
SUBSTITUTE HOUSE BILL 2311

State of Washington

65th Legislature

2018 Regular Session

By House Education (originally sponsored by Representatives Bergquist, Harris, Hudgins, Tarleton, Slatter, Haler, Reeves, Doglio, Muri, Graves, and Young)

READ FIRST TIME 01/22/18.

1 AN ACT Relating to reducing barriers to student participation in
2 extracurricular activities; amending RCW 28A.195.010; adding new
3 sections to chapter 28A.600 RCW; adding a new section to chapter
4 28A.320 RCW; adding a new section to chapter 28A.300 RCW; and
5 creating a new section.

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

7 NEW SECTION. **Sec. 1.** INTENT. (1)(a) According to the Washington
8 interscholastic activities association, interscholastic athletics and
9 activities are a vital part of enriching students' educational
10 experiences and developing students into responsible adults. The
11 legislature finds that research compiled by the association
12 demonstrates that students who participate in extracurricular
13 activities have:

14 (i) Better grades and higher standardized test scores;

15 (ii) Increased school attendance; and

16 (iii) Improved health and wellness.

17 (b) In addition, the legislature finds that this research shows
18 that participation in extracurricular activities develops lifelong
19 skills and relationship building; has long-term economic benefits;
20 increases the odds of attending and graduating from college;
21 decreases the likelihood of juvenile crimes, drug, alcohol, and

1 cigarette use, and sexual activities; and positively enhances a
2 student's educational experience.

3 (2) Thus, the legislature intends to reduce barriers to
4 participation in extracurricular activities by:

5 (a) Capping fees for low-income students who participate in these
6 activities, including career and technical student organizations, and
7 sports and other activities governed by the Washington
8 interscholastic activities association;

9 (b) Requiring that the process for charging and collecting fees
10 be identical for all students; and

11 (c) Reducing the frequency of required physical examinations.

12 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600
13 RCW to read as follows:

14 FEE LIMITATIONS. (1)(a) The maximum fee charged to a public or
15 private high school student eligible to participate in the federal
16 free and reduced-price meals program for an associated student body
17 or other student identification card is five dollars per school year.

18 (b) The maximum fee charged to a public or private high school
19 student eligible to participate in the federal free and reduced-price
20 meals program to participate in an extracurricular activity is five
21 dollars per extracurricular activity per school year. This subsection
22 (1)(b) applies only to high school students who are enrolled in a
23 school district that is a member of the Washington interscholastic
24 activities association.

25 (c) The maximum fee charged to a public or private high school
26 student to participate in career and technical student organizations
27 is five dollars per organization per year.

28 (2) The process for charging and collecting fees from public and
29 private high school students eligible to participate in the federal
30 free and reduced-price meals program, as required by subsection (1)
31 of this section, must be identical to the process for charging and
32 collecting fees from other students.

33 (3) The legislature recommends, but does not require, that the
34 provisions of this section are made applicable to public and private
35 junior and middle schools.

36 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.320
37 RCW to read as follows:

1 COMMUNICATING FEE LIMITS. School districts must widely,
2 effectively, and frequently communicate the fee limits on the
3 purchase of student identification cards, participation in
4 extracurricular activities, and participation in career and technical
5 student organizations for students eligible to participate in the
6 federal free and reduced-price meals program, described in section 2
7 of this act. Information about the fee limits must be included on the
8 high school's web site and the school district's web site,
9 registration forms related to school enrollment and participation in
10 extracurricular activities or career and technical student
11 organizations, annual information packets to students and families,
12 and newsletters.

13 **Sec. 4.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to
14 read as follows:

15 (1) The legislature hereby recognizes that private schools should
16 be subject only to those minimum state controls necessary to insure
17 the health and safety of all the students in the state and to insure
18 a sufficient basic education to meet usual graduation requirements.
19 The state, any agency or official thereof, shall not restrict or
20 dictate any specific educational or other programs for private
21 schools except as hereinafter in this section provided.

22 (2) Principals of private schools or superintendents of private
23 school districts shall file each year with the state superintendent
24 of public instruction a statement certifying that the minimum
25 requirements hereinafter set forth are being met, noting any
26 deviations. After review of the statement, the state superintendent
27 will notify schools or school districts of those deviations which
28 must be corrected. In case of major deviations, the school or school
29 district may request and the state board of education may grant
30 provisional status for one year in order that the school or school
31 district may take action to meet the requirements. The state board of
32 education shall not require private school students to meet the
33 student learning goals, obtain a certificate of academic achievement,
34 or a certificate of individual achievement to graduate from high
35 school, to master the essential academic learning requirements, or to
36 be assessed pursuant to RCW 28A.655.061. However, private schools may
37 choose, on a voluntary basis, to have their students master these
38 essential academic learning requirements, take the assessments, and

1 obtain a certificate of academic achievement or a certificate of
2 individual achievement. Minimum requirements shall be as follows:

3 ~~((1))~~ (a) The minimum school year for instructional purposes
4 shall consist of no less than one hundred eighty school days or the
5 equivalent in annual minimum instructional hour offerings, with a
6 school-wide annual average total instructional hour offering of one
7 thousand hours for students enrolled in grades one through twelve,
8 and at least four hundred fifty hours for students enrolled in
9 kindergarten.

10 ~~((2))~~ (b) The school day shall be the same as defined in RCW
11 28A.150.203.

12 ~~((3))~~ (c) All classroom teachers shall hold appropriate
13 Washington state certification except as follows:

14 ~~((a))~~ (i) Teachers for religious courses or courses for which
15 no counterpart exists in public schools shall not be required to
16 obtain a state certificate to teach those courses.

17 ~~((b))~~ (ii) In exceptional cases, people of unusual competence
18 but without certification may teach students so long as a certified
19 person exercises general supervision. Annual written statements shall
20 be submitted to the office of the superintendent of public
21 instruction reporting and explaining such circumstances.

22 ~~((4))~~ (d) An approved private school may operate an extension
23 program for parents, guardians, or persons having legal custody of a
24 child to teach children in their custody. The extension program shall
25 require at a minimum that:

26 ~~((a))~~ (i) The parent, guardian, or custodian be under the
27 supervision of an employee of the approved private school who is
28 certified under chapter 28A.410 RCW;

29 ~~((b))~~ (ii) The planning by the certified person and the parent,
30 guardian, or person having legal custody include objectives
31 consistent with this subsection (2)(d) and ~~((subsections (1), (2),~~
32 ~~(5), (6), and (7) of this section))~~ (a), (b), (e), (f), and (g) of
33 this subsection;

34 ~~((c))~~ (iii) The certified person spend a minimum average each
35 month of one contact hour per week with each student under his or her
36 supervision who is enrolled in the approved private school extension
37 program;

38 ~~((d))~~ (iv) Each student's progress be evaluated by the
39 certified person; and

1 ~~((e))~~ (v) The certified employee shall not supervise more than
2 thirty students enrolled in the approved private school's extension
3 program.

4 ~~((5))~~ (e) Appropriate measures shall be taken to safeguard all
5 permanent records against loss or damage.

6 ~~((6))~~ (f) The physical facilities of the school or district
7 shall be adequate to meet the program offered by the school or
8 district: PROVIDED, That each school building shall meet reasonable
9 health and fire safety requirements. A residential dwelling of the
10 parent, guardian, or custodian shall be deemed to be an adequate
11 physical facility when a parent, guardian, or person having legal
12 custody is instructing his or her child under (d) of this subsection
13 ~~((4) of this section))~~.

14 ~~((7))~~ (g) Private school curriculum shall include instruction
15 of the basic skills of occupational education, science, mathematics,
16 language, social studies, history, health, reading, writing,
17 spelling, and the development of appreciation of art and music, all
18 in sufficient units for meeting state board of education graduation
19 requirements.

20 ~~((8))~~ (h) Each school or school district shall be required to
21 maintain up-to-date policy statements related to the administration
22 and operation of the school or school district.

23 (3) All decisions of policy, philosophy, selection of books,
24 teaching material, curriculum, except as in subsection ~~((7))~~ (2)(g)
25 of this section provided, school rules and administration, or other
26 matters not specifically referred to in this section, shall be the
27 responsibility of the administration and administrators of the
28 particular private school involved.

29 (4) Each school or school district shall comply with the
30 requirements of sections 2 and 3 of this act relating to fee limits
31 on the purchase of student identification cards, participation in
32 extracurricular activities, and participation in career and technical
33 student organizations for students eligible to participate in the
34 federal free and reduced-price meals program.

35 NEW SECTION. Sec. 5. A new section is added to chapter 28A.300
36 RCW to read as follows:

37 PROMOTING LIVELY ACTIVITIES FOR YOUTH (PLAY) GRANT PROGRAM.
38 (1)(a) The promoting lively activities for youth (PLAY) grant program
39 is created to subsidize small school districts unduly impacted by

1 section 2(1)(b) of this act, which limits the extracurricular
2 activities fee charged to public high school students eligible to
3 participate in the federal free and reduced-price meals program.

4 (b) The Washington interscholastic activities association, under
5 contract with the superintendent of public instruction, must
6 administer the program.

7 (2)(a) Subject to the availability of amounts appropriated for
8 this specific purpose and beginning in the 2018-19 school year, the
9 Washington interscholastic activities association must allocate, on a
10 first come basis, up to fifty thousand dollars per school year for
11 the purposes of the PLAY grant program.

12 (b) The Washington interscholastic activities association may not
13 retain any of the appropriated amounts for administrative purposes.

14 (3) To qualify for a PLAY grant, a school district must:

15 (a) Have fewer than two thousand students;

16 (b) Have fifty percent or more of their high school students
17 eligible to participate in the federal free and reduced-price meals
18 program; and

19 (c) Be impacted by the maximum extracurricular activities fee
20 limitations described in section 2(1)(b) of this act.

21 (4) Applications for a PLAY grant must include the number and
22 overall percentage of high school students eligible to participate in
23 the federal free and reduced-price meals program who participated in
24 one or more extracurricular activities in the prior school year, and
25 an estimate of the number of extracurricular activities fees subject
26 to the maximum described in section 2(1)(b) of this act.

27 (5) The maximum grant award per school district is five thousand
28 dollars per year.

29 (6) By November 1, 2019, and in compliance with RCW 43.01.036,
30 and by November 1st annually thereafter, the Washington
31 interscholastic activities association must report to the appropriate
32 policy and fiscal committees of the legislature the following data:
33 The number of applications, a summary of the information submitted
34 with applications as required under subsection (4) of this section,
35 and the number and amount of PLAY grants awarded.

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

38 PHYSICAL EXAMINATION FREQUENCY. Students may not be required to
39 complete a physical examination to participate in extracurricular

1 activities more often than every twenty-four months, unless
2 recommended by a medical authority licensed to perform a physical
3 examination.

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