, equipment, and services including but
6 not limited to school bus maintenance services, and, after considering
7 such request, may cooperate with and jointly make purchases with
8 private schools of supplies, equipment, and services, including but not
9 limited to school bus maintenance services, so long as such private
10 schools pay in advance their proportionate share of the costs or
11 provide a surety bond to cover their proportionate share of the costs
12 involved in such purchases;

13 (4) Consider the request of any one or more private schools
14 requesting the board to jointly buy supplies, equipment and services
15 including but not limited to school bus maintenance services, and,
16 after considering such request, may provide such joint purchasing
17 services: PROVIDED, That such private schools pay in advance their
18 proportionate share of the costs or provide a surety bond to cover
19 their proportionate share of the costs involved in such purchases; and

20 (5) Prepare budgets as provided for in chapter 28A.505 RCW.

21 **Sec. 11.** RCW 28A.345.020 and 1969 ex.s. c 223 s 28A.61.020 are
22 each amended to read as follows:

23 The membership of the school directors' association (~~shall~~) may
24 comprise the members of the boards of directors of the school districts
25 of the state.

26 **Sec. 12.** RCW 28A.345.050 and 1983 c 187 s 2 are each amended to
27 read as follows:

28 The school directors' association may establish a graduated
29 schedule of dues for members of the association based upon the number
30 of certificated personnel in each district. Dues shall be established
31 for the directors of each district as a group. The total of all dues
32 assessed shall not exceed twenty-seven cents for each one thousand
33 dollars of the statewide total of all school districts' general fund
34 receipts. The board of directors of a school district shall make
35 provision for payment out of the general fund of the district of the
36 dues of association members resident in the district, which payment

1 shall be made in the manner provided by law for the payment of other
2 claims against the general fund of the district. The dues for each
3 member school district shall be due and payable on the first day of
4 January of each year.

5 **Sec. 13.** RCW 28A.415.010 and 2006 c 263 s 807 are each amended to
6 read as follows:

7 (1) It shall be the responsibility of each educational service
8 district board to establish a center for the improvement of teaching.
9 The center shall administer, coordinate, and act as fiscal agent for
10 such programs related to the recruitment and training of certificated
11 and classified K-12 education personnel as may be delegated to the
12 center by the superintendent of public instruction under RCW
13 28A.310.470. To assist in these activities, each educational service
14 district board shall establish an improvement of teaching coordinating
15 council to include, at a minimum, representatives as specified in RCW
16 28A.415.040. An existing in-service training task force, established
17 pursuant to RCW 28A.415.040, may serve as the improvement of teaching
18 coordinating council. The educational service district board shall
19 ensure coordination of programs established pursuant to RCW
20 28A.415.030, 28A.410.060, and 28A.415.250.

21 The educational service district board may arrange each year for
22 the holding of one or more teachers' institutes and/or workshops for
23 professional staff preparation and in-service training in such manner
24 and at such time as the board believes will be of benefit to the
25 teachers and other professional staff of school districts within the
26 educational service district and shall comply with rules of the
27 professional educator standards board pursuant to RCW 28A.410.060 or
28 the superintendent of public instruction pursuant to RCW 28A.415.250.
29 The board may provide such additional means of teacher and other
30 professional staff preparation and in-service training as it may deem
31 necessary or appropriate and there shall be a proper charge against the
32 educational service district general expense fund when approved by the
33 educational service district board.

34 (2) Educational service district boards of contiguous educational
35 service districts, by mutual arrangements, may hold joint institutes
36 and/or workshops, the expenses to be shared in proportion to the

1 numbers of certificated personnel as shown by the last annual reports
2 of the educational service districts holding such joint institutes or
3 workshops.

4 (3) In local school districts employing more than one hundred
5 teachers and other professional staff, the school district
6 superintendent may hold a teachers' institute of one or more days in
7 such district, said institute when so held by the school district
8 superintendent to be in all respects governed by the provisions of this
9 title and rules relating to teachers' institutes held by educational
10 service district superintendents.

11 (4) This section is suspended until July 1, 2011.

12 **Sec. 14.** RCW 28A.415.100 and 1991 c 258 s 1 are each amended to
13 read as follows:

- 14 (1) The legislature recognizes that:
- 15 (a) Strong teacher preparation programs are vital to the success of
16 the state's entire education system;
 - 17 (b) Clinical field experiences, particularly student teaching, are
18 critical to the developmental preparation of teacher candidates and to
19 the success of teacher preparation programs;
 - 20 (c) Schools, school districts, educational service districts, and
21 institutions of higher education benefit mutually from cooperative
22 relationships that provide teacher candidates with appropriate,
23 necessary, and successful student teaching experiences that establish
24 continuity between the theory and practice of teaching;
 - 25 (d) Positive student teaching experiences result from the careful
26 match between cooperating teachers and student teachers;
 - 27 (e) Teacher candidates should have student teaching opportunities
28 and other field experiences that are reflective of the diversity
29 existing among schools and school districts statewide; and
 - 30 (f) School districts statewide should have access to student
31 teachers.

32 (2) Therefore, in support of quality, professional, research-based
33 training of prospective teachers, it is the intent of the legislature
34 to continue its support of evolving partnerships among schools, school
35 districts, educational service districts, community colleges, and
36 colleges and universities, that are:

- 37 (a) Benefiting the teaching profession;

1 (b) Enhancing the ability of all new teachers to assume initial
2 teaching responsibilities with greater confidence and a higher level of
3 training;

4 (c) Providing important and positive mentoring opportunities for
5 experienced teachers; and

6 (d) Strengthening cooperation and communication between the
7 precollegiate and collegiate sectors of the state education system.

8 (3) This section is suspended until July 1, 2011.

9 **Sec. 15.** RCW 28A.415.125 and 2006 c 263 s 812 are each amended to
10 read as follows:

11 (1) The professional educator standards board, from appropriated
12 funds, shall establish a network of student teaching centers to support
13 the continuing development of the field-based component of teacher
14 preparation programs. The purpose of the training centers is to:

15 ~~((+1))~~ (a) Expand opportunities for student teacher placements in
16 school districts statewide, with an emphasis on those populations and
17 locations that are unserved or underserved;

18 ~~((+2))~~ (b) Provide cooperating teachers for all student teachers
19 during their student internship for up to two academic quarters;

20 ~~((+3))~~ (c) Enhance the student teaching component of teacher
21 preparation programs, including a placement of student teachers in
22 special education and multi-ethnic school settings; and

23 ~~((+4))~~ (d) Expand access to each other and opportunities for
24 collaboration in teacher education between colleges and universities
25 and school districts.

26 (2) This section is suspended until July 1, 2011.

27 **Sec. 16.** RCW 28A.415.130 and 2006 c 263 s 813 are each amended to
28 read as follows:

29 (1) Funds for the student teaching centers shall be allocated by
30 the superintendent of public instruction among the educational service
31 district regions on the basis of student teaching placements. The
32 fiscal agent for each center shall be either an educational service
33 district or a state institution of higher education. Prospective
34 fiscal agents shall document to the professional educator standards
35 board the following information:

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

5 ~~((2))~~ (b) Primary administration for each center shall be the
6 responsibility of one or more of the cooperating organizations;

7 ~~((3))~~ (c) Assurance that the training center program provides
8 appropriate and necessary training in observation, supervision, and
9 assistance skills and techniques for:

10 ~~((a))~~ (i) Cooperating teachers;

11 ~~((b))~~ (ii) Other school building personnel; and

12 ~~((c))~~ (iii) School district employees.

13 (2) This section is suspended until July 1, 2011.

14 **Sec. 17.** RCW 28A.415.135 and 1991 c 258 s 8 are each amended to
15 read as follows:

16 (1) The student teaching centers shall be an alternative means of
17 placing teachers into school districts throughout the state. Nothing
18 in RCW 28A.415.100 through 28A.415.140 or 28A.415.250 precludes a
19 higher education institution that is not a participant in a training
20 center from placing student teachers into a district that may be
21 participating formally with other institutions in a student teaching
22 center program, or placing student teachers into districts pursuant to
23 an agreement between the institution and district.

24 (2) This section is suspended until July 1, 2011.

25 **Sec. 18.** RCW 28A.415.140 and 1991 c 258 s 9 are each amended to
26 read as follows:

27 (1) Field experiences may be provided through a student teaching
28 center. The cost of providing such experiences and opportunities shall
29 be the sole responsibility of the participants cooperating in the
30 operation of the center.

31 (2) This section is suspended until July 1, 2011.

32 **Sec. 19.** RCW 28A.415.145 and 2006 c 263 s 814 are each amended to
33 read as follows:

34 (1) The professional educator standards board and the

1 superintendent of public instruction shall adopt rules as necessary
2 under chapter 34.05 RCW to carry out the purposes of RCW 28A.415.100
3 through 28A.415.140.

4 (2) This section is suspended until July 1, 2011.

5 **Sec. 20.** RCW 28A.625.020 and 1991 c 255 s 1 are each amended to
6 read as follows:

7 (1) The superintendent of public instruction shall establish an
8 annual award program for excellence in education to recognize teachers,
9 principals, administrators, classified staff, school district
10 superintendents, and school boards for their leadership, contributions,
11 and commitment to education. The program shall recognize annually:

12 ~~((+1))~~ (a) Five teachers from each congressional district of the
13 state. One individual must be an elementary level teacher, one must be
14 a junior high or middle school level teacher, and one must be a
15 secondary level teacher. Teachers shall include educational staff
16 associates;

17 ~~((+2))~~ (b) Five principals or administrators from the state;

18 ~~((+3))~~ (c) One school district superintendent from the state;

19 ~~((+4))~~ (d) One school district board of directors from the state;

20 and

21 ~~((+5))~~ (e) Three classified staff from each congressional district
22 of the state.

23 (2) This section is suspended until July 1, 2011.

24 **Sec. 21.** RCW 28A.625.042 and 1994 c 279 s 4 are each amended to
25 read as follows:

26 (1) All recipients of the Washington award for excellence in
27 education shall receive a certificate presented by the governor and the
28 superintendent of public instruction, or their designated
29 representatives, at a public ceremony or ceremonies in appropriate
30 locations.

31 (2) In addition to the certificate under subsection (1) of this
32 section, the award for teachers, classified employees, superintendents
33 employed by second-class school districts, and principals or
34 administrators shall include a recognition award of at least two
35 thousand five hundred dollars. The amount of the recognition award for

1 superintendents employed by first-class school districts shall be at
2 least one thousand dollars. The recognition award shall not be
3 considered compensation for the purposes of RCW 28A.400.200.

4 (3) In addition to the certificate under subsection (1) of this
5 section, the award for the school board shall include a recognition
6 award not to exceed two thousand five hundred dollars. The school
7 board must use its recognition award for an educational purpose.

8 (4) This section is suspended until July 1, 2011.

9 **Sec. 22.** RCW 28A.625.050 and 1995 c 335 s 108 are each amended to
10 read as follows:

11 (1) The superintendent of public instruction shall adopt rules
12 under chapter 34.05 RCW to carry out the purposes of RCW 28A.625.010
13 through 28A.625.065. These rules shall include establishing the
14 selection criteria for the Washington award for excellence in education
15 program. The superintendent is encouraged to consult with teachers,
16 educational staff associates, principals, administrators, classified
17 employees, superintendents, and school board members in developing the
18 selection criteria. Notwithstanding the provisions of RCW
19 28A.625.020(1) (a) and ~~((+2))~~ (b), such rules may allow for the
20 selection of individuals whose teaching or administrative duties, or
21 both, may encompass multiple grade level or building assignments, or
22 both.

23 (2) This section is suspended until July 1, 2011.

24 **Sec. 23.** RCW 28A.625.360 and 2006 c 263 s 804 are each amended to
25 read as follows:

26 (1) The professional educator standards board shall establish an
27 annual award program for excellence in teacher preparation to recognize
28 higher education teacher educators for their leadership, contributions,
29 and commitment to education.

30 (2) The program shall recognize annually one teacher preparation
31 faculty member from one of the teacher preparation programs approved by
32 the professional educator standards board.

33 (3) This section is suspended until July 1, 2011.

34 **Sec. 24.** RCW 28A.625.370 and 2006 c 263 s 820 are each amended to
35 read as follows:

1 (1) The award for the teacher educator shall include:

2 ~~((1))~~ (a) A certificate presented to the teacher educator by the
3 governor, the chair of the professional educator standards board, and
4 the superintendent of public instruction at a public ceremony; and

5 ~~((2))~~ (b) A grant to the professional education advisory board of
6 the institution from which the teacher educator is selected, which
7 grant shall not exceed two thousand five hundred dollars and which
8 grant shall be awarded under RCW 28A.625.390.

9 (2) This section is suspended until July 1, 2011.

10 **Sec. 25.** RCW 28A.625.380 and 2006 c 263 s 821 are each amended to
11 read as follows:

12 (1) The professional educator standards board shall adopt rules
13 under chapter 34.05 RCW to carry out the purposes of RCW 28A.625.360
14 through 28A.625.390. These rules shall include establishing the
15 selection criteria for the Washington award for excellence in teacher
16 preparation. The board is encouraged to consult with teacher
17 educators, deans, and professional education advisory board members in
18 developing the selection criteria. The criteria shall include any role
19 performed by nominees relative to implementing innovative developments
20 by the nominee's teacher preparation program and efforts the nominee
21 has made to assist in communicating with legislators, common school
22 teachers and administrators, and others about the nominee's teacher
23 preparation program.

24 (2) This section is suspended until July 1, 2011.

25 **Sec. 26.** RCW 28A.625.390 and 2006 c 263 s 822 are each amended to
26 read as follows:

27 (1) The professional education advisory board for the institution
28 from which the teacher educator has been selected to receive an award
29 shall be eligible to apply for an educational grant as provided under
30 RCW 28A.625.370. The professional educator standards board shall award
31 the grant after the board has approved the grant application as long as
32 the written grant application is submitted to the board within one year
33 after the award is received by the teacher educator. The grant
34 application shall identify the educational purpose toward which the
35 grant shall be used.

36 (2) This section is suspended until July 1, 2011.

1 **Sec. 27.** RCW 28A.640.020 and 1994 c 213 s 1 are each amended to
2 read as follows:

3 (1) The superintendent of public instruction shall develop
4 (~~regulations~~) rules and guidelines to eliminate sex discrimination as
5 it applies to public school employment, counseling and guidance
6 services to students, recreational and athletic activities for
7 students, access to course offerings, and in textbooks and
8 instructional materials used by students.

9 (a) Specifically with respect to public school employment, all
10 schools shall be required to:

11 (i) Maintain credential requirements for all personnel without
12 regard to sex;

13 (ii) Make no differentiation in pay scale on the basis of sex;

14 (iii) Assign school duties without regard to sex except where such
15 assignment would involve duty in areas or situations, such as but not
16 limited to a shower room, where persons might be disrobed;

17 (iv) Provide the same opportunities for advancement to males and
18 females; and

19 (v) Make no difference in conditions of employment including, but
20 not limited to, hiring practices, leaves of absence, hours of
21 employment, and assignment of, or pay for, instructional and
22 noninstructional duties, on the basis of sex.

23 (b) Specifically with respect to counseling and guidance services
24 for students, they shall be made available to all students equally.
25 All certificated personnel shall be required to stress access to all
26 career and vocational opportunities to students without regard to sex.

27 (c) Specifically with respect to recreational and athletic
28 activities, they shall be offered to all students without regard to
29 sex. Schools may provide separate teams for each sex. Schools which
30 provide the following shall do so with no disparities based on sex:
31 Equipment and supplies; medical care; services and insurance;
32 transportation and per diem allowances; opportunities to receive
33 coaching and instruction; laundry services; assignment of game
34 officials; opportunities for competition, publicity and awards;
35 scheduling of games and practice times including use of courts, gyms,
36 and pools: PROVIDED, That such scheduling of games and practice times
37 shall be determined by local administrative authorities after
38 consideration of the public and student interest in attending and

1 participating in various recreational and athletic activities. Each
2 school which provides showers, toilets, or training room facilities for
3 athletic purposes shall provide comparable facilities for both sexes.
4 Such facilities may be provided either as separate facilities or shall
5 be scheduled and used separately by each sex.

6 The superintendent of public instruction shall also be required to
7 develop a student survey to distribute every three years to each local
8 school district in the state to determine student interest for
9 male/female participation in specific sports.

10 (d) Specifically with respect to course offerings, all classes
11 shall be required to be available to all students without regard to
12 sex: PROVIDED, That separation is permitted within any class during
13 sessions on sex education or gym classes.

14 (e) Specifically with respect to textbooks and instructional
15 materials, which shall also include, but not be limited to, reference
16 books and audio-visual materials, they shall be required to adhere to
17 the guidelines developed by the superintendent of public instruction to
18 implement the intent of this chapter: PROVIDED, That this subsection
19 shall not be construed to prohibit the introduction of material deemed
20 appropriate by the instructor for educational purposes.

21 (2)(a) By December 31, 1994, the superintendent of public
22 instruction shall develop criteria for use by school districts in
23 developing sexual harassment policies as required under (b) of this
24 subsection. The criteria shall address the subjects of grievance
25 procedures, remedies to victims of sexual harassment, disciplinary
26 actions against violators of the policy, and other subjects at the
27 discretion of the superintendent of public instruction. Disciplinary
28 actions must conform with collective bargaining agreements and state
29 and federal laws. The superintendent of public instruction also shall
30 supply sample policies to school districts upon request.

31 (b) By June 30, 1995, every school district shall adopt and
32 implement a written policy concerning sexual harassment. The policy
33 shall apply to all school district employees, volunteers, parents, and
34 students, including, but not limited to, conduct between students.

35 (c) School district policies on sexual harassment shall be reviewed
36 by the superintendent of public instruction considering the criteria
37 established under (a) of this subsection as part of the monitoring
38 process established in RCW 28A.640.030.

1 (d) The school district's sexual harassment policy shall be
2 conspicuously posted throughout each school building, and provided
3 online to each employee. A copy of the policy shall appear in any
4 publication of the school or school district setting forth the rules,
5 (~~regulations,~~) procedures, and standards of conduct for the school or
6 school district.

7 (e) Each school shall develop a process for discussing the
8 district's sexual harassment policy. The process shall ensure the
9 discussion addresses the definition of sexual harassment and issues
10 covered in the sexual harassment policy.

11 (f) The office of the superintendent of public instruction shall
12 not require annual training to address the policies of this section.
13 Beginning in 2011, training may be offered every four years.

14 (g) "Sexual harassment" as used in this section means unwelcome
15 sexual advances, requests for sexual favors, sexually motivated
16 physical contact, or other verbal or physical conduct or communication
17 of a sexual nature if:

18 (i) Submission to that conduct or communication is made a term or
19 condition, either explicitly or implicitly, of obtaining an education
20 or employment;

21 (ii) Submission to or rejection of that conduct or communication by
22 an individual is used as a factor in decisions affecting that
23 individual's education or employment; or

24 (iii) That conduct or communication has the purpose or effect of
25 substantially interfering with an individual's educational or work
26 performance, or of creating an intimidating, hostile, or offensive
27 educational or work environment.

28 **Sec. 28.** RCW 28A.150.520 and 2005 c 12 s 9 are each amended to
29 read as follows:

30 To the extent funds are available, public school districts must
31 comply with high-performance public (~~building[s]~~) buildings
32 requirements under RCW 39.35D.010, 39.35D.020, 39.35D.040, 39.35D.060,
33 and 28A.150.530.

34 **Sec. 29.** RCW 28A.160.210 and 2006 c 263 s 906 are each amended to
35 read as follows:

36 In addition to other powers and duties, the superintendent of

1 public instruction shall adopt rules governing the training and
2 qualifications of school bus drivers. Such rules shall be designed to
3 insure that persons will not be employed to operate school buses unless
4 they possess such physical health and driving skills as are necessary
5 to safely operate school buses: PROVIDED, That such rules shall insure
6 that school bus drivers are provided a due process hearing before any
7 certification required by such rules is cancelled: PROVIDED FURTHER,
8 That such rules shall not conflict with the authority of the department
9 of licensing to license school bus drivers in accordance with chapter
10 46.25 RCW. The superintendent of public instruction shall reduce the
11 annual training burden on local school districts. To the extent
12 possible, training shall be online and no more than once every two
13 years. The superintendent of public instruction may obtain a copy of
14 the driving record, as maintained by the department of licensing, for
15 consideration when evaluating a school bus driver's driving skills.

16 **Sec. 30.** RCW 28A.170.050 and 1997 c 13 s 3 are each amended to
17 read as follows:

18 The superintendent of public instruction (~~shall~~) may appoint a
19 substance abuse advisory committee comprised of: Representatives of
20 certificated and classified staff; administrators; parents; students;
21 school directors; the bureau of alcohol and substance abuse within the
22 department of social and health services; the traffic safety
23 commission; and county coordinators of alcohol and drug treatment. The
24 committee shall advise the superintendent on matters of local program
25 development, coordination, and evaluation.

26 **Sec. 31.** RCW 28A.210.310 and 1997 c 9 s 1 are each amended to read
27 as follows:

28 (1) To protect children in the public schools of this state from
29 exposure to the addictive substance of nicotine, each school district
30 board of directors shall have a written policy mandating a prohibition
31 on the use of all tobacco products on public school property.

32 (2) The policy in subsection (1) of this section shall include, but
33 not be limited to, (~~a requirement that students and school personnel~~
34 ~~be notified of the prohibition, the posting of signs prohibiting the~~
35 ~~use of tobacco products,~~) sanctions for students and school personnel
36 who violate the policy, and a requirement that school district

1 personnel enforce the prohibition. Enforcement policies adopted in the
2 school board policy shall be in addition to the enforcement provisions
3 in RCW 70.160.070.

4 **Sec. 32.** RCW 28A.210.330 and 2002 c 350 s 2 are each amended to
5 read as follows:

6 (1) School districts shall provide individual health plans for
7 students with diabetes, subject to the following conditions:

8 (a) The board of directors of the school district shall adopt
9 policies to be followed for students with diabetes. The policies shall
10 include, but need not be limited to:

11 (i) The acquisition of parent requests and instructions;

12 (ii) The acquisition of orders from licensed health professionals
13 prescribing within the scope of their prescriptive authority for
14 monitoring and treatment at school;

15 (iii) The provision for storage of medical equipment and medication
16 provided by the parent;

17 (iv) The provision for students to perform blood glucose tests,
18 administer insulin, treat hypoglycemia and hyperglycemia, and have easy
19 access to necessary supplies and equipment to perform monitoring and
20 treatment functions as specified in the individual health plan. The
21 policies shall include the option for students to carry on their
22 persons the necessary supplies and equipment and the option to perform
23 monitoring and treatment functions anywhere on school grounds including
24 the students' classrooms, and at school-sponsored events;

25 (v) The establishment of school policy exceptions necessary to
26 accommodate the students' needs to eat whenever and wherever necessary,
27 have easy, unrestricted access to water and bathroom use, have
28 provisions made for parties at school when food is served, eat meals
29 and snacks on time, and other necessary exceptions as described in the
30 individual health plan;

31 (vi) The assurance that school meals are never withheld because of
32 nonpayment of fees or disciplinary action;

33 (vii) A description of the students' school day schedules for
34 timing of meals, snacks, blood sugar testing, insulin injections, and
35 related activities;

36 (viii) The development of individual emergency plans;

1 (ix) The distribution of the individual health plan to appropriate
2 staff based on the students' needs and staff level of contact with the
3 students;

4 (x) The possession of legal documents for parent-designated adults
5 to provide care, if needed; and

6 (xi) The updating of the individual health plan at least annually
7 or more frequently, as needed; and

8 (b) The board of directors, in the course of developing the
9 policies in (a) of this subsection, shall seek advice from one or more
10 licensed physicians or nurses or diabetes educators who are nationally
11 certified.

12 (2)(a) For the purposes of this section, "parent-designated adult"
13 means a volunteer, who may be a school district employee, who receives
14 additional training from a health care professional or expert in
15 diabetic care selected by the parents, and who provides care for the
16 child consistent with the individual health plan.

17 (b) To be eligible to be a parent-designated adult, a school
18 district employee not licensed under chapter 18.79 RCW shall file,
19 without coercion by the employer, a voluntary written, current, and
20 unexpired letter of intent stating the employee's willingness to be a
21 parent-designated adult. If a school employee who is not licensed
22 under chapter 18.79 RCW chooses not to file a letter under this
23 section, the employee shall not be subject to any employer reprisal or
24 disciplinary action for refusing to file a letter.

25 (3) The board of directors shall designate a professional person
26 licensed under chapter 18.71, 18.57, or 18.79 RCW as it applies to
27 registered nurses and advanced registered nurse practitioners, to
28 consult and coordinate with the student's parents and health care
29 provider, and train and supervise the appropriate school district
30 personnel in proper procedures for care for students with diabetes to
31 ensure a safe, therapeutic learning environment. Training may also be
32 provided by a diabetes educator who is nationally certified. Parent-
33 designated adults who are school employees are required to receive the
34 training provided under this subsection. Parent-designated adults who
35 are not school employees shall show evidence of comparable training.
36 The parent-designated adult must also receive additional training as
37 established in subsection (2)(a) of this section for the additional
38 care the parents have authorized the parent-designated adult to

1 provide. The professional person designated under this subsection is
2 not responsible for the supervision of the parent-designated adult for
3 those procedures that are authorized by the parents.

4 (4) This section is suspended until July 1, 2011.

5 **Sec. 33.** RCW 28A.210.350 and 2002 c 350 s 4 are each amended to
6 read as follows:

7 (1) A school district, school district employee, agent, or parent-
8 designated adult who, acting in good faith and in substantial
9 compliance with the student's individual health plan and the
10 instructions of the student's licensed health care professional,
11 provides assistance or services under RCW 28A.210.330 shall not be
12 liable in any criminal action or for civil damages in his or her
13 individual or marital or governmental or corporate or other capacities
14 as a result of the services provided under RCW 28A.210.330 to students
15 with diabetes.

16 (2) This section is suspended until July 1, 2011.

17 **Sec. 34.** RCW 28A.210.370 and 2005 c 462 s 2 are each amended to
18 read as follows:

19 (1) The superintendent of public instruction and the secretary of
20 the department of health shall develop a uniform policy for all school
21 districts providing for the in-service training for school staff on
22 symptoms, treatment, and monitoring of students with asthma and on the
23 additional observations that may be needed in different situations that
24 may arise during the school day and during school-sponsored events. To
25 the extent possible, the in-service training shall be offered online
26 and no more than once every three years. The policy shall include the
27 standards and skills that must be in place for in-service training of
28 school staff.

29 (2) All school districts shall adopt policies regarding asthma
30 rescue procedures for each school within the district.

31 (3) All school districts must require that each public elementary
32 school and secondary school grant to any student in the school
33 authorization for the self-administration of medication to treat that
34 student's asthma or anaphylaxis, if:

35 (a) A health care practitioner prescribed the medication for use by

1 the student during school hours and instructed the student in the
2 correct and responsible use of the medication;

3 (b) The student has demonstrated to the health care practitioner,
4 or the practitioner's designee, and a professional registered nurse at
5 the school, the skill level necessary to use the medication and any
6 device that is necessary to administer the medication as prescribed;

7 (c) The health care practitioner formulates a written treatment
8 plan for managing asthma or anaphylaxis episodes of the student and for
9 medication use by the student during school hours; and

10 (d) The student's parent or guardian has completed and submitted to
11 the school any written documentation required by the school, including
12 the treatment plan formulated under (c) of this subsection and other
13 documents related to liability.

14 (4) An authorization granted under subsection (3) of this section
15 must allow the student involved to possess and use his or her
16 medication:

17 (a) While in school;

18 (b) While at a school-sponsored activity, such as a sporting event;
19 and

20 (c) In transit to or from school or school-sponsored activities.

21 (5) An authorization granted under subsection (3) of this section:

22 (a) Must be effective only for the same school and school year for
23 which it is granted; and

24 (b) Must be renewed by the parent or guardian each subsequent
25 school year in accordance with this subsection.

26 (6) School districts must require that backup medication, if
27 provided by a student's parent or guardian, be kept at a student's
28 school in a location to which the student has immediate access in the
29 event of an asthma or anaphylaxis emergency.

30 (7) School districts must require that information described in
31 subsection (3)(c) and (d) of this section be kept on file at the
32 student's school in a location easily accessible in the event of an
33 asthma or anaphylaxis emergency.

34 (8) Nothing in this section creates a cause of action or in any
35 other way increases or diminishes the liability of any person under any
36 other law.

1 **Sec. 35.** RCW 28A.210.380 and 2008 c 173 s 1 are each amended to
2 read as follows:

3 (1) The office of the superintendent of public instruction, in
4 consultation with the department of health, shall develop anaphylactic
5 policy guidelines for schools to prevent anaphylaxis and deal with
6 medical emergencies resulting from it. The policy guidelines shall be
7 developed with input from pediatricians, school nurses, other health
8 care providers, parents of children with life-threatening allergies,
9 school administrators, teachers, and food service directors.

10 The policy guidelines shall include, but need not be limited to:

11 (a) A procedure for each school to follow to develop a treatment
12 plan including the responsibilities (~~(for {of})~~) of school nurses and
13 other appropriate school personnel responsible for responding to a
14 student who may be experiencing anaphylaxis;

15 (b) The content of a training course for appropriate school
16 personnel for preventing and responding to a student who may be
17 experiencing anaphylaxis. To the extent possible, the training course
18 shall be offered online and no more than once every three years;

19 (c) A procedure for the development of an individualized emergency
20 health care plan for children with food or other allergies that could
21 result in anaphylaxis;

22 (d) A communication plan for the school to follow to gather and
23 disseminate information on students with food or other allergies who
24 may experience anaphylaxis;

25 (e) Strategies for reduction of the risk of exposure to
26 anaphylactic causative agents including food and other allergens.

27 (2) For the purpose of this section "anaphylaxis" means a severe
28 allergic and life-threatening reaction that is a collection of
29 symptoms, which may include breathing difficulties and a drop in blood
30 pressure or shock.

31 (3)(a) By October 15, 2008, the superintendent of public
32 instruction shall report to the select interim legislative task force
33 on comprehensive school health reform created in section 6, chapter 5,
34 Laws of 2007, on the following:

35 (i) The implementation within school districts of the 2008
36 guidelines for care of students with life-threatening food allergies
37 developed by the superintendent pursuant to section 501, chapter 522,

1 Laws of 2007, including a review of policies developed by the school
2 districts, the training provided to school personnel, and plans for
3 follow-up monitoring of policy implementation; and

4 (ii) Recommendations on requirements for effectively implementing
5 the school anaphylactic policy guidelines developed under this section.

6 (b) By March 31, 2009, the superintendent of public instruction
7 shall report policy guidelines to the appropriate committees of the
8 legislature and to school districts for the districts to use to develop
9 and adopt their policies.

10 (4) By September 1, 2009, each school district shall use the
11 guidelines developed under subsection (1) of this section to develop
12 and adopt a school district policy for each school in the district to
13 follow to assist schools to prevent anaphylaxis.

14 **Sec. 36.** RCW 39.35D.040 and 2006 c 263 s 331 are each amended to
15 read as follows:

16 (1) All major facility projects of public school districts
17 receiving any funding in a state capital budget must be designed and
18 constructed to at least the LEED silver standard or the Washington
19 sustainable school design protocol. To the extent appropriate LEED
20 silver or Washington sustainable school design protocol standards exist
21 for the type of building or facility, this subsection applies to major
22 facility projects that have not received project approval from the
23 superintendent of public instruction prior to: (a) July 1, 2006, for
24 volunteering school districts; (b) July 1, 2007, for class one school
25 districts; and (c) July 1, 2008, for class two school districts.

26 (2) Public school districts under this section shall: (a) Monitor
27 and document appropriate operating benefits and savings resulting from
28 major facility projects designed and constructed as required under this
29 section for a minimum of five years following local board acceptance of
30 a project receiving state funding; and (b) report annually to the
31 superintendent of public instruction. The form and content of each
32 report must be mutually developed by the office of the superintendent
33 of public instruction in consultation with school districts.

34 (3) The superintendent of public instruction shall consolidate the
35 reports required in subsection (2) of this section into one report and
36 report to the governor and legislature by September 1st of each even-
37 numbered year beginning in 2006 and ending in 2016. In its report, the

1 superintendent of public instruction shall also report on the
2 implementation of this chapter, including reasons why the LEED standard
3 or Washington sustainable school design protocol was not used as
4 required by RCW 39.35D.020(5)(b). The superintendent of public
5 instruction shall make recommendations regarding the ongoing
6 implementation of this chapter, including a discussion of incentives
7 and disincentives related to implementing this chapter.

8 (4) The superintendent of public instruction shall develop and
9 issue guidelines for administering this chapter for public school
10 districts. The purpose of the guidelines is to define a procedure and
11 method for employing and verifying compliance with the LEED silver
12 standard or the Washington sustainable school design protocol.

13 (5) The superintendent of public instruction shall utilize the
14 school facilities advisory board as a high-performance buildings
15 advisory committee comprised of affected public schools, the
16 superintendent of public instruction, the department, and others at the
17 superintendent of public instruction's discretion to provide advice on
18 implementing this chapter. Among other duties, the advisory committee
19 shall make recommendations regarding an education and training process
20 and an ongoing evaluation or feedback process to help the
21 superintendent of public instruction implement this chapter.

22 (6) School districts are required to comply with this section only
23 to the extent federal or state funds are available.

24 NEW SECTION. Sec. 37. The following acts or parts of acts, as now
25 existing or hereafter amended, are each repealed:

26 (1) RCW 28A.300.090 (Vocational agriculture education--Service area
27 established--Duties) and 1983 1st ex.s. c 34 s 2;

28 (2) RCW 28A.300.801 (Legislative youth advisory council) and 2007
29 c 291 s 2 & 2005 c 355 s 1;

30 (3) RCW 28A.210.255 (Provision of health services in public and
31 private schools--Employee job description) and 2003 c 172 s 2;

32 (4) RCW 28A.210.360 (Model policy on access to nutritious foods and
33 developmentally appropriate exercise--School district policies) and
34 2004 c 138 s 2; and

35 (5) RCW 28A.210.365 (Food choice, physical activity, childhood
36 fitness--Minimum standards--District waiver or exemption policy) and
37 2007 c 5 s 5.

1 NEW SECTION. **Sec. 38.** Sections 1, 2, 7 through 9, 13 through 26,
2 32, and 33 of this act expire July 1, 2011.

--- END ---