
ENGROSSED SUBSTITUTE SENATE BILL 5946

State of Washington **63rd Legislature** **2013 2nd Special Session**

By Senate Ways & Means (originally sponsored by Senator Dammeier)

READ FIRST TIME 06/11/13.

1 AN ACT Relating to strengthening student educational outcomes;
2 amending RCW 28A.165.005, 28A.165.015, 28A.165.035, 28A.165.055,
3 28A.165.065, 28A.600.015, 28A.600.020, 28A.600.410, 28A.600.460,
4 28A.300.046, 28A.300.042, 28A.415.010, 28A.150.325, 28A.250.010,
5 28A.250.020, 28A.250.050, 28A.250.060, 28A.250.070, 28A.225.225,
6 28A.150.100, 28A.525.162, and 28A.525.166; amending 2011 1st sp.s. c 34
7 s 1 (uncodified); reenacting and amending RCW 28A.225.220; adding a new
8 section to chapter 28A.300 RCW; adding new sections to chapter 28A.320
9 RCW; adding new sections to chapter 28A.415 RCW; adding new sections to
10 chapter 28A.655 RCW; adding a new section to chapter 28A.165 RCW;
11 adding new sections to chapter 28A.600 RCW; adding a new section to
12 chapter 28A.250 RCW; adding a new chapter to Title 28A RCW; creating
13 new sections; recodifying RCW 28A.150.325; repealing RCW 28A.150.262,
14 28A.165.025, 28A.165.045, 28A.415.250, and 28A.415.260; and declaring
15 an emergency.

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

17 **PART I**
18 **LEARNING TO READ, READING TO LEARN**

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.300
2 RCW to read as follows:

3 In support of reading and early literacy, the office of the
4 superintendent of public instruction is responsible for:

5 (1) Continuing to work collaboratively with state and regional
6 partners such as the department of early learning and the educational
7 service districts to establish early literacy benchmarks and standards
8 and to implement the Washington state comprehensive literacy plan;

9 (2) Disseminating research and information to school districts
10 about evidence-based programs and practices in reading readiness
11 skills, early literacy, and reading instruction;

12 (3) Providing statewide models to support school districts that are
13 implementing response to intervention initiatives, positive behavior
14 intervention support systems, or other similar comprehensive models of
15 data-based identification and early intervention; and

16 (4) Within available funds and in partnership with the educational
17 service districts, providing technical assistance and professional
18 development opportunities for school districts.

19 NEW SECTION. **Sec. 102.** A new section is added to chapter 28A.320
20 RCW to read as follows:

21 School districts are responsible for providing a comprehensive
22 system of instruction and services in reading and early literacy to
23 kindergarten through fourth grade students that is based on the degree
24 of student need for additional support. Reading and early literacy
25 systems provided by school districts must include:

26 (1) Annual use of screening assessments and other tools to identify
27 at-risk readers in kindergarten through fourth grade, such as the
28 Washington kindergarten inventory of developing skills, the Washington
29 state early learning and development guidelines for birth through third
30 grade, the second grade reading assessment under RCW 28A.300.310, and
31 locally used assessments and other tools; and

32 (2) Research-based family involvement and engagement strategies,
33 including strategies to help families and guardians assist in improving
34 students' reading and early literacy skills at home.

35 NEW SECTION. **Sec. 103.** A new section is added to chapter 28A.415
36 RCW to read as follows:

1 (1) High-quality professional development is essential for
2 educators to keep abreast of the important advances in research that
3 are occurring regarding instructional strategies and curriculum.
4 Professional development in early literacy is especially important to
5 support the instruction of young readers since reading proficiency is
6 a crucial element for student academic success.

7 (2) Subject to funds appropriated for this specific purpose, the
8 office of the superintendent of public instruction shall create
9 partnerships with the educational service districts and public or
10 private institutions of higher education with approved educator
11 preparation programs to develop and deliver research-based professional
12 development learning opportunities in reading instruction and early
13 literacy for teachers of kindergarten through fourth grade students.

14 NEW SECTION. **Sec. 104.** A new section is added to chapter 28A.320
15 RCW to read as follows:

16 (1) Each school district shall require that report cards for
17 students in kindergarten through fourth grade include information
18 regarding how the student is progressing on acquiring reading skills
19 and whether the student is at grade level in reading.

20 (2) If a student is not reading at or above grade level, the
21 teacher, with the support of other school personnel as appropriate,
22 must explain to the parent or guardian which interventions and
23 strategies will be used to help improve the student's reading skills
24 and must provide strategies for parents or guardians to assist with
25 improving the student's reading skills at home.

26 (3) Each school shall report to the school district the number of
27 students in grades kindergarten through four who are reading below
28 grade level and the interventions that are being provided to improve
29 the reading skills of the students, with the information disaggregated
30 by subgroups of students. The school district shall aggregate the
31 reports from the schools and provide the reports to the office of the
32 superintendent of public instruction. The office of the superintendent
33 of public instruction shall submit a statewide report annually to the
34 education committees of the legislature and the educational opportunity
35 gap oversight and accountability committee.

1 NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.655
2 RCW to read as follows:

3 (1) The definitions in this subsection apply throughout this
4 section and section 106 of this act unless the context clearly requires
5 otherwise.

6 (a) "Basic" means a score on the statewide student assessment at a
7 level two in a four-level scoring system.

8 (b) "Below basic" means a score on the statewide student assessment
9 at a level one in a four-level scoring system.

10 (c) "Not meet the state standard" means a score on the statewide
11 student assessment at either a level one or a level two in a four-level
12 scoring system.

13 (2) Beginning in the 2014-15 school year, for any student who
14 receives a score of below basic on the third grade statewide student
15 assessment in English language arts, a meeting must be scheduled before
16 the end of the school year between the student's parent or guardian,
17 teacher, and the principal of the school the student attends or the
18 principal's designee to discuss appropriate grade placement and
19 recommended intensive strategies to improve the student's reading
20 skills. For students to be placed in fourth grade, the strategies
21 discussed must include an intensive improvement strategy provided,
22 supported, or contracted by the school district that includes a summer
23 program or other option identified by the parents, teacher, principal,
24 or principal's designee as appropriately meeting the student's need to
25 prepare for fourth grade. The parents or guardians must be fully
26 informed about the strategies and the parent's or guardian's consent
27 must be obtained regarding the appropriate grade placement and the
28 intensive improvement strategy to be implemented. The school district
29 must implement the strategy selected in consultation with the student's
30 parents or guardians.

31 (3) If a student does not have a score in English language arts on
32 the third grade statewide student assessment but the district
33 determines, using district or classroom-based diagnostic assessments or
34 another standardized assessment, that the student's performance is
35 equivalent to below basic in English language arts, the policy in
36 subsection (2) of this section applies.

37 (4) Students participating in the transitional bilingual
38 instruction program are exempt from the policy in subsection (2) of

1 this section, unless the student has participated in the transitional
2 bilingual instruction program for three school years and receives a
3 score of below basic on the third grade statewide student assessment in
4 English language arts.

5 (5) Students with disabilities whose individualized education
6 program includes specially designed instruction in reading or English
7 language arts are exempt from subsections (2), (3), and (4) of this
8 section. Communication and consultation with parents or guardians of
9 such students shall occur through the individualized education program
10 process required under chapter 28A.155 RCW and associated
11 administrative rules.

12 NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.655
13 RCW to read as follows:

14 (1)(a) Beginning in the 2015-16 school year, except as otherwise
15 provided in this subsection (1), for any student who received a score
16 of basic or below basic on the third grade statewide student assessment
17 in English language arts in the previous school year, the school
18 district must implement an intensive reading and literacy improvement
19 strategy from a state menu of best practices established in accordance
20 with subsection (3) of this section or an alternative strategy in
21 accordance with subsection (4) of this section.

22 (b) Reading and literacy improvement strategies for students with
23 disabilities whose individualized education program includes specially
24 designed instruction in reading or English language arts shall be as
25 provided in the individualized education program.

26 (2)(a) Also beginning in the 2015-16 school year, in any school
27 where more than forty percent of the tested students received a score
28 of basic or below basic on the third grade statewide student assessment
29 in English language arts in the previous school year, as calculated
30 under this subsection (2), the school district must implement an
31 intensive reading and literacy improvement strategy from a state menu
32 of best practices established in accordance with subsection (3) of this
33 section or an alternative strategy in accordance with subsection (4) of
34 this section for all students in grades kindergarten through four at
35 the school.

36 (b) For the purposes of this subsection (2), the office of the
37 superintendent of public instruction shall exclude the following from

1 the calculation of a school's percentage of tested students receiving
2 a score of basic or below basic on the third grade statewide student
3 assessment:

4 (i) Students enrolled in the transitional bilingual instruction
5 program unless the student has participated in the transitional
6 bilingual instruction program for three school years;

7 (ii) Students with disabilities whose individualized education
8 program specifies a different standard to measure reading performance
9 than is required for the statewide student assessment; and

10 (iii) Schools with fewer than ten students in third grade.

11 (3) The office of the superintendent of public instruction shall
12 convene a panel of experts to develop a state menu of best practices
13 and strategies for intensive reading and literacy improvement designed
14 to assist struggling students in reaching grade level in reading by the
15 end of fourth grade. The state menu must also include best practices
16 and strategies to improve the reading and literacy of students who are
17 English language learners and for system improvements that schools and
18 school districts can implement to improve reading instruction for all
19 students. The office of the superintendent of public instruction shall
20 publish the state menu by July 1, 2014, and update the state menu by
21 each July 1st thereafter.

22 (4) School districts may use an alternative practice or strategy
23 that is not on a state menu developed under subsection (3) of this
24 section for two school years initially. If the district is able to
25 demonstrate improved outcomes for participating students over the
26 previous two school years at a level commensurate with the best
27 practices and strategies on the state menu, the office of the
28 superintendent of public instruction must approve use of the
29 alternative practice or strategy by the district for one additional
30 school year. Subsequent annual approval by the superintendent of
31 public instruction to use the alternative practice or strategy is
32 dependent on the district continuing to demonstrate an increase in
33 improved outcomes for participating students.

34 **PART II**
35 **REQUIRING THE LEARNING ASSISTANCE PROGRAM TO BE EVIDENCE-BASED**

1 **Sec. 201.** RCW 28A.165.005 and 2009 c 548 s 701 are each amended to
2 read as follows:

3 ~~(1)~~ This chapter is designed to: ~~((+1))~~ (a) Promote the use of
4 ~~((assessment))~~ data when developing programs to assist underachieving
5 students and reduce disruptive behaviors in the classroom; and ~~((+2))~~
6 (b) guide school districts in providing the most effective and
7 efficient practices when implementing supplemental instruction and
8 services to assist underachieving students and reduce disruptive
9 behaviors in the classroom.

10 ~~(2)~~ School districts implementing a learning assistance program
11 shall focus first on addressing the needs of students in grades
12 kindergarten through four who are deficient in reading or reading
13 readiness skills to improve reading literacy.

14 **Sec. 202.** RCW 28A.165.015 and 2009 c 548 s 702 are each amended to
15 read as follows:

16 Unless the context clearly indicates otherwise the definitions in
17 this section apply throughout this chapter.

18 ~~(1)~~ ~~((("Approved program" means a program submitted to and approved~~
19 ~~by the office of the superintendent of public instruction and conducted~~
20 ~~pursuant to the plan that addresses the required elements as provided~~
21 ~~for in this chapter.~~

22 ~~(2)~~ "Basic skills areas" means reading, writing, and mathematics
23 as well as readiness associated with these skills.

24 ~~((+3))~~ ~~(2)~~ "Participating student" means a student in kindergarten
25 through grade twelve who scores below standard for his or her grade
26 level using multiple measures of performance, including on the
27 statewide student assessments or other assessments and performance
28 measurement tools administered by the school or district and who is
29 identified ~~((in))~~ by the ~~((approved plan))~~ district to receive
30 services.

31 ~~((+4))~~ ~~(3)~~ "Statewide student assessments" means one or more of
32 the ~~((several basic skills assessments administered as part of the~~
33 ~~state's student assessment system, and assessments in the basic skills~~
34 ~~areas))~~ assessments administered by ~~((local))~~ school districts as
35 required under RCW 28A.655.070.

36 ~~((+5))~~ ~~(4)~~ "Underachieving students" means students with the

1 greatest academic deficits in basic skills as identified by ((the))
2 statewide, school, or district assessments or other performance
3 measurement tools.

4 **Sec. 203.** RCW 28A.165.035 and 2008 c 321 s 4 are each amended to
5 read as follows:

6 (1) Beginning in the 2015-16 school year, expenditure of funds from
7 the learning assistance program must be consistent with the provisions
8 of section 106 of this act.

9 (2) Use of best practices that have been demonstrated through
10 research to be associated with increased student achievement magnifies
11 the opportunities for student success. To the extent they are included
12 as a best practice or strategy in one of the state menus or an approved
13 alternative under this section or section 106 of this act, the
14 following are services and activities that may be supported by the
15 learning assistance program:

16 ((+1)) (a) Extended learning time opportunities occurring:

17 ((+a)) (i) Before or after the regular school day;

18 ((+b)) (ii) On Saturday; and

19 ((+c)) (iii) Beyond the regular school year;

20 ((+2)) (b) Services under RCW 28A.320.190;

21 ((+3)) (c) Professional development for certificated and
22 classified staff that focuses on:

23 ((+a)) (i) The needs of a diverse student population;

24 ((+b)) (ii) Specific literacy and mathematics content and
25 instructional strategies; and

26 ((+c)) (iii) The use of student work to guide effective
27 instruction and appropriate assistance;

28 ((+4)) (d) Consultant teachers to assist in implementing effective
29 instructional practices by teachers serving participating students;

30 ((+5)) (e) Tutoring support for participating students; and

31 ((+6)) (f) Outreach activities and support for parents of
32 participating students, including employing parent and family
33 engagement coordinators.

34 (3) In addition to the state menu developed under section 106 of
35 this act, the office of the superintendent of public instruction shall
36 convene a panel of experts including the Washington state institute for
37 public policy, to develop additional state menus of best practices and

1 strategies for use in the learning assistance program to assist
2 struggling students at all grade levels in English language arts and
3 mathematics and reduce disruptive behaviors in the classroom. The
4 office of the superintendent of public instruction shall publish the
5 state menus by July 1, 2015, and update the state menus by each July
6 1st thereafter.

7 (4)(a) Beginning in the 2016-17 school year, except as provided in
8 (b) of this subsection, school districts must use a practice or
9 strategy that is on a state menu developed under subsection (3) of this
10 section or section 106 of this act.

11 (b) Beginning in the 2016-17 school year, school districts may use
12 a practice or strategy that is not on a state menu developed under
13 subsection (3) of this section for two school years initially. If the
14 district is able to demonstrate improved outcomes for participating
15 students over the previous two school years at a level commensurate
16 with the best practices and strategies on the state menu, the office of
17 the superintendent of public instruction shall approve use of the
18 alternative practice or strategy by the district for one additional
19 school year. Subsequent annual approval by the superintendent of
20 public instruction to use the alternative practice or strategy is
21 dependent on the district continuing to demonstrate increased improved
22 outcomes for participating students.

23 (5) School districts are encouraged to implement best practices and
24 strategies from the state menus developed under this section and
25 section 106 of this act before the use is required.

26 NEW SECTION. Sec. 204. A new section is added to chapter 28A.165
27 RCW to read as follows:

28 (1) Beginning with the 2014-15 school year, school districts shall
29 record in the statewide individual student data system annual entrance
30 and exit performance data for each student participating in the
31 learning assistance program according to specifications established by
32 the office of the superintendent of public instruction.

33 (2) By August 1, 2014, and each August 1st thereafter, school
34 districts shall report to the office of the superintendent of public
35 instruction, using a common format prepared by the office:

36 (a) The amount of academic growth gained by students participating
37 in the learning assistance program;

1 (b) The number of students who gain at least one year of academic
2 growth; and

3 (c) The specific practices, activities, and programs used by each
4 school building that received learning assistance program funding.

5 (3) The office of the superintendent of public instruction shall
6 compile the school district data and report annual and longitudinal
7 gains for the specific practices, activities, and programs used by the
8 school districts to show which are the most effective. The data must
9 be disaggregated by student subgroups.

10 **Sec. 205.** RCW 28A.165.055 and 2009 c 548 s 703 are each amended to
11 read as follows:

12 ~~((Each school district with an approved program is eligible for
13 state funds provided for the learning assistance program.))~~ The funds
14 for the learning assistance program shall be appropriated ~~((for the
15 learning assistance program))~~ in accordance with RCW 28A.150.260 and
16 the omnibus appropriations act. The distribution formula is for school
17 district allocation purposes only, but funds appropriated for the
18 learning assistance program must be expended for the purposes of RCW
19 28A.165.005 through 28A.165.065 and section 106 of this act.

20 **Sec. 206.** RCW 28A.165.065 and 2004 c 20 s 7 are each amended to
21 read as follows:

22 To ensure that school districts are meeting the requirements of
23 ~~((an approved program))~~ this chapter, the superintendent of public
24 instruction shall monitor ~~((such))~~ learning assistance programs no less
25 than once every four years. ~~((Individual student records shall be
26 maintained at the school district.))~~ The primary purpose of program
27 monitoring is to evaluate the effectiveness of a district's allocation
28 and expenditure of resources and monitor school district fidelity in
29 implementing best practices. The office of the superintendent of
30 public instruction may provide technical assistance to school districts
31 to improve the effectiveness of a learning assistance program.

32 **PART III**
33 **STUDENT DISCIPLINE**

1 NEW SECTION. **Sec. 301.** A new section is added to chapter 28A.600

2 RCW to read as follows:

3 (1) The office of the superintendent of public instruction shall
4 convene a discipline task force to develop standard definitions for
5 causes of student disciplinary actions taken at the discretion of the
6 school district. The task force must also develop data collection
7 standards for disciplinary actions that are discretionary and for
8 disciplinary actions that result in the exclusion of a student from
9 school. The data collection standards must include data about
10 education services provided while a student is subject to a
11 disciplinary action, the status of petitions for readmission to the
12 school district when a student has been excluded from school, credit
13 retrieval during a period of exclusion, and school dropout as a result
14 of disciplinary action.

15 (2) The discipline task force shall include representatives from
16 the K-12 data governance group, the educational opportunity gap
17 oversight and accountability committee, the state ethnic commissions,
18 the governor's office of Indian affairs, the office of the education
19 ombudsman, school districts, and other education and advocacy
20 organizations.

21 (3) The office of the superintendent of public instruction and the
22 K-12 data governance group shall revise the statewide student data
23 system to incorporate the student discipline data collection standards
24 recommended by the discipline task force, and begin collecting data
25 based on the revised standards in the 2015-16 school year.

26 **Sec. 302.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended to
27 read as follows:

28 (1) The superintendent of public instruction shall adopt and
29 distribute to all school districts lawful and reasonable rules
30 prescribing the substantive and procedural due process guarantees of
31 pupils in the common schools. Such rules shall authorize a school
32 district to use informal due process procedures in connection with the
33 short-term suspension of students to the extent constitutionally
34 permissible: PROVIDED, That the superintendent of public instruction
35 deems the interest of students to be adequately protected. When a
36 student suspension or expulsion is appealed, the rules shall authorize
37 a school district to impose the suspension or expulsion temporarily

1 after an initial hearing for no more than ten consecutive school days
2 or until the appeal is decided, whichever is earlier. Any days that
3 the student is temporarily suspended or expelled before the appeal is
4 decided shall be applied to the term of the student suspension or
5 expulsion and shall not limit or extend the term of the student
6 suspension or expulsion. An expulsion or suspension of a student may
7 not be for an indefinite period of time.

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

10 (3) Emergency expulsions must end or be converted to another form
11 of corrective action within ten school days from the date of the
12 emergency removal from school. Notice and due process rights must be
13 provided when an emergency expulsion is converted to another form of
14 corrective action.

15 **Sec. 303.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to
16 read as follows:

17 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
18 interpreted to ensure that the optimum learning atmosphere of the
19 classroom is maintained, and that the highest consideration is given to
20 the judgment of qualified certificated educators regarding conditions
21 necessary to maintain the optimum learning atmosphere.

22 (2) Any student who creates a disruption of the educational process
23 in violation of the building disciplinary standards while under a
24 teacher's immediate supervision may be excluded by the teacher from his
25 or her individual classroom and instructional or activity area for all
26 or any portion of the balance of the school day, or up to the following
27 two days, or until the principal or designee and teacher have
28 conferred, whichever occurs first. Except in emergency circumstances,
29 the teacher first must attempt one or more alternative forms of
30 corrective action. In no event without the consent of the teacher may
31 an excluded student return to the class during the balance of that
32 class or activity period or up to the following two days, or until the
33 principal or his or her designee and the teacher have conferred.

34 (3) In order to preserve a beneficial learning environment for all
35 students and to maintain good order and discipline in each classroom,
36 every school district board of directors shall provide that written
37 procedures are developed for administering discipline at each school

1 within the district. Such procedures shall be developed with the
2 participation of parents and the community, and shall provide that the
3 teacher, principal or designee, and other authorities designated by the
4 board of directors, make every reasonable attempt to involve the parent
5 or guardian and the student in the resolution of student discipline
6 problems. Such procedures shall provide that students may be excluded
7 from their individual classes or activities for periods of time in
8 excess of that provided in subsection (2) of this section if such
9 students have repeatedly disrupted the learning of other students. The
10 procedures must be consistent with the rules of the superintendent of
11 public instruction and must provide for early involvement of parents in
12 attempts to improve the student's behavior.

13 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that
14 all staff work cooperatively toward consistent enforcement of proper
15 student behavior throughout each school as well as within each
16 classroom.

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

20 (~~(a)~~) (i) Engages in two or more violations within a three-year
21 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
22 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

23 (~~(b)~~) (ii) Engages in one or more of the offenses listed in RCW
24 13.04.155.

25 (b) The principal shall communicate the disciplinary action taken
26 by the principal to the school personnel who referred the student to
27 the principal for disciplinary action.

28 (6) Any corrective action involving a suspension or expulsion from
29 school for more than ten days must have an end date of not more than
30 one calendar year from the time of corrective action. Districts shall
31 make reasonable efforts to assist students and parents in returning to
32 an educational setting prior to and no later than the end date of the
33 corrective action. Where warranted based on public health or safety,
34 a school may petition the superintendent of the school district or the
35 superintendent's designee, pursuant to policies and procedures adopted
36 by the school district board of directors outlining the limited
37 circumstances in which a school may petition to exceed the one calendar

1 year limitation, including safeguards to ensure that the school
2 district has made every effort to plan for the student's return to
3 school.

4 (7) Nothing in this section prevents a public school district,
5 educational service district, the Washington state center for childhood
6 deafness and hearing loss, or the state school for the blind if it has
7 suspended or expelled a student from the student's regular school
8 setting from providing educational services to the student in an
9 alternative setting or modifying the suspension or expulsion on a case-
10 by-case basis.

11 **Sec. 304.** RCW 28A.600.410 and 1992 c 155 s 1 are each amended to
12 read as follows:

13 The state of Washington excludes tens of thousands of students from
14 school each year due to out-of-school suspensions and expulsions. Out-
15 of-school suspensions and expulsions contribute to poor academic
16 achievement, lower graduation rates, and higher dropout rates. It is
17 the intent of the legislature to minimize the use of out-of-school
18 suspension and expulsion and its impact on student achievement by
19 reducing the number of days that students are excluded from school due
20 to disciplinary action. Student behavior should not result in the loss
21 of educational opportunity in the public school system.

22 School districts are encouraged to find alternatives to suspension
23 including reducing the length of a student's suspension conditioned by
24 the commencement of counseling or other treatment services. Consistent
25 with current law, the conditioning of a student's suspension does not
26 obligate the school district to pay for the counseling or other
27 treatment services except for those stipulated and agreed to by the
28 district at the inception of the suspension.

29 **Sec. 305.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to
30 read as follows:

31 (1) School district boards of directors shall adopt policies that
32 restore discipline to the classroom. Such policies must provide for at
33 least the following: Allowing each teacher to take disciplinary action
34 to correct a student who disrupts normal classroom activities, abuses
35 or insults a teacher as prohibited by RCW 28A.635.010, willfully
36 disobeys a teacher, uses abusive or foul language directed at a school

1 district employee, school volunteer, or another student, violates
2 school rules, or who interferes with an orderly education process.
3 Disciplinary action may include but is not limited to: Oral or written
4 reprimands; written notification to parents of disruptive behavior, a
5 copy of which must be provided to the principal.

6 (2) A student committing an offense under chapter 9A.36, 9A.40,
7 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
8 shall not be assigned to that teacher's classroom for the duration of
9 the student's attendance at that school or any other school where the
10 teacher is assigned.

11 (3) A student who commits an offense under chapter 9A.36, 9A.40,
12 9A.46, or 9A.48 RCW, when directed toward another student, may be
13 removed from the classroom of the victim for the duration of the
14 student's attendance at that school or any other school where the
15 victim is enrolled. A student who commits an offense under one of the
16 chapters enumerated in this section against a student or another school
17 employee, may be expelled or suspended.

18 (4) Nothing in this section is intended to limit the authority of
19 a school under existing law and rules to expel or suspend a student for
20 misconduct or criminal behavior.

21 (5) All school districts must collect data on disciplinary actions
22 taken in each school and must record these actions using the statewide
23 student data system, based on the data collection standards established
24 by the office of the superintendent of public instruction and the K-12
25 data governance group. The information shall be made available to the
26 public (~~upon request. This collection of~~), but public release of the
27 data shall not include personally identifiable information including,
28 but not limited to, a student's social security number, name, or
29 address.

30 **Sec. 306.** RCW 28A.300.046 and 2011 c 288 s 10 are each amended to
31 read as follows:

32 (1)(a) The superintendent of public instruction shall adopt rules
33 establishing a standard definition of student absence from school. In
34 adopting the definition, the superintendent shall review current
35 practices in Washington school districts, definitions used in other
36 states, and any national standards or definitions used by the national

1 center for education statistics or other national groups. The
2 superintendent shall also consult with the building bridges work group
3 established under RCW 28A.175.075.

4 (b) Using the definition of student absence adopted under this
5 section, the superintendent shall establish an indicator for measuring
6 student attendance in high schools for purposes of the PASS program
7 under RCW 28A.175.130.

8 (2)(a) The K-12 data governance group under RCW 28A.300.507 shall
9 establish the parameters and an implementation schedule for statewide
10 collection through the comprehensive education and data research system
11 of: (i) Student attendance data using the definitions of student
12 absence adopted under this section; and (ii) student discipline data
13 with a focus on suspensions and expulsions from school.

14 (b) (~~At a minimum,~~) Student suspension and expulsion data
15 collected for the purposes of this subsection (2) must be:

16 (i) Made publicly available and easily accessible on the
17 superintendent of public instruction's web site; and

18 (ii) Disaggregated and cross-tabulated as established under RCW
19 28A.300.042.

20 (c) School districts must collect and submit student attendance
21 data and student discipline data for high school students through the
22 comprehensive education and data research system for purposes of the
23 PASS program under RCW 28A.175.130 beginning in the 2012-13 school
24 year.

25 **Sec. 307.** RCW 28A.300.042 and 2009 c 468 s 4 are each amended to
26 read as follows:

27 (1) All student data-related reports required of the superintendent
28 of public instruction in this title must be disaggregated by at least
29 the following subgroups of students: White, Black, Hispanic, American
30 Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low
31 income, transitional bilingual, migrant, special education, and
32 students covered by section 504 of the federal rehabilitation act of
33 1973, as amended (29 U.S.C. Sec. 794).

34 (2) All student data-related reports required of the superintendent
35 of public instruction regarding student suspensions and expulsions as
36 required in RCW 28A.300.046 are subject to disaggregation by subgroups
37 including:

- 1 (a) Gender;
2 (b) Foster care;
3 (c) Homeless, if known;
4 (d) School district;
5 (e) School;
6 (f) Grade level;
7 (g) Behavior infraction code, including:
8 (i) Bullying;
9 (ii) Tobacco;
10 (iii) Alcohol;
11 (iv) Illicit drug;
12 (v) Fighting without major injury;
13 (vi) Violence without major injury;
14 (vii) Violence with major injury;
15 (viii) Possession of a weapon; and
16 (ix) Other behavior resulting from a short-term or long-term
17 suspension, expulsion, or interim alternative education setting
18 intervention;
19 (h) Intervention applied, including:
20 (i) Short-term suspension;
21 (ii) Long-term suspension;
22 (iii) Emergency expulsion;
23 (iv) Expulsion;
24 (v) Interim alternative education settings;
25 (vi) No intervention applied; and
26 (vii) Other intervention applied that is not described in this
27 subsection (2)(h);
28 (i) Number of days a student is suspended or expelled, to be
29 counted in half or full days; and
30 (j) Any other categories added at a future date by the data
31 governance group.
32 (3) All student data-related reports required of the superintendent
33 of public instruction regarding student suspensions and expulsions as
34 required in RCW 28A.300.046 are subject to cross-tabulation at a
35 minimum by the following:
36 (a) School and district;
37 (b) Race, low income, special education, transitional bilingual,

1 migrant, foster care, homeless, students covered by section 504 of the
2 federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794),
3 and categories to be added in the future;

4 (c) Behavior infraction code; and

5 (d) Intervention applied.

6 **NEW SECTION. Sec. 308.** A new section is added to chapter 28A.600
7 RCW to read as follows:

8 (1) School districts should make efforts to have suspended or
9 expelled students return to an educational setting as soon as possible.
10 School districts should convene a meeting with the student and the
11 student's parents or guardians within twenty days of the student's
12 long-term suspension or expulsion, but no later than five days before
13 the student's enrollment, to discuss a plan to reengage the student in
14 a school program.

15 (2) In developing a reengagement plan, school districts should
16 consider shortening the length of time that the student is suspended or
17 expelled, other forms of corrective action, and supportive
18 interventions that aid in the student's academic success and keep the
19 student engaged and on track to graduate. School districts must create
20 a reengagement plan tailored to the student's individual circumstances,
21 including consideration of the incident that led to the student's long-
22 term suspension or expulsion. The plan should aid the student in
23 taking the necessary steps to remedy the situation that led to the
24 student's suspension or expulsion.

25 (3) Any reengagement meetings conducted by the school district
26 involving the suspended or expelled student and his or her parents or
27 guardians are not intended to replace a petition for readmission.

28 **NEW SECTION. Sec. 309.** Nothing in chapter . . ., Laws of 2013 2nd
29 sp. sess. (this act) prevents a public school district, law enforcement
30 agencies, or law enforcement personnel from enforcing laws protecting
31 health and human safety.

32 **PART IV**

33 **EDUCATOR SUPPORT PROGRAM**

1 NEW SECTION. **Sec. 401.** A new section is added to chapter 28A.415
2 RCW to read as follows:

3 (1) The educator support program is established to provide
4 professional development and mentor support for beginning educators and
5 educators on probation under RCW 28A.405.100, to be composed of the
6 beginning educator support team for beginning educators and continuous
7 improvement coaching for educators on probation, as provided in this
8 section.

9 (2)(a) Subject to funds appropriated for this specific purpose, the
10 office of the superintendent of public instruction shall allocate funds
11 for the beginning educator support team on a competitive basis to
12 individual school districts or consortia of districts. School
13 districts are encouraged to include educational service districts in
14 creating regional consortia. In allocating funds, the office of the
15 superintendent of public instruction shall give priority to school
16 districts with low-performing schools identified under RCW 28A.657.020
17 as being challenged schools in need of improvement. A portion of the
18 appropriated funds may be used for program coordination and provision
19 of statewide or regional professional development through the office of
20 the superintendent of public instruction.

21 (b) A beginning educator support team must include the following
22 components:

23 (i) A paid orientation or individualized assistance before the
24 start of the school year for beginning educators;

25 (ii) Assignment of a trained and qualified mentor for the first
26 three years for beginning educators, with intensive support in the
27 first year and decreasing support over the following years depending on
28 the needs of the beginning educator;

29 (iii) Professional development for beginning educators that is
30 designed to meet their unique needs for supplemental training and skill
31 development;

32 (iv) Professional development for mentors;

33 (v) Release time for mentors and their designated educators to work
34 together, as well as time for educators to observe accomplished peers;
35 and

36 (vi) A program evaluation using a standard evaluation tool provided
37 from the office of the superintendent of public instruction that

1 measures increased knowledge, skills, and positive impact on student
2 learning for program participants.

3 (3) Subject to funds separately appropriated for this specific
4 purpose, the beginning educator support team components under
5 subsection (2) of this section may be provided for continuous
6 improvement coaching to support educators on probation under RCW
7 28A.405.100.

8 **Sec. 402.** RCW 28A.415.010 and 2006 c 263 s 807 are each amended to
9 read as follows:

10 It shall be the responsibility of each educational service district
11 board to establish a center for the improvement of teaching. The
12 center shall administer, coordinate, and act as fiscal agent for such
13 programs related to the recruitment and training of certificated and
14 classified K-12 education personnel as may be delegated to the center
15 by the superintendent of public instruction under RCW 28A.310.470. To
16 assist in these activities, each educational service district board
17 shall establish an improvement of teaching coordinating council to
18 include, at a minimum, representatives as specified in RCW 28A.415.040.
19 An existing in-service training task force, established pursuant to RCW
20 28A.415.040, may serve as the improvement of teaching coordinating
21 council. The educational service district board shall ensure
22 coordination of programs established pursuant to RCW 28A.415.030,
23 28A.410.060, and ((28A.415.250)) section 401 of this act.

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

1 Educational service district boards of contiguous educational
2 service districts, by mutual arrangements, may hold joint institutes
3 and/or workshops, the expenses to be shared in proportion to the
4 numbers of certificated personnel as shown by the last annual reports
5 of the educational service districts holding such joint institutes or
6 workshops.

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

14 **PART V**
15 **PROFESSIONAL DEVELOPMENT**

16 NEW SECTION. **Sec. 501.** A new section is added to chapter 28A.320
17 RCW to read as follows:

18 (1)(a) The legislature finds that the school district board of
19 directors sets the vision and provides direction and oversight for the
20 school district. The legislature further finds that the school
21 district superintendent is key to the day-to-day administration of the
22 school district. The legislature intends to provide additional
23 professional development opportunities for school district directors
24 and superintendents to focus on research-based governance strategies to
25 improve student achievement.

26 (b) The Washington state school directors' association shall
27 develop and annually implement a professional development program for
28 first-time school directors and school district superintendents and for
29 on-going development of school directors and superintendents. The
30 program must focus on research-based governance strategies to improve
31 student achievement.

32 (2)(a) The legislature recognizes that there have been many recent
33 changes in state educational policies that affect students, educators,
34 school employees, and school district personnel, including the adoption
35 of the common core standards and the new evaluation system. The
36 legislature further recognizes that those important changes are

1 intended to improve the performance of the educational system and
2 student achievement. The legislature understands that the importance
3 of providing adequate training and professional development for the
4 changes in policy to have the successful outcomes that are intended.
5 The legislature further intends the training to be responsive to the
6 needs of local school districts.

7 (b) For the 2013-14 and 2014-15 school years, for any adjustments
8 made to compensation provided by the school district beyond an
9 adjustment for inflation must be in the form of targeted professional
10 development, as determined to be appropriate by the school district.
11 For the purpose of this section, "inflation" shall be determined in
12 each year using the Seattle consumer price index for the most recently
13 completed calendar year. The targeted professional development
14 provided to instructional staff, as determined by the school district,
15 is to assist the individual to improve student achievement, which may
16 include but must not be limited to professional development regarding
17 the common core state standards and the teacher and principal
18 evaluations. The targeted professional development provided to
19 noninstructional staff, as determined by the school district, is to
20 improve skills necessary for the individual's assignment. This
21 subsection (2)(b) does not affect or impair any collective bargaining
22 agreements in effect on June 17, 2013, between an employer and
23 educational employees or employee organization under chapter 41.59 RCW.
24 Any collective bargaining agreement entered into or renewed after June
25 17, 2013, shall be consistent with this subsection.

26 (c) The office of the superintendent of public instruction must
27 conduct an analysis of K-12 professional development. The purpose of
28 the analysis is to improve the baseline understanding of policymakers
29 regarding the level of public school resources currently expended to
30 support professional development, the sources of funds, and the type
31 and content of professional development purchased. The office of the
32 superintendent of public instruction shall report the analysis to the
33 education committees of the senate and house of representatives by
34 December 31, 2013. As an extension of the study and to facilitate
35 ongoing understanding of resources expended to support professional
36 development, beginning in the 2013-14 school year, each school district
37 shall annually report to the superintendent of public instruction the
38 amounts and purposes of locally bargained compensation provided by the

1 school district, including the type and content of the professional
2 development purchased and the personnel positions that receive the
3 professional development. For the purposes of reporting, "professional
4 development" includes both traditional forms such as seminars,
5 conferences, courses, or training sessions and nontraditional, job-
6 embedded forms such as dedicated time for instructional teams to
7 examine student data, coaching and mentoring, and professional learning
8 communities. The office of the superintendent of public instruction
9 shall annually report the information to the legislature and the
10 governor. The superintendent of public instruction may adopt rules to
11 implement the ongoing reporting by the school districts.

12
13

PART VI
ALTERNATIVE LEARNING EXPERIENCES

14 **Sec. 601.** 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read
15 as follows:

16 (1) Under Article IX of the Washington state Constitution, all
17 children are entitled to an opportunity to receive a basic education.
18 Although the state must assure that students in public schools have
19 opportunities to participate in the instructional program of basic
20 education, there is no obligation for either the state or school
21 districts to provide that instruction using a particular delivery
22 method or through a particular program.

23 (2) The legislature finds ample evidence of the need to examine and
24 reconsider policies under which alternative learning that occurs
25 outside the classroom using an individual student learning plan may be
26 considered equivalent to full-time attendance in school, including for
27 funding purposes. Previous legislative studies have raised questions
28 about financial practices and accountability in alternative learning
29 experience ((~~programs~~)) courses. Since 2005, there has been
30 significant enrollment growth in alternative learning experience online
31 ((~~programs~~)) courses, with evidence of unexpected financial impact when
32 large numbers of nonresident students enroll in ((~~programs~~)) courses.
33 Based on this evidence, there is a rational basis on which to conclude
34 that there are different costs associated with providing ((~~a program~~))
35 courses not primarily based on full-time, daily contact between

1 teachers and students and not primarily occurring on-site in a
2 classroom.

3 (3) For these reasons, the legislature intends to allow for
4 continuing review and revision of the way in which state funding
5 allocations are used to support alternative learning experience
6 (~~(programs)~~) courses.

7 **Sec. 602.** RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each
8 amended to read as follows:

9 (1) (~~(For purposes of this chapter,)~~) The definitions in this
10 subsection apply throughout this chapter unless the context clearly
11 requires otherwise.

12 (a) "Alternative learning experience (~~(program)~~) course" means a
13 course (~~(or set of courses)~~), or for grades kindergarten through eight
14 grade-level coursework, that is a delivery method for the program of
15 basic education and is:

16 (~~(a)~~) (i) Provided in whole or in part independently from a
17 regular classroom setting or schedule, but may include some components
18 of direct instruction;

19 (~~(b)~~) (ii) Supervised, monitored, assessed, evaluated, and
20 documented by a certificated teacher employed by the school district or
21 under contract as permitted by applicable rules; and

22 (~~(c)~~) (iii) Provided in accordance with a written student
23 learning plan that is implemented pursuant to the school district's
24 policy and rules adopted by the superintendent of public instruction
25 for alternative learning experiences.

26 (b) "In-person" means face-to-face instructional contact in a
27 physical classroom environment.

28 (c) "Instructional contact time" means instructional time with a
29 certificated teacher. Instructional contact time must be for the
30 purposes of actual instruction, review of assignments, testing,
31 evaluation of student progress, or other learning activities or
32 requirements identified in the student's written student learning plan.
33 Instructional contact time must be related to an alternative learning
34 experience course identified in the student's written student learning
35 plan. Instructional contact time may occur in a group setting between
36 the teacher and multiple students and may be delivered either in-person
37 or remotely using technology.

1 (d) "Online course" means an alternative learning experience course
2 that has the same meaning as provided in RCW 28A.250.010.

3 (e) "Remote course" means an alternative learning experience course
4 that is not an online course where the student has in-person
5 instructional contact time for less than twenty percent of the total
6 weekly time for the course. No minimum in-person instructional contact
7 time is required.

8 (f) "Site-based course" means an alternative learning experience
9 course where the student has in-person instructional contact time for
10 at least twenty percent of the total weekly time for the course.

11 (g) "Total weekly time" means the estimated average hours per
12 school week the student will engage in learning activities to meet the
13 requirements of the written student learning plan.

14 ~~(2) ((The broad categories of alternative learning experience~~
15 ~~programs include, but are not limited to:~~

16 ~~(a) Online programs as defined in RCW 28A.150.262;~~

17 ~~(b) — Parent — partnership — programs — that — include — significant~~
18 ~~participation and partnership by parents and families in the design and~~
19 ~~implementation of a student's learning experience; and~~

20 ~~(c) Contract based learning programs))~~ School districts may claim
21 state funding under section 603 of this act, to the extent otherwise
22 allowed by state law including the provisions of RCW 28A.250.060, for
23 students enrolled in remote, site-based, or online alternative learning
24 experience courses. High school courses must meet district or state
25 graduation requirements and be offered for high school credit.

26 (3) School districts that offer alternative learning experience
27 ~~((programs))~~ courses may not provide any compensation, reimbursement,
28 gift, reward, or gratuity to any parents, guardians, or students for
29 participation in the courses. School district employees are prohibited
30 from receiving any compensation or payment as an incentive to increase
31 student enrollment of out-of-district students in ~~((an))~~ alternative
32 learning experience ~~((program))~~ courses. This prohibition includes,
33 but is not limited to, providing funds to parents, guardians, or
34 students for the purchase of educational materials, supplies,
35 experiences, services, or technological equipment. A district may
36 purchase educational materials, equipment, or other nonconsumable
37 supplies for students' use in alternative learning experience
38 ~~((programs))~~ courses if the purchase is consistent with the district's

1 approved curriculum, conforms to applicable laws and rules, and is made
2 in the same manner as such purchases are made for students in the
3 district's regular instructional program. Items so purchased remain
4 the property of the school district upon program completion. School
5 districts may not purchase or contract for instructional or
6 cocurricular experiences and services that are included in an
7 alternative learning experience written student learning plan,
8 including but not limited to lessons, trips, and other activities,
9 unless substantially similar experiences and services are available to
10 students enrolled in the district's regular instructional program.
11 School districts that purchase or contract for such experiences and
12 services for students enrolled in an alternative learning experience
13 (~~(program)~~) course must submit an annual report to the office of the
14 superintendent of public instruction detailing the costs and purposes
15 of the expenditures. These requirements extend to contracted providers
16 of alternative learning experience (~~(programs)~~) courses, and each
17 district shall be responsible for monitoring the compliance of its
18 providers with these requirements. However, nothing in this
19 (~~(section)~~) subsection shall prohibit school districts from contracting
20 with school district employees to provide services or experiences to
21 students, or from contracting with online providers approved by the
22 office of the superintendent of public instruction pursuant to chapter
23 28A.250 RCW.

24 (4) (~~(Part-time enrollment in alternative learning experiences is~~
25 ~~subject to the provisions of RCW 28A.150.350.~~

26 (~~(5) The superintendent of public instruction shall adopt rules~~
27 ~~defining minimum requirements and accountability for alternative~~
28 ~~learning experience programs)) Each school district offering or
29 contracting to offer alternative learning experience courses must:~~

30 (a) Report annually to the superintendent of public instruction
31 regarding the course types and offerings, and number of students
32 participating in each;

33 (b) Document the district of residence for each student enrolled in
34 an alternative learning experience course; and

35 (c) Beginning in the 2013-14 school year and continuing through the
36 2016-17 school year, pay costs associated with a biennial measure of
37 student outcomes and financial audit of the district's alternative
38 learning experience courses by the office of the state auditor.

1 (5) A school district offering or contracting to offer an
2 alternative learning experience course to a nonresident student must
3 inform the resident school district if the student drops out of the
4 course or is otherwise no longer enrolled.

5 (6) School districts must assess the educational progress of
6 enrolled students at least annually, using, for full-time students, the
7 state assessment for the student's grade level and using any other
8 annual assessments required by the school district. Part-time students
9 must also be assessed at least annually. However, part-time students
10 who are either receiving home-based instruction under chapter 28A.200
11 RCW or who are enrolled in an approved private school under chapter
12 28A.195 RCW are not required to participate in the assessments required
13 under chapter 28A.655 RCW. The rules must address how students who
14 reside outside the geographic service area of the school district are
15 to be assessed.

16 (7) Beginning with the 2013-14 school year, school districts must
17 designate alternative learning experience courses as such when
18 reporting course information to the office of the superintendent of
19 public instruction under RCW 28A.300.500.

20 (8)(a) The superintendent of public instruction shall adopt rules
21 necessary to implement this section.

22 (b) Rules adopted for weekly direct personal contact requirements
23 and monthly progress evaluation must be flexible and reflect the needs
24 of the student and the student's individual learning plan rather than
25 specifying an amount of time. In addition, the rules must reduce
26 documentation requirements, particularly for students making
27 satisfactory progress, based on the unique aspects of the alternative
28 learning experience course types defined in this section and taking
29 into consideration the technical and system capabilities associated
30 with the different course types.

31 (c) The rules must establish procedures that address how the
32 counting of students must be coordinated by resident and nonresident
33 districts for state funding so that no student is counted for more than
34 one full-time equivalent in the aggregate.

35 NEW SECTION. Sec. 603. The superintendent of public instruction
36 shall separately calculate and allocate moneys appropriated under RCW
37 28A.150.260 to school districts for each full-time equivalent student

1 enrolled in an alternative learning experience course. The calculation
2 shall be based on the estimated statewide annual average allocation per
3 full-time equivalent student in grades nine through twelve in general
4 education, excluding small high school enhancements, and including
5 applicable rules and provisions of the omnibus appropriations act.

6 **Sec. 604.** RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each
7 amended to read as follows:

8 The definitions in this section apply throughout this chapter
9 unless the context clearly requires otherwise.

10 (1)(a) "Multidistrict online provider" means:

11 (i) A private or nonprofit organization that enters into a contract
12 with a school district to provide online courses or programs to K-12
13 students from more than one school district;

14 (ii) A private or nonprofit organization that enters into contracts
15 with multiple school districts to provide online courses or programs to
16 K-12 students from those districts; or

17 (iii) Except as provided in (b) of this subsection, a school
18 district that provides online courses or programs to students who
19 reside outside the geographic boundaries of the school district.

20 (b) "Multidistrict online provider" does not include a school
21 district online learning program in which fewer than ten percent of the
22 students enrolled in the program are from other districts under the
23 interdistrict student transfer provisions of RCW 28A.225.225.
24 "Multidistrict online provider" also does not include regional online
25 learning programs that are jointly developed and implemented by two or
26 more school districts or an educational service district through an
27 interdistrict cooperative program agreement that addresses, at minimum,
28 how the districts share student full-time equivalency for state basic
29 education funding purposes and how categorical education programs,
30 including special education, are provided to eligible students.

31 (2)(a) "Online course" means a course or grade-level coursework
32 where:

33 (i) More than half of the course content is delivered
34 electronically using the internet or other computer-based methods;

35 (~~and~~)

36 (ii) More than half of the teaching is conducted from a remote

1 location through an online course learning management system or other
2 online or electronic tools;

3 (iii) A certificated teacher has the primary responsibility for the
4 student's instructional interaction. Instructional interaction between
5 the teacher and the student includes, but is not limited to, direct
6 instruction, review of assignments, assessment, testing, progress
7 monitoring, and educational facilitation; and

8 (iv) Students have access to the teacher synchronously,
9 asynchronously, or both.

10 (b) "Online school program" means a school program that((+)

11 ~~(i) Offers courses or grade level coursework that is delivered~~
12 ~~primarily electronically using the internet or other computer based~~
13 ~~methods;~~

14 ~~(ii) Offers courses or grade level coursework that is taught by a~~
15 ~~teacher primarily from a remote location using online or other~~
16 ~~electronic tools. Students enrolled in an online program may have~~
17 ~~access to the teacher synchronously, asynchronously, or both;~~

18 ~~(iii)) offers a sequential set of online courses or grade-level~~
19 ~~coursework that may be taken in a single school term or throughout the~~
20 ~~school year in a manner that could provide a full-time basic education~~
21 ~~program if so desired by the student. Students may enroll in the~~
22 ~~program as part-time or full-time students((+and~~

23 ~~(iv) Has an online component of the program with online lessons and~~
24 ~~tools for student and data management)).~~

25 (c) An online course or online school program may be delivered to
26 students at school as part of the regularly scheduled school day. An
27 online course or online school program also may be delivered to
28 students, in whole or in part, independently from a regular classroom
29 schedule, but such courses or programs must comply with RCW
30 ~~((28A.150.262))~~ 28A.150.325 (as recodified by this act) and associated
31 rules adopted by the superintendent of public instruction to qualify
32 for state basic education funding.

33 (3) "Online provider" means any provider of an online course or
34 program, including multidistrict online providers, all school district
35 online learning programs, and all regional online learning programs.

36 **Sec. 605.** RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each
37 amended to read as follows:

1 (1) The superintendent of public instruction, in collaboration with
2 the state board of education, shall develop and implement approval
3 criteria and a process for approving online providers; a process for
4 monitoring and if necessary rescinding the approval of courses or
5 programs offered by an online provider; and an appeals process. The
6 criteria and processes for multidistrict online providers shall be
7 adopted by rule by December 1, 2009.

8 (2) When developing the approval criteria, the superintendent of
9 public instruction shall require that providers offering online courses
10 or programs have accreditation, or are candidates for accreditation,
11 through the Northwest accreditation commission or another national,
12 regional, or state accreditation program listed by the office of the
13 superintendent of public instruction (~~((after consultation with the~~
14 ~~Washington coalition for online learning))~~). In addition to other
15 criteria, the approval criteria shall include the degree of alignment
16 with state academic standards and require that all teachers be
17 certificated in accordance with Washington state law. When reviewing
18 online providers that offer high school courses, the superintendent of
19 public instruction shall assure that the courses offered by the
20 provider are eligible for high school credit. However, final decisions
21 regarding whether credit meets the school district's graduation
22 requirements shall remain the responsibility of the school districts.

23 (3) Initial approval of online providers by the superintendent of
24 public instruction shall be for four years. The superintendent of
25 public instruction shall develop a process for the renewal of approvals
26 and for rescinding approvals based on noncompliance with approval
27 requirements. Any multidistrict online provider that was approved by
28 the digital learning commons or accredited by the Northwest association
29 of accredited schools before July 26, 2009, and that meets the teacher
30 certification requirements of subsection (2) of this section, is exempt
31 from the initial approval process under this section until August 31,
32 2012, but must comply with the process for renewal of approvals and
33 must comply with approval requirements.

34 (4) The superintendent of public instruction shall make the first
35 round of decisions regarding approval of multidistrict online providers
36 by April 1, 2010. The first round of decisions regarding approval of
37 online providers that are not multidistrict online providers shall be

1 made by April 1, 2013. Thereafter, the superintendent of public
2 instruction shall make annual approval decisions no later than November
3 1st of each year.

4 (5) The superintendent of public instruction shall establish an
5 online learning advisory committee within existing resources that shall
6 provide advice to the superintendent regarding the approval criteria,
7 major components of the web site, the model school district policy,
8 model agreements, and other related matters. The committee shall
9 include a representative of each of the following groups: Private and
10 public online providers, parents of online students, accreditation
11 organizations, educational service districts, school principals,
12 teachers, school administrators, school board members, institutions of
13 higher education, and other individuals as determined by the
14 superintendent. Members of the advisory committee shall be selected by
15 the superintendent based on nominations from statewide organizations,
16 shall serve three-year terms, and may be reappointed. The
17 superintendent shall select the chair of the committee.

18 **Sec. 606.** RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each
19 amended to read as follows:

20 (1) By August 31, 2010, all school district boards of directors
21 shall develop policies and procedures regarding student access to
22 online courses and online learning programs. The policies and
23 procedures shall include but not be limited to: Student eligibility
24 criteria; the types of online courses available to students through the
25 school district; the methods districts will use to support student
26 success, which may include a local advisor; when the school district
27 will and will not pay course fees and other costs; the granting of high
28 school credit; and a process for students and parents or guardians to
29 formally acknowledge any course taken for which no credit is given.
30 The policies and procedures shall take effect beginning with the 2010-
31 11 school year. School districts shall submit their policies to the
32 superintendent of public instruction by September 15, 2010. By
33 December 1, 2010, the superintendent of public instruction shall
34 summarize the school district policies regarding student access to
35 online courses and submit a report to the legislature.

36 (2) School districts must award credit and grades for online high

1 school courses successfully completed by a student that meet the school
2 district's graduation requirements and are provided by an approved
3 online provider.

4 (3) School districts shall provide students with information
5 regarding online courses that are available through the school
6 district. The information shall include the types of information
7 described in subsection (1) of this section.

8 (4) When developing local or regional online learning programs,
9 school districts shall incorporate into the program design the approval
10 criteria developed by the superintendent of public instruction under
11 RCW 28A.250.020.

12 **Sec. 607.** RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each
13 amended to read as follows:

14 (1) Beginning with the 2011-12 school year, school districts may
15 claim state funding under (~~(RCW 28A.150.260)~~) section 603 of this act,
16 to the extent otherwise allowed by state law, for students enrolled in
17 online courses or programs only if the online courses or programs are:

18 (a) Offered by a multidistrict online provider approved under RCW
19 28A.250.020 by the superintendent of public instruction;

20 (b) Offered by a school district online learning program if the
21 program serves students who reside within the geographic boundaries of
22 the school district, including school district programs in which fewer
23 than ten percent of the program's students reside outside the school
24 district's geographic boundaries; or

25 (c) Offered by a regional online learning program where courses are
26 jointly developed and offered by two or more school districts or an
27 educational service district through an interdistrict cooperative
28 program agreement.

29 (2) Beginning with the 2013-14 school year, school districts may
30 claim state funding under (~~(RCW 28A.150.260)~~) section 603 of this act,
31 to the extent otherwise allowed by state law, for students enrolled in
32 online courses or programs only if the online courses or programs are
33 offered by an online provider approved under RCW 28A.250.020 by the
34 superintendent of public instruction.

35 (3) Criteria shall be established by the superintendent of public
36 instruction to allow online courses that have not been approved by the
37 superintendent of public instruction to be eligible for state funding

1 if the course is in a subject matter in which no courses have been
2 approved and, if it is a high school course, the course meets
3 Washington high school graduation requirements.

4 **Sec. 608.** RCW 28A.250.070 and 2009 c 542 s 8 are each amended to
5 read as follows:

6 Nothing in this chapter is intended to diminish the rights of
7 students to attend a nonresident school district in accordance with RCW
8 28A.225.220 through 28A.225.230 for the purposes of enrolling in online
9 courses or online school programs. The office of online learning under
10 RCW 28A.250.030 shall develop a standard form, which must be used by
11 all school districts, for releasing a student to a nonresident school
12 district for the purposes of enrolling in an online course or online
13 school program.

14 NEW SECTION. **Sec. 609.** A new section is added to chapter 28A.250
15 RCW to read as follows:

16 An online school program may request a waiver from the office of
17 the superintendent of public instruction to administer one or more
18 sections of the statewide student assessment for grades three through
19 eight for some or all students enrolled in the program on alternate
20 days or on an alternate schedule, as long as the administration is
21 within the testing period established by the office. The office may
22 deny a request for a waiver if the online school program's proposal
23 does not maintain adequate test security or would reduce the
24 reliability of the assessment results by providing an inequitable
25 advantage for some students.

26 **Sec. 610.** RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2
27 are each reenacted and amended to read as follows:

28 (1) Any board of directors may make agreements with adults choosing
29 to attend school, and may charge the adults reasonable tuition.

30 (2) A district is strongly encouraged to honor the request of a
31 parent or guardian for his or her child to attend a school in another
32 district or the request of a parent or guardian for his or her child to
33 transfer as a student receiving home-based instruction.

34 (3) A district shall release a student to a nonresident district
35 that agrees to accept the student if:

1 (a) A financial, educational, safety, or health condition affecting
2 the student would likely be reasonably improved as a result of the
3 transfer; or

4 (b) Attendance at the school in the nonresident district is more
5 accessible to the parent's place of work or to the location of child
6 care; or

7 (c) There is a special hardship or detrimental condition; or

8 (d) The purpose of the transfer is for the student to enroll in an
9 online course or online school program offered by an online provider
10 approved under RCW 28A.250.020.

11 (4) A district may deny the request of a resident student to
12 transfer to a nonresident district if the release of the student would
13 adversely affect the district's existing desegregation plan.

14 (5) For the purpose of helping a district assess the quality of its
15 education program, a resident school district may request an optional
16 exit interview or questionnaire with the parents or guardians of a
17 child transferring to another district. No parent or guardian may be
18 forced to attend such an interview or complete the questionnaire.

19 (6) Beginning with the 1993-94 school year, school districts may
20 not charge transfer fees or tuition for nonresident students enrolled
21 under subsection (3) of this section and RCW 28A.225.225.
22 Reimbursement of a high school district for cost of educating high
23 school pupils of a nonhigh school district shall not be deemed a
24 transfer fee as affecting the apportionment of current state school
25 funds.

26 **Sec. 611.** RCW 28A.225.225 and 2013 c 192 s 2 are each amended to
27 read as follows:

28 (1) Except for students who reside out-of-state and students under
29 RCW 28A.225.217, a district shall accept applications from nonresident
30 students who are the children of full-time certificated and classified
31 school employees, and those children shall be permitted to enroll:

32 (a) At the school to which the employee is assigned;

33 (b) At a school forming the district's K through 12 continuum which
34 includes the school to which the employee is assigned; or

35 (c) At a school in the district that provides early intervention
36 services pursuant to RCW 28A.155.065 or preschool services pursuant to
37 RCW 28A.155.070, if the student is eligible for such services.

1 (2) A district may reject applications under this section if:

2 (a) The student's disciplinary records indicate a history of
3 convictions for offenses or crimes, violent or disruptive behavior, or
4 gang membership;

5 (b) The student has been expelled or suspended from a public school
6 for more than ten consecutive days. Any policy allowing for
7 readmission of expelled or suspended students under this subsection
8 (2)(b) must apply uniformly to both resident and nonresident
9 applicants; (~~or~~)

10 (c) Enrollment of a child under this section would displace a child
11 who is a resident of the district, except that if a child is admitted
12 under subsection (1) of this section, that child shall be permitted to
13 remain enrolled at that school, or in that district's kindergarten
14 through twelfth grade continuum, until he or she has completed his or
15 her schooling; or

16 (d) The student has repeatedly failed to comply with requirements
17 for participation in an online school program, such as participating in
18 weekly direct contact with the teacher or monthly progress evaluations.

19 (3) A nonhigh district that is participating in an innovation
20 academy cooperative may not accept an application from a high school
21 student that conflicts with RCW 28A.340.080.

22 (4) Except as provided in subsection (1) of this section, all
23 districts accepting applications from nonresident students or from
24 students receiving home-based instruction for admission to the
25 district's schools shall consider equally all applications received.
26 Each school district shall adopt a policy establishing rational, fair,
27 and equitable standards for acceptance and rejection of applications by
28 June 30, 1990. The policy may include rejection of a nonresident
29 student if:

30 (a) Acceptance of a nonresident student would result in the
31 district experiencing a financial hardship;

32 (b) The student's disciplinary records indicate a history of
33 convictions for offenses or crimes, violent or disruptive behavior, or
34 gang membership;

35 (c) Accepting of the nonresident student would conflict with RCW
36 28A.340.080; or

37 (d) The student has been expelled or suspended from a public school
38 for more than ten consecutive days. Any policy allowing for

1 readmission of expelled or suspended students under this subsection
2 (4)(d) must apply uniformly to both resident and nonresident
3 applicants.

4 For purposes of subsections (2)(a) and (4)(b) of this section,
5 "gang" means a group which: (i) Consists of three or more persons;
6 (ii) has identifiable leadership; and (iii) on an ongoing basis,
7 regularly conspires and acts in concert mainly for criminal purposes.

8 (5) The district shall provide to applicants written notification
9 of the approval or denial of the application in a timely manner. If
10 the application is rejected, the notification shall include the reason
11 or reasons for denial and the right to appeal under RCW 28A.225.230(3).

12 **Sec. 612.** RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each
13 amended to read as follows:

14 (1) For the purposes of this section and RCW 28A.150.410 and
15 28A.400.200, "basic education certificated instructional staff" means
16 all full-time equivalent classroom teachers, teacher librarians,
17 guidance counselors, certificated student health services staff, and
18 other certificated instructional staff in the following programs as
19 defined for statewide school district accounting purposes: Basic
20 education, secondary vocational education, general instructional
21 support, and general supportive services.

22 (2) Each school district shall maintain a ratio of at least forty-
23 six basic education certificated instructional staff to one thousand
24 annual average full-time equivalent students. This requirement does
25 not apply to that portion of a district's annual average full-time
26 equivalent enrollment that is enrolled in alternative learning
27 experience (~~(programs)~~) courses as defined in RCW 28A.150.325 (as
28 recodified by this act).

29 **Sec. 613.** RCW 28A.525.162 and 2012 c 244 s 2 are each amended to
30 read as follows:

31 (1) Funds appropriated to the superintendent of public instruction
32 from the common school construction fund shall be allotted by the
33 superintendent of public instruction in accordance with this chapter.

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

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

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

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

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

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

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

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

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

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

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

5 (c) The number of kindergarten students included in the enrollment
6 count shall be counted as one headcount student; and

7 (d) The number of students residing outside the school district who
8 are enrolled in alternative learning experience (~~(programs)~~) courses
9 under RCW 28A.150.325 (as recodified by this act) shall be excluded
10 from the total.

11 (4) In lieu of the exclusion in subsection (3)(d) of this section,
12 a district may submit an alternative calculation for excluding students
13 enrolled in alternative learning experience (~~(programs)~~) courses. The
14 alternative calculation must show the student headcount use of district
15 classroom facilities on a regular basis for a regular duration by out-
16 of-district alternative learning experience (~~(program)~~) students
17 subtracted by the headcount of in-district alternative learning
18 experience (~~(program)~~) students not using district classroom facilities
19 on a regular basis for a reasonable duration. The alternative
20 calculation must be submitted in a form approved by the office of the
21 superintendent of public instruction. The office of the superintendent
22 of public instruction must develop rules to define "regular basis" and
23 "reasonable duration."

24 (5) The superintendent of public instruction, considering policy
25 recommendations from the school facilities citizen advisory panel,
26 shall prescribe such rules as are necessary to equate insofar as
27 possible the efforts made by school districts to provide capital funds
28 by the means aforesaid.

29 (6) For the purposes of this section, "preschool students with
30 disabilities" means children of preschool age who have developmental
31 disabilities who are entitled to services under RCW 28A.155.010 through
32 28A.155.100 and are not included in the kindergarten enrollment count
33 of the district.

34 **Sec. 614.** RCW 28A.525.166 and 2012 c 244 s 3 are each amended to
35 read as follows:

36 Allocations to school districts of state funds provided by RCW
37 28A.525.162 through 28A.525.180 shall be made by the superintendent of

1 public instruction and the amount of state funding assistance to a
 2 school district in financing a school plant project shall be determined
 3 in the following manner:

4 (1) The boards of directors of the districts shall determine the
 5 total cost of the proposed project, which cost may include the cost of
 6 acquiring and preparing the site, the cost of constructing the building
 7 or of acquiring a building and preparing the same for school use, the
 8 cost of necessary equipment, taxes chargeable to the project, necessary
 9 architects' fees, and a reasonable amount for contingencies and for
 10 other necessary incidental expenses: PROVIDED, That the total cost of
 11 the project shall be subject to review and approval by the
 12 superintendent.

13 (2) The state funding assistance percentage for a school district
 14 shall be computed by the following formula:

15 The ratio of the school district's adjusted valuation per pupil
 16 divided by the ratio of the total state adjusted valuation per pupil
 17 shall be subtracted from three, and then the result of the foregoing
 18 shall be divided by three plus (the ratio of the school district's
 19 adjusted valuation per pupil divided by the ratio of the total state
 20 adjusted valuation per pupil).

		District adjusted	Total state	
		3-valuation	÷ adjusted valuation	
	Computed	per pupil	per pupil	State
	State =	-----		= % Funding
	Ratio	District adjusted	Total state	Assistance
		3+valuation	÷ adjusted valuation	
		per pupil	per pupil	

28 PROVIDED, That in the event the state funding assistance percentage to
 29 any school district based on the above formula is less than twenty
 30 percent and such school district is otherwise eligible for state
 31 funding assistance under RCW 28A.525.162 through 28A.525.180, the
 32 superintendent may establish for such district a state funding
 33 assistance percentage not in excess of twenty percent of the approved
 34 cost of the project, if the superintendent finds that such additional
 35 assistance is necessary to provide minimum facilities for housing the
 36 pupils of the district.

37 (3) In addition to the computed state funding assistance percentage
 38 developed in subsection (2) of this section, a school district shall be

1 entitled to additional percentage points determined by the average
2 percentage of growth for the past three years. One percent shall be
3 added to the computed state funding assistance percentage for each
4 percent of growth, with a maximum of twenty percent.

5 (4) In computing the state funding assistance percentage in
6 subsection (2) of this section and adjusting the percentage under
7 subsection (3) of this section, students residing outside the school
8 district who are enrolled in alternative learning experience
9 (~~(programs)~~) courses under RCW 28A.150.325 (as recodified by this act)
10 shall be excluded from the count of total pupils. In lieu of the
11 exclusion in this subsection, a district may submit an alternative
12 calculation for excluding students enrolled in alternative learning
13 experience (~~(programs)~~) courses. The alternative calculation must show
14 the student headcount use of district classroom facilities on a regular
15 basis for a reasonable duration by out-of-district alternative learning
16 experience (~~(program)~~) students subtracted by the headcount of in-
17 district alternative learning experience (~~(program)~~) students not using
18 district classroom facilities on a regular basis for a reasonable
19 duration. The alternative calculation must be submitted in a form
20 approved by the office of the superintendent of public instruction.
21 The office of the superintendent of public instruction must develop
22 rules to define "regular basis" and "reasonable duration."

23 (5) The approved cost of the project determined in the manner
24 prescribed in this section multiplied by the state funding assistance
25 percentage derived as provided for in this section shall be the amount
26 of state funding assistance to the district for the financing of the
27 project: PROVIDED, That need therefor has been established to the
28 satisfaction of the superintendent: PROVIDED, FURTHER, That additional
29 state funding assistance may be allowed if it is found by the
30 superintendent, considering policy recommendations from the school
31 facilities citizen advisory panel that such assistance is necessary in
32 order to meet (a) a school housing emergency resulting from the
33 destruction of a school building by fire, the condemnation of a school
34 building by properly constituted authorities, a sudden excessive and
35 clearly foreseeable future increase in school population, or other
36 conditions similarly emergent in nature; or (b) a special school
37 housing burden resulting from projects of statewide significance or
38 imposed by virtue of the admission of nonresident students into

1 educational programs established, maintained and operated in conformity
2 with the requirements of law; or (c) a deficiency in the capital funds
3 of the district resulting from financing, subsequent to April 1, 1969,
4 and without benefit of the state funding assistance provided by prior
5 state assistance programs, the construction of a needed school building
6 project or projects approved in conformity with the requirements of
7 such programs, after having first applied for and been denied state
8 funding assistance because of the inadequacy of state funds available
9 for the purpose, or (d) a condition created by the fact that an
10 excessive number of students live in state owned housing, or (e) a need
11 for the construction of a school building to provide for improved
12 school district organization or racial balance, or (f) conditions
13 similar to those defined under (a), (b), (c), (d), and (e) of this
14 subsection, creating a like emergency.

15 NEW SECTION. **Sec. 615.** (1) The office of financial management
16 shall conduct a study, in consultation with, at minimum, one
17 representative each from school districts that administer remote, site-
18 based, and online alternative learning experience courses; the office
19 of the superintendent of public instruction; the Washington state
20 institute for public policy; individuals with expertise in outcome-
21 based public school funding models; a Washington state nonprofit
22 organization with expertise in alternative learning education; and the
23 legislative evaluation and accountability program committee.

24 (2) The purpose of the study is to create a proposal for
25 efficiently and sustainably funding alternative learning experience
26 courses and to recommend steps to increase the focus on educational
27 outcomes. The study may recommend the funding method established in
28 section 603 of this act or another method of funding. The study shall
29 review alternative learning funding models used in other states and
30 consider the advantages and disadvantages of applying state policies,
31 including funding policies, differentially depending on the type of
32 alternative learning experience course. The study should also include
33 but not be limited to, recommendations for establishing baseline data
34 regarding alternative learning experience student proficiency and
35 achievement in relation to students in a comparable demographic,
36 identifying outcome targets and methods to measure progress toward

1 targets, identifying methods to ensure ongoing evaluation of outcomes
2 that account for the student demographics being served, and improving
3 alternative learning experience accountability.

4 (3) The office of financial management shall report its findings
5 from the study to the quality education council by November 1, 2013.
6 The quality education council shall review the findings and make
7 recommendations to the education and fiscal committees of the
8 legislature by December 15, 2013.

9 NEW SECTION. **Sec. 616.** RCW 28A.150.262 (Defining full-time
10 equivalent student--Students receiving instruction through alternative
11 learning experience online programs--Requirements) and 2011 1st sp.s.
12 c 34 s 3, 2009 c 542 s 9, & 2005 c 356 s 2 are each repealed.

13 NEW SECTION. **Sec. 617.** (1) RCW 28A.150.325 is recodified as a
14 section in chapter 28A.--- RCW (the new chapter created in section 618
15 of this act).

16 (2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter
17 28A.--- RCW (the new chapter created in section 618 of this act).

18 NEW SECTION. **Sec. 618.** Sections 601 and 603 of this act
19 constitute a new chapter in Title 28A RCW.

20 **PART VII**
21 **MISCELLANEOUS**

22 NEW SECTION. **Sec. 701.** The following acts or parts of acts are
23 each repealed:

24 (1) RCW 28A.165.025 (School district program plan) and 2009 c 556
25 s 1 & 2004 c 20 s 3;

26 (2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 &
27 2004 c 20 s 5;

28 (3) RCW 28A.415.250 (Teacher assistance program--Provision for
29 mentor teachers) and 2009 c 539 s 5, 1993 c 336 s 401, 1991 c 116 s 19,
30 1990 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1; and

31 (4) RCW 28A.415.260 (Pilot program using full-time mentor teachers)
32 and 1998 c 245 s 12 & 1993 c 336 s 402.

1 NEW SECTION. **Sec. 702.** Section 603 of this act is necessary for
2 the immediate preservation of the public peace, health, or safety, or
3 support of the state government and its existing public institutions,
4 and takes effect immediately.

5 NEW SECTION. **Sec. 703.** If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.

--- END ---