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**SUBSTITUTE SENATE BILL 5607**

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**State of Washington****65th Legislature****2017 Regular Session**

**By** Senate Ways & Means (originally sponsored by Senators Braun, Rivers, Fain, Zeiger, Schoesler, Honeyford, Warnick, King, Brown, Angel, Wilson, Sheldon, Becker, and Miloscia)

READ FIRST TIME 02/01/17.

1 AN ACT Relating to education; amending RCW 28A.150.390,  
2 28A.510.250, 28A.150.392, 28A.710.280, 84.52.065, 84.52.043,  
3 84.52.043, 84.48.080, 84.52.070, 84.55.070, 84.69.020, 84.36.381,  
4 84.36.630, 84.52.053, 84.52.0531, 28A.150.410, 28A.400.200,  
5 28A.405.415, 28A.400.350, 28A.150.550, 28A.320.330, 28A.505.140,  
6 28A.505.040, 28A.505.050, 28A.505.060, 28A.505.100, 28A.150.203,  
7 28A.410.025, 28A.657.020, 28A.630.400, 28A.150.203, 28A.410.062,  
8 28B.50.891, 28A.150.250, 28A.150.280, 28A.150.290, 28A.150.310,  
9 28A.150.315, 28A.150.350, 28A.150.360, 28A.150.400, 28A.160.130,  
10 28A.160.170, 28A.165.055, 28A.185.010, 28A.185.020, 28A.340.040,  
11 28A.232.020, 28A.400.220, 28A.400.240, 28A.400.250, 28A.625.110,  
12 28A.625.150, 28A.710.220, 28A.710.240, 28A.715.040, 28A.405.140, and  
13 28A.405.220; amending 2013 c 242 s 10, 2012 1st sp.s. c 10 s 10, 2010  
14 c 237 ss 9, 8, and 10, and 2016 c 202 s 56 (uncodified); reenacting  
15 and amending RCW 84.48.110, 84.55.092, 84.52.0531, and 84.52.0531;  
16 adding new sections to chapter 28A.150 RCW; adding a new section to  
17 chapter 84.52 RCW; adding a new section to chapter 84.55 RCW; adding  
18 a new section to chapter 28A.500 RCW; adding new sections to chapter  
19 28A.400 RCW; adding new sections to chapter 28A.405 RCW; adding new  
20 sections to chapter 28A.320 RCW; adding a new section to chapter  
21 43.09 RCW; adding new sections to chapter 28A.657 RCW; adding new  
22 sections to chapter 28A.655 RCW; adding new sections to chapter  
23 28A.625 RCW; adding new sections to chapter 41.56 RCW; adding new

1 sections to chapter 41.59 RCW; adding new sections to chapter 28A.410  
2 RCW; adding new sections to chapter 28A.225 RCW; adding a new section  
3 to chapter 28A.155 RCW; adding a new section to chapter 28A.160 RCW;  
4 adding a new section to chapter 28A.165 RCW; adding a new section to  
5 chapter 28A.170 RCW; adding a new section to chapter 28A.175 RCW;  
6 adding a new section to chapter 28A.180 RCW; adding a new section to  
7 chapter 28A.185 RCW; adding a new section to chapter 28A.188 RCW;  
8 adding a new section to chapter 28A.190 RCW; adding a new section to  
9 chapter 28A.193 RCW; adding a new section to chapter 28A.194 RCW;  
10 adding a new section to chapter 28A.205 RCW; adding a new section to  
11 chapter 28A.210 RCW; adding a new section to chapter 28A.215 RCW;  
12 adding a new section to chapter 28A.220 RCW; adding a new section to  
13 chapter 28A.230 RCW; adding a new section to chapter 28A.232 RCW;  
14 adding a new section to chapter 28A.235 RCW; adding a new section to  
15 chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW;  
16 adding new sections to chapter 28A.300 RCW; adding new sections to  
17 chapter 28A.305 RCW; adding new sections to chapter 28A.310 RCW;  
18 adding a new section to chapter 28A.315 RCW; adding a new section to  
19 chapter 28A.323 RCW; adding a new section to chapter 28A.325 RCW;  
20 adding a new section to chapter 28A.330 RCW; adding a new section to  
21 chapter 28A.335 RCW; adding a new section to chapter 28A.340 RCW;  
22 adding a new section to chapter 28A.343 RCW; adding new sections to  
23 chapter 28A.345 RCW; adding a new section to chapter 28A.415 RCW;  
24 adding a new section to chapter 28A.505 RCW; adding a new section to  
25 chapter 28A.510 RCW; adding a new section to chapter 28A.515 RCW;  
26 adding a new section to chapter 28A.520 RCW; adding a new section to  
27 chapter 28A.525 RCW; adding a new section to chapter 28A.527 RCW;  
28 adding a new section to chapter 28A.530 RCW; adding a new section to  
29 chapter 28A.535 RCW; adding a new section to chapter 28A.540 RCW;  
30 adding a new section to chapter 28A.545 RCW; adding a new section to  
31 chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW;  
32 adding a new section to chapter 28A.620 RCW; adding a new section to  
33 chapter 28A.623 RCW; adding a new section to chapter 28A.630 RCW;  
34 adding a new section to chapter 28A.635 RCW; adding a new section to  
35 chapter 28A.640 RCW; adding a new section to chapter 28A.642 RCW;  
36 adding a new section to chapter 28A.645 RCW; adding a new section to  
37 chapter 28A.650 RCW; adding a new section to chapter 28A.660 RCW;  
38 adding a new section to chapter 28A.690 RCW; adding a new section to  
39 chapter 28A.700 RCW; adding a new section to chapter 28A.705 RCW;  
40 adding a new section to chapter 28A.715 RCW; adding a new section to

1 chapter 43.06B RCW; creating new sections; recodifying RCW  
2 28A.150.230, 28A.150.300, 28A.150.305, 28A.150.240, and 28A.150.550;  
3 decodifying RCW 28A.405.110; repealing RCW 28A.150.198, 28A.150.261,  
4 28A.160.150, 28A.160.160, 28A.160.180, 28A.160.190, 28A.160.191,  
5 28A.160.192, 28A.160.205, 28A.180.080, 28A.300.173, 28A.300.2851,  
6 28A.400.201, 28A.405.200, 28A.415.020, 28A.415.023, 28A.415.024,  
7 28A.415.025, 28A.150.260, 28A.400.205, and 28A.400.206; repealing  
8 2015 c 2 ss 1, 4, and 5 and 2015 3rd sp.s. c 38 s 3 (uncodified);  
9 providing effective dates; providing a contingent effective date;  
10 providing expiration dates; and providing for submission of certain  
11 sections of this act to a vote of the people.

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

13 NEW SECTION. **Sec. 1.** GOAL. The goal of this act is to improve  
14 the educational outcomes for all students.

15 **PART I**  
16 **WEIGHTED PER PUPIL FUNDING MODEL**

17 NEW SECTION. **Sec. 101.** (1) The legislature finds that in recent  
18 years, the long running K-12 funding debate has narrowly focused on  
19 the overreliance by school districts on local school levies, which  
20 are neither regular nor dependable. This narrow focus overlooks a  
21 number of other deficiencies and inequities in the current K-12  
22 funding structure. The legislature further finds that the current  
23 system unfairly drives more money to wealthier districts, on a per  
24 pupil basis, for low-income, special education, and transitional  
25 bilingual students than to poor districts. The legislature further  
26 finds that the current funding structure lacks transparency due to an  
27 overly complicated staffing model. The legislature further finds that  
28 the overall level of financial resources available to property-rich  
29 districts greatly exceeds the overall level of resources available to  
30 property-poor districts. The legislature further finds that the  
31 current funding structure does not incorporate any significant  
32 adjustment to reflect regional cost differences, which leads to other  
33 inequities. The legislature further finds that while the primary  
34 focus of the legislature is to address the funding aspects of K-12  
35 education, the system should be viewed holistically by evaluating and

1 incorporating broader reforms to ensure that the students of our  
2 state are receiving the best possible education.

3 (2)(a) Based on the foregoing, the legislature finds that a  
4 quality K-12 funding structure should focus on four broad objectives:  
5 Ampleness, dependability, equity, and transparency.

6 (b) The legislature further finds that ampleness envelops several  
7 core issues. First, an ample K-12 funding structure should pay for  
8 the actual cost of providing the state's program of basic education.  
9 Second, an ample K-12 funding structure recognizes that different  
10 children, for example low-income students or English language  
11 learners, require different levels of resources.

12 (c) The legislature further finds that a dependable funding  
13 structure involves a binding and unwavering guarantee by the state  
14 that does not fluctuate with short-term economic changes.

15 (d) The legislature further finds that an equitable K-12 funding  
16 structure guarantees a uniform foundational level of financial  
17 resources for all school districts coupled with an additional  
18 recognition that the cost to pay for educational services is  
19 different in different parts of the state. The legislature further  
20 finds that an equitable K-12 funding structure reflects a reality  
21 that the residents of different school districts have different  
22 abilities to financially contribute to the funding of the students  
23 residing within their districts.

24 (e) The legislature further finds that a transparent K-12 funding  
25 structure is simple and straightforward, and thereby allows the  
26 public to more easily understand how their tax dollars are being  
27 spent, which increases accountability.

28 (3) Based on the foregoing, the legislature intends to create an  
29 ample, dependable, equitable, and transparent K-12 funding structure  
30 that benefits our state and students. The revised funding structure  
31 in this act is set to take effect with the 2018-19 school year and  
32 includes the following major elements:

33 (a) A basic per pupil guarantee of ten thousand dollars per  
34 student. This basic per pupil guarantee is set at a level necessary  
35 to exceed the entire projected cost under current law of state  
36 general apportionment funding, state levy equalization funding, state  
37 pupil transportation funding, and all local school district  
38 maintenance and operation levies by approximately one hundred twenty-  
39 six million dollars;

1 (b) A state-required local contribution, referred to as a local  
2 effort levy, to be applied towards the basic per pupil guarantee. The  
3 levy would be uniformly imposed in every school district at a rate  
4 specified in the omnibus appropriations act, but not exceeding one  
5 dollar and eighty cents per thousand dollars of assessed value. In  
6 essence, the local effort levy would be applied to the total cost of  
7 the basic per pupil guarantee in each school district, with the state  
8 backfilling the difference in order to meet the state guarantee.  
9 There is a minimum state contribution that requires the state to pay  
10 for at least forty percent of the basic per pupil guarantee. The  
11 property tax rate would be lowered in future years, as undedicated  
12 state revenues become available. A small school hold-harmless  
13 provision is included. Under this provision, for any school district  
14 that is estimated to receive less funding through the basic per pupil  
15 guarantee than projected under current law for the state and local  
16 funding sources the basic per pupil guarantee is replacing, the  
17 district will receive the higher amount.

18 (c) An additional seven thousand five hundred dollars per pupil  
19 guarantee for special education students;

20 (d) An additional one thousand dollars per pupil guarantee for  
21 transitional bilingual students, which is estimated to generate  
22 approximately ten million more dollars than what transitional  
23 bilingual funding is projected to yield under current law;

24 (e) An additional two to five thousand dollars per pupil  
25 guarantee for students in poverty, which is estimated to generate  
26 approximately one hundred fifty million more dollars than what  
27 funding for poverty students is projected to yield under current law;

28 (f) A one thousand dollar per pupil guarantee for highly capable  
29 students, which would double the estimated enhanced funding level for  
30 this program under current law;

31 (g) A five hundred dollar per pupil guarantee for career and  
32 technical education students and students enrolled in skills centers,  
33 which would double the estimated enhanced funding level for these  
34 programs under current law;

35 (h) A one thousand five hundred dollar per pupil guarantee for  
36 homeless students, which is estimated to generate approximately  
37 fourteen million dollars;

38 (i) A housing allowance for certificated instructional,  
39 certificated administrative, and classified staff in districts where  
40 the average home value is above the statewide average. The housing

1 allowance would be up to ten thousand dollars per person, depending  
2 on the school district;

3 (j) A twelve thousand five hundred dollar teacher recruitment and  
4 retention incentive for certificated instructional and certificated  
5 administrative staff in school districts where the poverty rate  
6 exceeds twenty percent; and

7 (k) After all other funding calculations are completed, if the  
8 total per pupil funding amount for a school district is less than  
9 twelve thousand five hundred dollars when including local, state, and  
10 federal revenues, the per pupil amount is increased to twelve  
11 thousand five hundred dollars.

12 (4) The legislature finds that this new funding system, which  
13 places students at the center of its structure, meets the four  
14 foundational objectives:

15 (a) Ample - The system provides funds at a significantly higher  
16 level per student than the basic education program currently in  
17 place. The state provided program of basic education will provide  
18 over twelve thousand five hundred dollars on average per pupil for  
19 school districts across the state, translating to over two hundred  
20 fifty thousand dollars for a classroom of twenty students;

21 (b) Dependable - The system provides a binding and unwavering  
22 guarantee to finance basic education on a guaranteed per pupil basis  
23 and eliminates the unconstitutional reliance on unreliable and unfair  
24 local excess levies to provide that funding;

25 (c) Equitable - The system eliminates the current inequitable  
26 funding found throughout the state of Washington, and instead,  
27 provides a guaranteed level of funding for every pupil based on the  
28 pupil's educational characteristics; and

29 (d) Transparent - The system is transparent and straightforward,  
30 thereby allowing the public to more easily understand how its tax  
31 dollars are spent and bring about increased accountability.

32 (5) Finally, the legislature finds these changes, along with  
33 reforms in the rest of this act, are intended and expected to improve  
34 the educational opportunities and outcomes of children throughout the  
35 state.

36 NEW SECTION. **Sec. 102.** A new section is added to chapter  
37 28A.150 RCW to read as follows:

38 (1) The legislature intends through a basic per pupil guarantee,  
39 as well as supplemental per pupil guarantees for existing and several

1 new categorical programs, to provide an educational system in which  
2 each child is afforded an equal opportunity to learn, regardless of  
3 differences in his or her family and community resources.

4 (2) The purpose of this section is to provide for the  
5 distribution of state funding for basic education, which provides the  
6 necessary support to school districts to fund the actual cost of the  
7 program of basic education under RCW 28A.150.220. The distribution  
8 formulas under this section are for allocation purposes only, to be  
9 adjusted annually for inflation.

10 (3) Except as otherwise provided in this section, the legislature  
11 must provide and the superintendent of public instruction must  
12 distribute state funds to school districts on the basis of each  
13 annual average full-time equivalent student enrolled in the district.  
14 The annual average full-time equivalent student enrolled in the  
15 district is calculated on the basis of a minimum required school year  
16 of one hundred eighty days. The enrollment of any district must be  
17 the annual average number of full-time equivalent students enrolled  
18 on the first school day of each month. The definition of full-time  
19 equivalent student must be determined by rules of the superintendent  
20 of public instruction and must be included as part of the  
21 superintendent's biennial budget request. The definition must be  
22 based on the minimum instructional hour offerings required under RCW  
23 28A.150.220. Any revision of the definition existing on the effective  
24 date of this section must not take effect until formally approved by  
25 the legislature by enacting legislation or passing a concurrent  
26 resolution.

27 (4) The basic and supplemental per pupil guarantees are as  
28 follows:

29 (a)(i) A basic per pupil guarantee of ten thousand dollars for  
30 each annual average full-time equivalent student enrolled in the  
31 school district. When apportioning the basic per pupil guarantee to  
32 school districts as provided in RCW 28A.510.250, the guarantee for  
33 each district must be funded first through an estimate of the local  
34 effort levy authorized in RCW 84.52.065(2) that will be collected  
35 during the school year within the school district.

36 (ii) The basic per pupil guarantee under (a)(i) of this  
37 subsection for any school district must be increased by an amount  
38 necessary to ensure that the state contribution, which excludes the  
39 local effort levy, constitutes at least forty percent of the basic  
40 per pupil amount.

1 (iii) Any school district with an enrollment of two thousand five  
2 hundred students or less that is estimated to receive less funding  
3 under the new formula provided in (a)(i) of this subsection than the  
4 funding the district is estimated to receive under the law in effect  
5 as of January 1, 2017, for the 2018-19 school year from state general  
6 apportionment, state levy equalization funding, state pupil  
7 transportation funding, and the district's local school district  
8 maintenance and operation levy, the district must receive the higher  
9 amount calculated under current law. In school year 2018-19, the  
10 current law amount shall be adjusted by the ratio of the total  
11 statewide basic per pupil guarantee and the total amount that would  
12 have been provided under current law. Beginning in the 2019-20 school  
13 year, the amount calculated under this subsection (4)(a)(iii) must be  
14 increased by inflation;

15 (b) An additional supplemental per pupil guarantee of one  
16 thousand dollars to provide supplemental instruction and services for  
17 students whose primary language is other than English. Allocations  
18 are based on the head count number of students in each school who are  
19 eligible for and enrolled in the transitional bilingual instruction  
20 program under RCW 28A.180.010 through 28A.180.060 or for support for  
21 students for up to two years immediately after the student has exited  
22 the program. Notwithstanding other provisions of this subsection  
23 (4)(b), the actual per-student allocation may be scaled to provide a  
24 larger allocation for students needing more intensive intervention  
25 and a commensurate reduced allocation for students needing less  
26 intensive intervention, as detailed in the omnibus appropriations  
27 act;

28 (c) An additional supplemental per pupil guarantee of one  
29 thousand dollars to support programs for highly capable students  
30 under RCW 28A.185.010 through 28A.185.030. Allocations shall be based  
31 on two and three hundred fourteen one-thousandths percent of each  
32 school district's average full-time equivalent basic education  
33 enrollment;

34 (d) An additional supplemental per pupil guarantee of two  
35 thousand dollars for poverty students. However, for school districts  
36 with a poverty rate exceeding thirty percent, the supplemental per  
37 pupil guarantee is increased to five thousand dollars per pupil for  
38 the total number of poverty students exceeding the thirty percent  
39 threshold. The supplemental per pupil guarantee under this subsection  
40 (4)(d) must be used to provide supplemental instruction and services



1 for underachieving students through the learning assistance program  
2 under RCW 28A.165.005 through 28A.165.065. Allocations are based on  
3 the most recent estimates of poverty rates within school districts  
4 for children ages five to seventeen under the United States census  
5 bureau's small area and poverty estimates program;

6 (e) An additional supplemental per pupil guarantee of one  
7 thousand five hundred dollars to provide supplemental instruction and  
8 services for homeless students. Allocations are based on the number  
9 of unsheltered homeless students indicated in the most recent  
10 homeless student data report provided by the superintendent of public  
11 instruction;

12 (f) An additional supplemental per pupil guarantee of seven  
13 thousand five hundred dollars to provide supplemental instructional  
14 resources for students with disabilities as determined under RCW  
15 28A.150.390; and

16 (g) An additional supplemental per pupil guarantee of five  
17 hundred dollars for career and technical education students and  
18 students enrolled in skill centers.

19 (5) After all other funding calculations are completed, if the  
20 total per pupil funding amount for a school district is less than  
21 twelve thousand five hundred dollars when including all local, state,  
22 and federal revenues, the per pupil amount must be increased to  
23 twelve thousand five hundred dollars.

24 (6) For the purpose of this section, "inflation" means the  
25 percentage change in the implicit price deflator for personal  
26 consumption expenditures for the United States as published for the  
27 most recent calendar year by the bureau of economic analysis of the  
28 federal department of commerce.

29 **Sec. 103.** RCW 28A.150.390 and 2010 c 236 s 3 are each amended to  
30 read as follows:

31 (1) The superintendent of public instruction shall submit to each  
32 regular session of the legislature during an odd-numbered year a  
33 programmed budget request for special education programs for students  
34 with disabilities. Funding for programs operated by local school  
35 districts shall be on an excess cost basis from appropriations  
36 provided by the legislature for special education programs for  
37 students with disabilities and shall take account of state funds  
38 accruing through (~~RCW 28A.150.260 (4)(a) and (b), (5), (6), and~~  
39 ~~(8))~~ section 102 of this act.

1 (2) The excess cost allocation to school districts shall be based  
2 on the following:

3 (a) A district's annual average headcount enrollment of students  
4 ages birth through four and those five year olds not yet enrolled in  
5 kindergarten who are eligible for and enrolled in special education,  
6 multiplied by the ~~((district's base allocation per full-time~~  
7 ~~equivalent student, multiplied by 1.15))~~ per pupil amount specified  
8 in section 102(4)(f) of this act; and

9 (b) A district's annual average full-time equivalent basic  
10 education enrollment, multiplied by the district's funded enrollment  
11 percent, multiplied by the ~~((district's base allocation per full-time~~  
12 ~~equivalent student, multiplied by 0.9309))~~ per pupil amount specified  
13 in section 102(4)(f) of this act.

14 (3) As used in this section:

15 (a) ~~("Base allocation" means the total state allocation to all~~  
16 ~~schools in the district generated by the distribution formula under~~  
17 ~~RCW 28A.150.260 (4)(a) and (b), (5), (6), and (8), to be divided by~~  
18 ~~the district's full-time equivalent enrollment.~~

19 ~~(b))~~ "Basic education enrollment" means enrollment of resident  
20 students including nonresident students enrolled under RCW  
21 28A.225.225 and students from nonhigh districts enrolled under RCW  
22 28A.225.210 and excluding students residing in another district  
23 enrolled as part of an interdistrict cooperative program under RCW  
24 28A.225.250.

25 ~~((c))~~ (b) "Enrollment percent" means the district's resident  
26 special education annual average enrollment, excluding students ages  
27 birth through four and those five year olds not yet enrolled in  
28 kindergarten, as a percent of the district's annual average full-time  
29 equivalent basic education enrollment.

30 ~~((d))~~ (c) "Funded enrollment percent" means the lesser of the  
31 district's actual enrollment percent or twelve and seven-tenths  
32 percent.

33 **Sec. 104.** RCW 28A.510.250 and 2011 1st sp.s. c 4 s 1 are each  
34 amended to read as follows:

35 (1) On or before the last business day of September 1969 and each  
36 month thereafter, the superintendent of public instruction shall  
37 apportion from the state general fund and the education legacy trust  
38 account to the several educational service districts of the state the  
39 proportional share of the total annual amount due and apportionable

1 to such educational service districts for the school districts  
2 thereof as follows:

3	September .....	9%
4	October .....	9%
5	November .....	5.5%
6	December .....	9%
7	January .....	9%
8	February .....	9%
9	March .....	9%
10	April .....	9%
11	May .....	5.5%
12	June .....	6.0%
13	July .....	10.0%
14	August .....	10.0%

15 The annual amount due and apportionable shall be the amount  
16 apportionable for all apportionment credits estimated to accrue to  
17 the schools during the apportionment year beginning September (~~(first~~  
18 ~~{1st})~~) 1st and continuing through August (~~(thirty-first~~  
19 ~~{31st})~~) 31st. Appropriations made for school districts for each year of a  
20 biennium shall be apportioned according to the schedule set forth in  
21 this section for the fiscal year starting September 1st of the then  
22 calendar year and ending August 31st of the next calendar year,  
23 except as provided in subsection (2) of this section. The  
24 apportionment from the state general fund and the education legacy  
25 trust account for each month shall be an amount which will equal the  
26 amount due and apportionable to the several educational service  
27 districts during such month: PROVIDED, That any school district may  
28 petition the superintendent of public instruction for an emergency  
29 advance of funds which may become apportionable to it but not to  
30 exceed ten percent of the total amount to become due and  
31 apportionable during the school districts apportionment year. The  
32 superintendent of public instruction shall determine if the emergency  
33 warrants such advance and if the funds are available therefor. If the  
34 superintendent determines in the affirmative, he or she may approve  
35 such advance and, at the same time, add such an amount to the  
36 apportionment for the educational service district in which the  
37 school district is located: PROVIDED, That the emergency advance of

1 funds and the interest earned by school districts on the investment  
2 of temporary cash surpluses resulting from obtaining such advance of  
3 state funds shall be deducted by the superintendent of public  
4 instruction from the remaining amount apportionable to said districts  
5 during that apportionment year in which the funds are advanced.

6 (2) In the 2010-11 school year, the June apportionment payment to  
7 school districts shall be reduced by one hundred twenty-eight million  
8 dollars, and an additional apportionment payment shall be made on  
9 July 1, 2011, in the amount of one hundred twenty-eight million  
10 dollars. This July 1st payment shall be in addition to the regularly  
11 calculated July apportionment payment.

12 (3) If the superintendent of public instruction determines that  
13 the school funding changes made in chapter . . . , Laws of 2017 (this  
14 act) have negatively impacted the revenues apportionable to a school  
15 district in school year 2018-19, due to circumstances clearly not  
16 reflected in the intent of chapter . . . , Laws of 2017 (this act),  
17 the superintendent may add such an amount to the apportionment for  
18 the educational service district in which the school district is  
19 located. The superintendent must periodically notify the chairs of  
20 the education and fiscal committees of the senate and house of  
21 representatives of such additional apportionment amounts made under  
22 this subsection.

23 **Sec. 105.** RCW 28A.150.392 and 2009 c 548 s 109 are each amended  
24 to read as follows:

25 (1) To the extent necessary, funds shall be made available for  
26 safety net awards for districts with demonstrated needs for special  
27 education funding beyond the amounts provided through the special  
28 education funding formula under ((~~RCW 28A.150.390~~)) section 102 of  
29 this act. If the federal safety net awards based on the federal  
30 eligibility threshold exceed the federal appropriation in any fiscal  
31 year, then the superintendent shall expend all available federal  
32 discretionary funds necessary to meet this need. Safety net funds  
33 shall be awarded by the state safety net oversight committee subject  
34 to the following conditions and limitations:

35 (a) The committee shall consider additional funds for districts  
36 that can convincingly demonstrate that all legitimate expenditures  
37 for special education exceed all available revenues from state  
38 funding formulas. In the determination of need, the committee shall  
39 also consider additional available revenues from federal sources.

1 Differences in program costs attributable to district philosophy,  
2 service delivery choice, or accounting practices are not a legitimate  
3 basis for safety net awards. In the determination of need, the  
4 committee shall require that districts demonstrate that they are  
5 maximizing their eligibility for all state revenues related to  
6 services for special education-eligible students and all federal  
7 revenues from federal impact aid, medicaid, and the individuals with  
8 disabilities education act-Part B and appropriate special projects.  
9 Awards associated with (b) and (c) of this subsection shall not  
10 exceed the total of a district's specific determination of need.

11 (b) The committee shall then consider the extraordinary high cost  
12 needs of one or more individual special education students.  
13 Differences in costs attributable to district philosophy, service  
14 delivery choice, or accounting practices are not a legitimate basis  
15 for safety net awards.

16 (c) Using criteria developed by the committee, the committee  
17 shall then consider extraordinary costs associated with communities  
18 that draw a larger number of families with children in need of  
19 special education services, which may include consideration of  
20 proximity to group homes, military bases, and regional hospitals.  
21 Safety net awards under this subsection (1)(c) shall be adjusted to  
22 reflect amounts awarded under (b) of this subsection.

23 (d) The maximum allowable indirect cost for calculating safety  
24 net eligibility may not exceed the federal restricted indirect cost  
25 rate for the district plus one percent.

26 (e) Safety net awards shall be adjusted based on the percent of  
27 potential medicaid eligible students billed as calculated by the  
28 superintendent of public instruction in accordance with chapter 318,  
29 Laws of 1999.

30 (f) Safety net awards must be adjusted for any audit findings or  
31 exceptions related to special education funding.

32 (2) The superintendent of public instruction may adopt such rules  
33 and procedures as are necessary to administer the special education  
34 funding and safety net award process. Before revising any standards,  
35 procedures, or rules, the superintendent shall consult with the  
36 office of financial management and the fiscal committees of the  
37 legislature. In adopting and revising the rules, the superintendent  
38 shall ensure the application process to access safety net funding is  
39 streamlined, timelines for submission are not in conflict, feedback  
40 to school districts is timely and provides sufficient information to

1 allow school districts to understand how to correct any deficiencies  
2 in a safety net application, and that there is consistency between  
3 awards approved by school district and by application period. The  
4 office of the superintendent of public instruction shall also provide  
5 technical assistance to school districts in preparing and submitting  
6 special education safety net applications.

7 (3) On an annual basis, the superintendent shall survey districts  
8 regarding their satisfaction with the safety net process and consider  
9 feedback from districts to improve the safety net process. Each year  
10 by December 1st, the superintendent shall prepare and submit a report  
11 to the office of financial management and the appropriate policy and  
12 fiscal committees of the legislature that summarizes the survey  
13 results and those changes made to the safety net process as a result  
14 of the school district feedback.

15 (4) The safety net oversight committee appointed by the  
16 superintendent of public instruction shall consist of:

17 (a) One staff member from the office of the superintendent of  
18 public instruction;

19 (b) Staff of the office of the state auditor who shall be  
20 nonvoting members of the committee; and

21 (c) One or more representatives from school districts or  
22 educational service districts knowledgeable of special education  
23 programs and funding.

24 **Sec. 106.** RCW 28A.710.280 and 2016 c 241 s 128 are each amended  
25 to read as follows:

26 (1) The legislature intends that state funding for charter  
27 schools be distributed equitably with state funding provided for  
28 other public schools.

29 (2) For eligible students enrolled in a charter school  
30 established and operating in accordance with this chapter, the  
31 superintendent of public instruction shall transmit to each charter  
32 school an amount calculated as provided in this section (~~and based~~  
33 ~~on the statewide average staff mix factor for certificated~~  
34 ~~instructional staff, including any enrichment to those statutory~~  
35 ~~formulae that is specified in the omnibus appropriations act. The~~  
36 ~~amount must be the sum of (a) and (b) of this subsection, as~~  
37 ~~applicable)).~~

38 (a) The superintendent shall, for purposes of making  
39 distributions under this section, separately calculate and distribute

1 to charter schools moneys appropriated for (~~general apportionment~~  
2 ~~under the same ratios as in RCW 28A.150.260~~) the state basic per  
3 pupil guarantee under section 102 of this act.

4 (b) The superintendent also shall, for purposes of making  
5 distributions under this section, and in accordance with the  
6 applicable formulae for categorical programs specified in (b)(i)  
7 through (~~(v)~~) (iv) of this subsection (2) and any enrichment to  
8 those statutory formulae that is specified in the omnibus  
9 appropriations act, separately calculate and distribute moneys  
10 appropriated by the legislature to charter schools for:

11 (i) Supplemental instruction and services for underachieving  
12 students through the learning assistance program under RCW  
13 28A.165.005 through 28A.165.065;

14 (ii) Supplemental instruction and services for eligible and  
15 enrolled students and exited students whose primary language is other  
16 than English through the transitional bilingual instruction program  
17 under RCW 28A.180.010 through (~~28A.180.080~~) 28A.180.060;

18 (iii) The opportunity for an appropriate education at public  
19 expense as defined by RCW 28A.155.020 for all eligible students with  
20 disabilities as defined in RCW 28A.155.020; and

21 (iv) Programs for highly capable students under RCW 28A.185.010  
22 through 28A.185.030(~~and~~

23 ~~(v) Pupil transportation services to and from school in~~  
24 ~~accordance with RCW 28A.160.150 through 28A.160.180. Distributions~~  
25 ~~for pupil transportation must be calculated on a per eligible student~~  
26 ~~basis based on the allocation for the previous school year to the~~  
27 ~~school district in which the charter school is located)).~~

28 (3) In addition to the other distributions provided under this  
29 section, the superintendent shall separately calculate and distribute  
30 to charter schools the supplemental per pupil guarantee for career  
31 and technical education students and students enrolled in skill  
32 centers under section 102 of this act.

33 (4) In addition to the other distributions provided under this  
34 section, the superintendent shall separately calculate and distribute  
35 to charter schools the supplemental per pupil guarantee for homeless  
36 students under section 102 of this act.

37 (5) In addition to the other distributions provided under this  
38 section, the superintendent shall separately calculate and distribute  
39 to charter schools the necessary amounts for the housing allowance

1 under section 504 of this act and the teacher recruitment and  
2 retention bonus under section 506 of this act.

3 (6) If a charter school is located in a school district receiving  
4 additional revenues through a minimum state contribution enhancement  
5 provided in section 102(4)(a)(ii) of this act, the charter school  
6 shall receive the same proportional adjustment to its basic per pupil  
7 guarantee allocation under section 102(4) of this act.

8 (7) The superintendent of public instruction must adopt rules  
9 necessary for the distribution of funding required by this section  
10 and to comply with federal reporting requirements.

11 **PART II**  
12 **LOCAL EFFORT LEVY**

13 **Sec. 201.** RCW 84.52.065 and 1991 sp.s. c 31 s 16 are each  
14 amended to read as follows:

15 (1) Subject to the limitations in RCW 84.55.010, in each year the  
16 state shall levy for collection in the following year for the support  
17 of common schools of the state a tax of three dollars and sixty cents  
18 per thousand dollars of assessed value upon the assessed valuation of  
19 all taxable property within the state adjusted to the state equalized  
20 value in accordance with the indicated ratio fixed by the state  
21 department of revenue.

22 (2)(a) In addition to the tax authorized under subsection (1) of  
23 this section, the state must levy a local effort levy on behalf of  
24 school districts for collection beginning in 2018 and every year  
25 thereafter, for the support of common schools of the state, at a rate  
26 of one dollar and eighty cents per thousand dollars of assessed value  
27 upon the assessed valuation of all taxable property within the state  
28 adjusted to the state equalized value in accordance with the  
29 indicated ratio fixed by the state department of revenue. The rate of  
30 tax may be reduced as provided in the omnibus appropriations act for  
31 the fiscal biennium. Local effort levy taxes collected under this  
32 subsection must be deposited into the education legacy trust account.  
33 The omnibus appropriations act must specify the applicable tax rate  
34 for each calendar year.

35 (b) The local effort levy imposed by the state on behalf of  
36 school districts in this subsection is not subject to the limitations  
37 in RCW 84.55.010.



1 (c) Beginning in calendar year 2019, the levy imposed in this  
2 subsection must be distributed back to school districts  
3 proportionally based on the equalized assessed valuation of property  
4 within the school district as a percentage of the statewide total  
5 equalized assessed valuation of property in all school districts  
6 using the apportionment schedule provided in RCW 28A.510.250.

7 (d) In calendar year 2018 only, the rate of tax is forty-five  
8 cents per thousand dollars of assessed value upon the assessed  
9 valuation of all taxable property within the state adjusted to the  
10 state equalized value in accordance with the indicated ratio fixed by  
11 the state department of revenue.

12 (3) The aggregate rate limit for the 2018 collection year and  
13 thereafter is the sum of the maximum levy rates in subsections (1)  
14 and (2) of this section.

15 (4)(a) Beginning July 1, 2019, and ending at such time the  
16 condition of (b) of this subsection has been met, to the extent that  
17 biennial revenues to the state general fund and related funds exceed  
18 state general fund and related fund revenues for the prior fiscal  
19 biennium, the legislature must prioritize the use of the increased  
20 revenue for meeting enrollment and inflationary increases for the  
21 basic per pupil guarantee, the supplemental per pupil guarantees, and  
22 other funding components of section 102 of this act. The second  
23 priority use for the increased revenues are to reduce the tax rate  
24 imposed in subsection (2)(a) of this section with the ultimate goal  
25 to reduce the tax rate to one dollar and twenty-five cents per  
26 thousand dollars of assessed value.

27 (b) Once the omnibus appropriations act provides the necessary  
28 state appropriations for K-12 education programs and specifies that  
29 the applicable tax rate imposed under subsection (2)(a) of this  
30 section is one dollar and twenty-five cents per thousand dollars of  
31 assessed value, the priority requirements of (a) of this subsection  
32 will not apply in subsequent fiscal biennia. The calculations  
33 necessary to determine compliance with this subsection (4) shall be  
34 performed by the economic and revenue forecast council.

35 (5) As used in this section((7)):

36 (a) "Appropriations for K-12 education programs" are state  
37 allocations to school districts, charter schools, and educational  
38 service districts.

39 (b) "Biennial revenues to the state general fund and related  
40 funds" includes the unrestricted ending fund balance from the prior

1 fiscal biennium and includes the transfer or diversion of revenue or  
2 money to or from another fund or account but excludes transfers to  
3 the budget stabilization account under Article VII, section 12 of the  
4 state Constitution.

5 (c) "Related funds" means the Washington opportunity pathways  
6 account and the education legacy trust account.

7 (d) "The support of common schools" includes the payment of the  
8 principal and interest on bonds issued for capital construction  
9 projects for the common schools.

10 **Sec. 202.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 322 are each  
11 amended to read as follows:

12 Within and subject to the limitations imposed by RCW 84.52.050 as  
13 amended, the regular ad valorem tax levies upon real and personal  
14 property by the taxing districts hereafter named are as follows:

15 (1) Levies of the senior taxing districts are as follows: (a) The  
16 ~~((levy))~~ levies by the state may not exceed ~~((three dollars and sixty~~  
17 ~~cents per thousand dollars of assessed value))~~ the aggregate rate  
18 limit in RCW 84.52.065 adjusted to the state equalized value in  
19 accordance with the indicated ratio fixed by the state department of  
20 revenue to be used exclusively for the support of the common schools;  
21 (b) the levy by any county may not exceed one dollar and eighty cents  
22 per thousand dollars of assessed value; (c) the levy by any road  
23 district may not exceed two dollars and twenty-five cents per  
24 thousand dollars of assessed value; and (d) the levy by any city or  
25 town may not exceed three dollars and thirty-seven and one-half cents  
26 per thousand dollars of assessed value. However any county is hereby  
27 authorized to increase its levy from one dollar and eighty cents to a  
28 rate not to exceed two dollars and forty-seven and one-half cents per  
29 thousand dollars of assessed value for general county purposes if the  
30 total levies for both the county and any road district within the  
31 county do not exceed four dollars and five cents per thousand dollars  
32 of assessed value, and no other taxing district has its levy reduced  
33 as a result of the increased county levy.

34 (2) The aggregate levies of junior taxing districts and senior  
35 taxing districts, other than the state, may not exceed five dollars  
36 and ninety cents per thousand dollars of assessed valuation. The term  
37 "junior taxing districts" includes all taxing districts other than  
38 the state, counties, road districts, cities, towns, port districts,  
39 and public utility districts. The limitations provided in this

1 subsection do not apply to: (a) Levies at the rates provided by  
2 existing law by or for any port or public utility district; (b)  
3 excess property tax levies authorized in Article VII, section 2 of  
4 the state Constitution; (c) levies for acquiring conservation futures  
5 as authorized under RCW 84.34.230; (d) levies for emergency medical  
6 care or emergency medical services imposed under RCW 84.52.069; (e)  
7 levies to finance affordable housing for very low-income housing  
8 imposed under RCW 84.52.105; (f) the portions of levies by  
9 metropolitan park districts that are protected under RCW 84.52.120;  
10 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies  
11 for criminal justice purposes under RCW 84.52.135; (i) the portions  
12 of levies by fire protection districts that are protected under RCW  
13 84.52.125; (j) levies by counties for transit-related purposes under  
14 RCW 84.52.140; (k) the protected portion of the levies imposed under  
15 RCW 86.15.160 by flood control zone districts in a county with a  
16 population of seven hundred seventy-five thousand or more that are  
17 coextensive with a county; and (l) levies imposed by a regional  
18 transit authority under RCW 81.104.175.

19 **Sec. 203.** RCW 84.52.043 and 2015 3rd sp.s. c 44 s 323 are each  
20 amended to read as follows:

21 Within and subject to the limitations imposed by RCW 84.52.050 as  
22 amended, the regular ad valorem tax levies upon real and personal  
23 property by the taxing districts hereafter named are as follows:

24 (1) Levies of the senior taxing districts are as follows: (a) The  
25 ~~((levy))~~ levies by the state may not exceed ~~((three dollars and sixty~~  
26 ~~cents per thousand dollars of assessed value))~~ the aggregate rate  
27 limit in RCW 84.52.065 adjusted to the state equalized value in  
28 accordance with the indicated ratio fixed by the state department of  
29 revenue to be used exclusively for the support of the common schools;  
30 (b) the levy by any county may not exceed one dollar and eighty cents  
31 per thousand dollars of assessed value; (c) the levy by any road  
32 district may not exceed two dollars and twenty-five cents per  
33 thousand dollars of assessed value; and (d) the levy by any city or  
34 town may not exceed three dollars and thirty-seven and one-half cents  
35 per thousand dollars of assessed value. However any county is hereby  
36 authorized to increase its levy from one dollar and eighty cents to a  
37 rate not to exceed two dollars and forty-seven and one-half cents per  
38 thousand dollars of assessed value for general county purposes if the  
39 total levies for both the county and any road district within the

1 county do not exceed four dollars and five cents per thousand dollars  
2 of assessed value, and no other taxing district has its levy reduced  
3 as a result of the increased county levy.

4 (2) The aggregate levies of junior taxing districts and senior  
5 taxing districts, other than the state, may not exceed five dollars  
6 and ninety cents per thousand dollars of assessed valuation. The term  
7 "junior taxing districts" includes all taxing districts other than  
8 the state, counties, road districts, cities, towns, port districts,  
9 and public utility districts. The limitations provided in this  
10 subsection do not apply to: (a) Levies at the rates provided by  
11 existing law by or for any port or public utility district; (b)  
12 excess property tax levies authorized in Article VII, section 2 of  
13 the state Constitution; (c) levies for acquiring conservation futures  
14 as authorized under RCW 84.34.230; (d) levies for emergency medical  
15 care or emergency medical services imposed under RCW 84.52.069; (e)  
16 levies to finance affordable housing for very low-income housing  
17 imposed under RCW 84.52.105; (f) the portions of levies by  
18 metropolitan park districts that are protected under RCW 84.52.120;  
19 (g) levies imposed by ferry districts under RCW 36.54.130; (h) levies  
20 for criminal justice purposes under RCW 84.52.135; (i) the portions  
21 of levies by fire protection districts that are protected under RCW  
22 84.52.125; (j) levies by counties for transit-related purposes under  
23 RCW 84.52.140; (k) the portion of the levy by flood control zone  
24 districts that are protected under RCW 84.52.816; and (l) levies  
25 imposed by a regional transit authority under RCW 81.104.175.

26 **Sec. 204.** RCW 84.48.080 and 2008 c 86 s 502 are each amended to  
27 read as follows:

28 (1) Annually during the months of September and October, the  
29 department of revenue shall examine and compare the returns of the  
30 assessment of the property in the several counties of the state, and  
31 the assessment of the property of railroad and other companies  
32 assessed by the department, and proceed to equalize the same, so that  
33 each county in the state shall pay its due and just proportion of the  
34 taxes for state purposes for such assessment year, according to the  
35 ratio the valuation of the property in each county bears to the total  
36 valuation of all property in the state.

37 (a) The department shall classify all property, real and  
38 personal, and shall raise and lower the valuation of any class of  
39 property in any county to a value that shall be equal, so far as

1 possible, to the true and fair value of such class as of January 1st  
2 of the current year for the purpose of ascertaining the just amount  
3 of tax due from each county for state purposes. In equalizing  
4 personal property as of January 1st of the current year, the  
5 department shall use valuation data with respect to personal property  
6 from the three years immediately preceding the current assessment  
7 year in a manner it deems appropriate. Such classification may be on  
8 the basis of types of property, geographical areas, or both. For  
9 purposes of this section, for each county that has not provided the  
10 department with an assessment return by December 1st, the department  
11 shall proceed, using facts and information and in a manner it deems  
12 appropriate, to estimate the value of each class of property in the  
13 county.

14 (b) The department shall keep a full record of its proceedings  
15 and the same shall be published annually by the department.

16 (2) The department shall levy the state taxes authorized by law.  
17 The amount levied in any one year for general state purposes shall  
18 not exceed the lawful dollar rates on the dollar of the assessed  
19 value of the property of the entire state, which assessed value shall  
20 be one hundred percent of the true and fair value of the property in  
21 money.

22 (a) The department shall apportion the amount of tax for state  
23 purposes levied under RCW 84.52.065 (1) and (2) by the department,  
24 among the several counties, in proportion to the valuation of the  
25 taxable property of the county for the year as equalized by the  
26 department: PROVIDED, That for purposes of this apportionment, the  
27 department shall recompute the previous year's (~~levy~~) levies  
28 imposed under RCW 84.52.065 (1) and (2) and the apportionment thereof  
29 to correct for changes and errors in taxable values reported to the  
30 department after October 1 of the preceding year and shall adjust the  
31 apportioned amount of the current year's state levy under RCW  
32 84.52.065(1) for each county by the difference between the  
33 apportioned amounts established by the original and revised levy  
34 computations for the previous year's levies under RCW 84.52.065 (1)  
35 and (2).

36 (b) For purposes of this section, changes in taxable values mean  
37 a final adjustment made by a county board of equalization, the state  
38 board of tax appeals, or a court of competent jurisdiction and shall  
39 include additions of omitted property, other additions or deletions  
40 from the assessment or tax rolls, any assessment return provided by a

1 county to the department subsequent to December 1st, or a change in  
2 the indicated ratio of a county. Errors in taxable values mean errors  
3 corrected by a final reviewing body.

4 (3) The department shall have authority to adopt rules and  
5 regulations to enforce obedience to its orders in all matters in  
6 relation to the returns of county assessments, the equalization of  
7 values, and the apportionment of the state levy by the department.

8 (4) After the completion of the duties prescribed in this  
9 section, the director of the department shall certify the record of  
10 the proceedings of the department under this section, the tax levies  
11 made for state purposes and the apportionment thereof among the  
12 counties, and the certification shall be available for public  
13 inspection.

14 **Sec. 205.** RCW 84.48.110 and 1994 c 301 s 44 and 1994 c 124 s 32  
15 are each reenacted and amended to read as follows:

16 After certifying the record of the proceedings of the department  
17 in accordance with RCW 84.48.080, the department shall transmit to  
18 each county assessor a copy of the record of the proceedings of the  
19 department, specifying the amounts to be levied and collected for  
20 state purposes for such year, and in addition thereto it shall  
21 certify to each county assessor the amount due to each state fund and  
22 unpaid from such county for the fifth preceding year, and such  
23 delinquent state taxes shall be added to the amounts levied for the  
24 current year. The department shall close the account of each county  
25 for the fifth preceding year and charge the amount of such  
26 delinquency to the tax (~~levy~~) levies of the current year. These  
27 delinquent taxes shall not be subject to chapter 84.55 RCW. All taxes  
28 collected on and after the first day of July last preceding such  
29 certificate, on account of delinquent state taxes for the fifth  
30 preceding year shall belong to the county and by the county treasurer  
31 be credited to the current expense fund of the county in which  
32 collected.

33 **Sec. 206.** RCW 84.52.070 and 2010 c 106 s 313 are each amended to  
34 read as follows:

35 (1) It is the duty of the county legislative authority of each  
36 county, on or before the thirtieth day of November in each year, to  
37 certify to the county assessor the amount of taxes levied upon the  
38 property in the county for county purposes, and the respective

1 amounts of taxes levied by the board for each taxing district, within  
2 or coextensive with the county, for district purposes.

3 (2) It is the duty of the council of each city having a  
4 population of three hundred thousand or more, and of the council of  
5 each town, and of all officials or boards of taxing districts within  
6 or coextensive with the county, authorized by law to levy taxes  
7 directly and not through the county legislative authority, on or  
8 before the thirtieth day of November in each year, to certify to the  
9 county assessor the amount of taxes levied upon the property within  
10 the city, town, or district for city, town, or district purposes.

11 (3) If a levy amount is certified to the county assessor after  
12 the thirtieth day of November, the county assessor may use no more  
13 than the certified levy amount for the previous year for the taxing  
14 district. This subsection (3) does not apply to ~~((the))~~ state  
15 ~~((levy))~~ levies or when the assessor has not certified assessed  
16 values as required by RCW 84.48.130 at least twelve working days  
17 before November 30th.

18 **Sec. 207.** RCW 84.55.070 and 2009 c 350 s 11 are each amended to  
19 read as follows:

20 The provisions of this chapter do not apply to a levy, including  
21 ~~((the))~~ any state levy, or that portion of a levy, made by or for a  
22 taxing district:

23 (1) For the purpose of funding a property tax refund paid under  
24 the provisions of chapter 84.68 RCW;

25 (2) Under RCW 84.69.180; or

26 (3) Attributable to amounts of state taxes withheld under RCW  
27 84.56.290 or the provisions of chapter 84.69 RCW, or otherwise  
28 attributable to state taxes lawfully owing by reason of adjustments  
29 made under RCW 84.48.080.

30 **Sec. 208.** RCW 84.55.092 and 1998 c 16 s 3 are each reenacted and  
31 amended to read as follows:

32 The regular property tax levy for each taxing district other than  
33 the state's levies may be set at the amount which would be allowed  
34 otherwise under this chapter if the regular property tax levy for the  
35 district for taxes due in prior years beginning with 1986 had been  
36 set at the full amount allowed under this chapter including any levy  
37 authorized under RCW 52.16.160 that would have been imposed but for

1 the limitation in RCW 52.18.065, applicable upon imposition of the  
2 benefit charge under chapter 52.18 RCW.

3 The purpose of this section is to remove the incentive for a  
4 taxing district to maintain its tax levy at the maximum level  
5 permitted under this chapter, and to protect the future levy capacity  
6 of a taxing district that reduces its tax levy below the level that  
7 it otherwise could impose under this chapter, by removing the adverse  
8 consequences to future levy capacities resulting from such levy  
9 reductions.

10 **Sec. 209.** RCW 84.69.020 and 2005 c 502 s 9 are each amended to  
11 read as follows:

12 On the order of the county treasurer, ad valorem taxes paid  
13 before or after delinquency shall be refunded if they were:

14 (1) Paid more than once;

15 (2) Paid as a result of manifest error in description;

16 (3) Paid as a result of a clerical error in extending the tax  
17 rolls;

18 (4) Paid as a result of other clerical errors in listing  
19 property;

20 (5) Paid with respect to improvements which did not exist on  
21 assessment date;

22 (6) Paid under levies or statutes adjudicated to be illegal or  
23 unconstitutional;

24 (7) Paid as a result of mistake, inadvertence, or lack of  
25 knowledge by any person exempted from paying real property taxes or a  
26 portion thereof pursuant to RCW 84.36.381 through 84.36.389, as now  
27 or hereafter amended;

28 (8) Paid as a result of mistake, inadvertence, or lack of  
29 knowledge by either a public official or employee or by any person  
30 with respect to real property in which the person paying the same has  
31 no legal interest;

32 (9) Paid on the basis of an assessed valuation which was appealed  
33 to the county board of equalization and ordered reduced by the board;

34 (10) Paid on the basis of an assessed valuation which was  
35 appealed to the state board of tax appeals and ordered reduced by the  
36 board: PROVIDED, That the amount refunded under subsections (9) and  
37 (10) of this section shall only be for the difference between the tax  
38 paid on the basis of the appealed valuation and the tax payable on  
39 the valuation adjusted in accordance with the board's order;



1 (11) Paid as a state property tax levied upon property, the  
2 assessed value of which has been established by the state board of  
3 tax appeals for the year of such levy: PROVIDED, HOWEVER, That the  
4 amount refunded shall only be for the difference between the state  
5 property tax paid and the amount of state property tax which would,  
6 when added to all other property taxes within the one percent  
7 limitation of Article VII, section 2 of the state Constitution equal  
8 one percent of the assessed value established by the board;

9 (12) Paid on the basis of an assessed valuation which was  
10 adjudicated to be unlawful or excessive: PROVIDED, That the amount  
11 refunded shall be for the difference between the amount of tax which  
12 was paid on the basis of the valuation adjudged unlawful or excessive  
13 and the amount of tax payable on the basis of the assessed valuation  
14 determined as a result of the proceeding;

15 (13) Paid on property acquired under RCW 84.60.050, and canceled  
16 under RCW 84.60.050(2);

17 (14) Paid on the basis of an assessed valuation that was reduced  
18 under RCW 84.48.065;

19 (15) Paid on the basis of an assessed valuation that was reduced  
20 under RCW 84.40.039; or

21 (16) Abated under RCW 84.70.010.

22 No refunds under the provisions of this section shall be made  
23 because of any error in determining the valuation of property, except  
24 as authorized in subsections (9), (10), (11), and (12) of this  
25 section nor may any refunds be made if a bona fide purchaser has  
26 acquired rights that would preclude the assessment and collection of  
27 the refunded tax from the property that should properly have been  
28 charged with the tax. Any refunds made on delinquent taxes shall  
29 include the proportionate amount of interest and penalties paid.  
30 However, no refunds as a result of an incorrect payment authorized  
31 under subsection (8) of this section made by a third party payee  
32 shall be granted. The county treasurer may deduct from moneys  
33 collected for the benefit of the state's (~~levy~~) levies, refunds of  
34 the state (~~levy~~) levies including interest on the (~~levy~~) levies  
35 as provided by this section and chapter 84.68 RCW.

36 The county treasurer of each county shall make all refunds  
37 determined to be authorized by this section, and by the first Monday  
38 in February of each year, report to the county legislative authority  
39 a list of all refunds made under this section during the previous

1 year. The list is to include the name of the person receiving the  
2 refund, the amount of the refund, and the reason for the refund.

3 NEW SECTION. **Sec. 210.** A new section is added to chapter 84.52  
4 RCW to read as follows:

5 (1) Each tax year, the county assessors must notify the  
6 department if the assessor determines that the aggregate limitation  
7 in RCW 84.52.050 has been exceeded for any tax code area within their  
8 county. The assessor must also provide the department with any  
9 associated data or worksheets or other forms used by the assessor's  
10 office in making a determination that the aggregate limitation in RCW  
11 84.52.050 has been exceeded for any tax code area within the  
12 assessor's county and the taxable assessed value for those districts  
13 within such tax code areas. The county assessors must also provide  
14 the department with any other documentation requested by the  
15 department for purposes of carrying out the department's  
16 responsibilities under this section. The notification and  
17 documentation required under this subsection must be received by the  
18 department before March 1st.

19 (2) Each tax year, a taxing district must notify the appropriate  
20 county assessor if the taxing district enters into an agreement under  
21 the authority of RCW 39.67.010 to avoid or lessen the reduction of  
22 its levy under RCW 84.52.010 resulting from the aggregate limitation  
23 in RCW 84.52.050 having been exceeded. The notification required  
24 under this subsection must include the amount of money that the  
25 taxing district agreed to transfer to another taxing district under  
26 such agreement. The county assessor must forward the information  
27 received under this subsection to the department before March 1st.

28 (3) If a county assessor fails to comply with the requirements of  
29 subsections (1) and (2) of this section before March 1st, no impacted  
30 taxing districts may receive payments under this section in the  
31 current fiscal year. If the county assessor complies with the  
32 notification and documentation requirements in subsections (1) and  
33 (2) of this section on or after March 1st, impacted taxing districts  
34 may receive payments in the following state fiscal year, conditioned  
35 on an appropriation by the legislature.

36 (4) Beginning with the levy of state taxes for collection in  
37 2019, in addition to the levy required by RCW 84.48.080, the  
38 department must compute a hypothetical levy of state taxes based on  
39 the provisions of Title 84 RCW as they existed on January 1, 2018.

1 This hypothetical state levy must be computed before February 1st of  
2 each year.

3 (5) For each county whose assessor has provided the notification  
4 and documentation required under subsection (1) or (2) of this  
5 section before March 1st of the current calendar year, the department  
6 must calculate a hypothetical state levy rate for the current tax  
7 year based on the hypothetical state levy computed as required under  
8 subsection (4) of this section.

9 (6)(a) For each taxing district within a tax code area included  
10 in a notification under subsection (1) of this section or included in  
11 a notification under subsection (2) of this section, the department  
12 must determine whether and how much each potentially impacted taxing  
13 district's regular levy was negatively impacted due to an increase in  
14 the amount of property taxes levied under RCW 84.52.065 after January  
15 1, 2017.

16 (b) Each impacted taxing district is eligible to receive a  
17 payment from the state equal to the amount that the taxing district's  
18 regular levy was negatively impacted due to an increase in the amount  
19 of property taxes levied under RCW 84.52.065 after January 1, 2017,  
20 as determined by the department under this subsection (6). Payments  
21 authorized under this subsection (6) are conditioned on an  
22 appropriation by the legislature.

23 (7) By June 15th of each year, the department must notify the  
24 state treasurer of the amounts that each impacted taxing district are  
25 eligible for under subsection (6) of this section. By June 30th, the  
26 state treasurer must transfer such amounts to the treasurer of the  
27 county in which the impacted taxing district is wholly located or has  
28 its main office if the impacted taxing district is located in more  
29 than one county, subject to amounts appropriated for that purpose. If  
30 amounts appropriated for these transfers are less than the amounts  
31 necessary to make the full amount of each transfer, the state  
32 treasurer must reduce the amount of the transfers on a pro rata  
33 basis. The county treasurer must forward amounts received from the  
34 state treasurer under this subsection to the impacted taxing  
35 districts entitled to the funds.

36 (8) For purposes of this subsection, the following definitions  
37 apply:

38 (a) "Appropriate county assessor" means (i) the county assessor  
39 of the county within which a taxing district subject to subsection  
40 (2) of this section is wholly located or (ii) if that taxing district

1 is located in more than one county, the county assessor of the county  
2 in which the greatest amount of assessed value of the taxing district  
3 is located.

4 (b) "Impacted taxing district" means a local taxing district  
5 whose regular levy was negatively impacted due to an increase in the  
6 amount of property taxes levied by the state as a result of increased  
7 levy authority provided by the legislature after January 1, 2017, as  
8 determined by the department under this section.

9 (9) The department may adopt rules as the department considers  
10 necessary to implement this section, consistent with the purpose of  
11 those sections as described in section 212 of this act.

12 (10) This section expires July 1, 2027.

13 NEW SECTION. **Sec. 211.** A new section is added to chapter 84.55  
14 RCW to read as follows:

15 (1) For purposes of RCW 84.55.010, 84.55.015, 84.55.020, and  
16 84.55.030, "regular property tax levy rate," "regular property tax  
17 rate," and "property tax rate" mean, with respect to impacted taxing  
18 districts, the regular property tax levy rate that would have applied  
19 if the state property tax levy, through the local effort levy  
20 authorized in RCW 84.52.065(2), had not been increased by legislative  
21 action after January 1, 2018.

22 (2) This section applies beginning with taxes levied for  
23 collection in 2019 and for taxes levied for collection in subsequent  
24 years through 2028.

25 (3) The department may adopt rules as the department considers  
26 necessary to implement this section, consistent with the purpose of  
27 those sections as described in section 212 of this act.

28 (4) This section expires July 1, 2028.

29 NEW SECTION. **Sec. 212.** The legislature's purpose in enacting  
30 sections 210 and 211 of this act is to mitigate the negative  
31 financial effects of the local effort levy on local taxing districts  
32 resulting from legislative action after January 1, 2017.

33 **Sec. 213.** RCW 84.36.381 and 2015 3rd sp.s. c 30 s 2 are each  
34 amended to read as follows:

35 A person is exempt from any legal obligation to pay all or a  
36 portion of the amount of excess and regular real property taxes due

1 and payable in the year following the year in which a claim is filed,  
2 and thereafter, in accordance with the following:

3 (1) The property taxes must have been imposed upon a residence  
4 which was occupied by the person claiming the exemption as a  
5 principal place of residence as of the time of filing. However, any  
6 person who sells, transfers, or is displaced from his or her  
7 residence may transfer his or her exemption status to a replacement  
8 residence, but no claimant may receive an exemption on more than one  
9 residence in any year. Moreover, confinement of the person to a  
10 hospital, nursing home, assisted living facility, or adult family  
11 home does not disqualify the claim of exemption if:

12 (a) The residence is temporarily unoccupied;

13 (b) The residence is occupied by a spouse or a domestic partner  
14 and/or a person financially dependent on the claimant for support; or

15 (c) The residence is rented for the purpose of paying nursing  
16 home, hospital, assisted living facility, or adult family home costs;

17 (2) The person claiming the exemption must have owned, at the  
18 time of filing, in fee, as a life estate, or by contract purchase,  
19 the residence on which the property taxes have been imposed or if the  
20 person claiming the exemption lives in a cooperative housing  
21 association, corporation, or partnership, such person must own a  
22 share therein representing the unit or portion of the structure in  
23 which he or she resides. For purposes of this subsection, a residence  
24 owned by a marital community or state registered domestic partnership  
25 or owned by cotenants is deemed to be owned by each spouse or each  
26 domestic partner or each cotenant, and any lease for life is deemed a  
27 life estate;

28 (3)(a) The person claiming the exemption must be:

29 (i) Sixty-one years of age or older on December 31st of the year  
30 in which the exemption claim is filed, or must have been, at the time  
31 of filing, retired from regular gainful employment by reason of  
32 disability; or

33 (ii) A veteran of the armed forces of the United States entitled  
34 to and receiving compensation from the United States department of  
35 veterans affairs at a total disability rating for a service-connected  
36 disability.

37 (b) However, any surviving spouse or surviving domestic partner  
38 of a person who was receiving an exemption at the time of the  
39 person's death will qualify if the surviving spouse or surviving

1 domestic partner is fifty-seven years of age or older and otherwise  
2 meets the requirements of this section;

3 (4) The amount that the person is exempt from an obligation to  
4 pay is calculated on the basis of combined disposable income, as  
5 defined in RCW 84.36.383. If the person claiming the exemption was  
6 retired for two months or more of the assessment year, the combined  
7 disposable income of such person must be calculated by multiplying  
8 the average monthly combined disposable income of such person during  
9 the months such person was retired by twelve. If the income of the  
10 person claiming exemption is reduced for two or more months of the  
11 assessment year by reason of the death of the person's spouse or the  
12 person's domestic partner, or when other substantial changes occur in  
13 disposable income that are likely to continue for an indefinite  
14 period of time, the combined disposable income of such person must be  
15 calculated by multiplying the average monthly combined disposable  
16 income of such person after such occurrences by twelve. If it is  
17 necessary to estimate income to comply with this subsection, the  
18 assessor may require confirming documentation of such income prior to  
19 May 31 of the year following application;

20 (5)(a) A person who otherwise qualifies under this section and  
21 has a combined disposable income of forty thousand dollars or less is  
22 exempt from all excess property taxes and the local effort levy  
23 imposed under RCW 84.52.065(2); and

24 (b)(i) A person who otherwise qualifies under this section and  
25 has a combined disposable income of thirty-five thousand dollars or  
26 less but greater than thirty thousand dollars is exempt from all  
27 regular property taxes on the greater of fifty thousand dollars or  
28 thirty-five percent of the valuation of his or her residence, but not  
29 to exceed seventy thousand dollars of the valuation of his or her  
30 residence; or

31 (ii) A person who otherwise qualifies under this section and has  
32 a combined disposable income of thirty thousand dollars or less is  
33 exempt from all regular property taxes on the greater of sixty  
34 thousand dollars or sixty percent of the valuation of his or her  
35 residence;

36 (6)(a) For a person who otherwise qualifies under this section  
37 and has a combined disposable income of forty thousand dollars or  
38 less, the valuation of the residence is the assessed value of the  
39 residence on the later of January 1, 1995, or January 1st of the  
40 assessment year the person first qualifies under this section. If the

1 person subsequently fails to qualify under this section only for one  
2 year because of high income, this same valuation must be used upon  
3 requalification. If the person fails to qualify for more than one  
4 year in succession because of high income or fails to qualify for any  
5 other reason, the valuation upon requalification is the assessed  
6 value on January 1st of the assessment year in which the person  
7 requalifies. If the person transfers the exemption under this section  
8 to a different residence, the valuation of the different residence is  
9 the assessed value of the different residence on January 1st of the  
10 assessment year in which the person transfers the exemption.

11 (b) In no event may the valuation under this subsection be  
12 greater than the true and fair value of the residence on January 1st  
13 of the assessment year.

14 (c) This subsection does not apply to subsequent improvements to  
15 the property in the year in which the improvements are made.  
16 Subsequent improvements to the property must be added to the value  
17 otherwise determined under this subsection at their true and fair  
18 value in the year in which they are made.

19 **Sec. 214.** RCW 84.36.630 and 2014 c 140 s 28 are each amended to  
20 read as follows:

21 (1) All machinery and equipment owned by a farmer that is  
22 personal property is exempt from property taxes levied for any state  
23 purpose, including the local effort levy imposed under RCW  
24 84.52.065(2), if it is used exclusively in growing and producing  
25 agricultural products during the calendar year for which the claim  
26 for exemption is made.

27 (2) "Farmer" and "agricultural product" have the same meaning as  
28 defined in RCW 82.04.213.

29 (3) A claim for exemption under this section must be filed with  
30 the county assessor together with the statement required under RCW  
31 84.40.190, for exemption from taxes payable the following year. The  
32 claim must be made solely upon forms as prescribed and furnished by  
33 the department of revenue.

34 NEW SECTION. **Sec. 215.** Part II of this act applies beginning  
35 with taxes levied for collection in 2018 and thereafter.

36 NEW SECTION. **Sec. 216.** Section 202 of this act expires January  
37 1, 2018.





1 biennial budget between the prior school year and the current school  
2 year divided by fifty-five percent;

3 (d) The levy bases of nonhigh districts participating in an  
4 innovation academy cooperative established under RCW 28A.340.080  
5 shall be adjusted by the office of the superintendent of public  
6 instruction to reflect each district's proportional share of student  
7 enrollment in the cooperative;

8 (e) The district's maximum levy amount shall be reduced by the  
9 maximum amount of state matching funds for which the district is  
10 eligible under RCW 28A.500.010.

11 (3) For excess levies for collection in calendar year 1998 and  
12 thereafter, a district's levy base shall be the sum of allocations in  
13 (a) through ~~((e))~~ (d) of this subsection received by the district  
14 for the prior school year, including allocations for compensation  
15 increases, plus the sum of such allocations multiplied by the percent  
16 increase per full time equivalent student as stated in the state  
17 basic education appropriation section of the biennial budget between  
18 the prior school year and the current school year and divided by  
19 fifty-five percent. A district's levy base shall not include local  
20 school district property tax levies or other local revenues, or state  
21 and federal allocations not identified in (a) through ~~((e))~~ (d) of  
22 this subsection.

23 (a) The district's basic education allocation as determined  
24 pursuant to ~~((RCW 28A.150.250, 28A.150.260, and 28A.150.350))~~ section  
25 102(4)(a) of this act;

26 (b) State and federal categorical allocations for the following  
27 programs:

28 (i) ~~((Pupil transportation;~~

29 ~~(ii))~~ Special education;

30 ~~((iii))~~ (ii) Education of highly capable students;

31 ~~((iv))~~ (iii) Compensatory education, including but not limited  
32 to learning assistance, migrant education, Indian education, refugee  
33 programs, and bilingual education;

34 ~~((v))~~ (iv) Food services; and

35 ~~((vi))~~ (v) Statewide block grant programs; ~~((and))~~

36 (c) Any other state allocations under sections 102, 504, and 506  
37 of this act; and

38 (d) Any other federal allocations for elementary and secondary  
39 school programs, including direct grants, other than federal impact  
40 aid funds and allocations in lieu of taxes.

1           (4)((~~(a)~~)) A district's maximum levy percentage shall be  
2   (~~(twenty-four percent in 2010 and twenty-eight percent in 2011~~  
3   ~~through 2017 and twenty-four percent)~~) ten percent beginning in  
4   calendar year 2020 and every year thereafter(~~(;~~

5           ~~(b) For qualifying districts, in addition to the percentage in~~  
6   ~~(a) of this subsection the grandfathered percentage determined as~~  
7   ~~follows:~~

8           ~~(i) For 1997, the difference between the district's 1993 maximum~~  
9   ~~levy percentage and twenty percent; and~~

10          ~~(ii) For 2011 through 2017, the percentage calculated as follows:~~

11          ~~(A) Multiply the grandfathered percentage for the prior year~~  
12   ~~times the district's levy base determined under subsection (3) of~~  
13   ~~this section;~~

14          ~~(B) Reduce the result of (b)(ii)(A) of this subsection by any~~  
15   ~~levy reduction funds as defined in subsection (5) of this section~~  
16   ~~that are to be allocated to the district for the current school year;~~

17          ~~(C) Divide the result of (b)(ii)(B) of this subsection by the~~  
18   ~~district's levy base; and~~

19          ~~(D) Take the greater of zero or the percentage calculated in~~  
20   ~~(b)(ii)(C) of this subsection;~~

21          ~~(iii) For 2018 and thereafter, the percentage shall be calculated~~  
22   ~~as follows:~~

23          ~~(A) Multiply the grandfathered percentage for the prior year~~  
24   ~~times the district's levy base determined under subsection (3) of~~  
25   ~~this section;~~

26          ~~(B) Reduce the result of (b)(iii)(A) of this subsection by any~~  
27   ~~levy reduction funds as defined in subsection (5) of this section~~  
28   ~~that are to be allocated to the district for the current school year;~~

29          ~~(C) Divide the result of (b)(iii)(B) of this subsection by the~~  
30   ~~district's levy base; and~~

31          ~~(D) Take the greater of zero or the percentage calculated in~~  
32   ~~(b)(iii)(C) of this subsection.~~

33          ~~(5) "Levy reduction funds" shall mean increases in state funds~~  
34   ~~from the prior school year for programs included under subsection (3)~~  
35   ~~of this section: (a) That are not attributable to enrollment changes,~~  
36   ~~compensation increases, or inflationary adjustments; and (b) that are~~  
37   ~~or were specifically identified as levy reduction funds in the~~  
38   ~~appropriations act. If levy reduction funds are dependent on formula~~  
39   ~~factors which would not be finalized until after the start of the~~  
40   ~~current school year, the superintendent of public instruction shall~~

1 ~~estimate the total amount of levy reduction funds by using prior~~  
2 ~~school year data in place of current school year data. Levy reduction~~  
3 ~~funds shall not include moneys received by school districts from~~  
4 ~~cities or counties)).~~

5 ((+6)) (5) For the purposes of this section, "prior school year"  
6 means the most recent school year completed prior to the year in  
7 which the levies are to be collected.

8 ((+7)) (6) For the purposes of this section, "current school  
9 year" means the year immediately following the prior school year.

10 ((+8)) (7) Funds collected from transportation vehicle fund tax  
11 levies shall not be subject to the levy limitations in this section.

12 ((+9)) (8) The superintendent of public instruction shall  
13 develop rules and regulations and inform school districts of the  
14 pertinent data necessary to carry out the provisions of this section.

15 NEW SECTION. **Sec. 302.** Section 301 of this act takes effect  
16 January 1, 2019.

17 **Sec. 303.** RCW 84.52.053 and 2012 c 186 s 18 are each amended to  
18 read as follows:

19 (1) The limitations imposed by RCW 84.52.050 through 84.52.056,  
20 and 84.52.043 shall not prevent the levy of taxes by school  
21 districts, when authorized so to do by the voters of such school  
22 district in the manner and for the purposes and number of years  
23 allowable under Article VII, section 2(a) of the Constitution of this  
24 state. Elections for such taxes shall be held in the year in which  
25 the levy is made or, in the case of propositions authorizing two-year  
26 through four-year levies for maintenance and operation support of a  
27 school district, authorizing two-year levies for transportation  
28 vehicle funds established in RCW 28A.160.130, or authorizing two-year  
29 through six-year levies to support the construction, modernization,  
30 or remodeling of school facilities, which includes the purposes of  
31 RCW 28A.320.330(2) (f) and (g), in the year in which the first annual  
32 levy is made.

33 (2)(a) Once additional tax levies have been authorized for  
34 maintenance and operation support of a school district for a two-year  
35 through four-year period as provided under subsection (1) of this  
36 section, no further additional tax levies for maintenance and  
37 operation support of the district for that period may be authorized,  
38 except for additional levies to provide for subsequently enacted

1 increases affecting the district's levy base or maximum levy  
2 percentage. School districts may not impose a levy for maintenance  
3 and operation support for taxes due and payable in calendar year  
4 2019.

5 (b) Notwithstanding (a) of this subsection, any school district  
6 that is required to annex or receive territory pursuant to a  
7 dissolution of a financially insolvent school district pursuant to  
8 RCW 28A.315.225 may call either a replacement or supplemental levy  
9 election within the school district, including the territory annexed  
10 or transferred, as follows:

11 (i) An election for a proposition authorizing two-year through  
12 four-year levies for maintenance and operation support of a school  
13 district may be called and held before the effective date of  
14 dissolution to replace existing maintenance and operation levies and  
15 to provide for increases due to the dissolution.

16 (ii) An election for a proposition authorizing additional tax  
17 levies may be called and held before the effective date of  
18 dissolution to provide for increases due to the dissolution.

19 (iii) In the event a replacement levy election under (b)(i) of  
20 this subsection is held but does not pass, the affected school  
21 district may subsequently hold a supplemental levy election pursuant  
22 to (b)(ii) of this subsection if the supplemental levy election is  
23 held before the effective date of dissolution. In the event a  
24 supplemental levy election is held under ((subsection)) (b)(ii) of  
25 this subsection but does not pass, the affected school district may  
26 subsequently hold a replacement levy election pursuant to (b)(i) of  
27 this subsection if the replacement levy election is held before the  
28 effective date of dissolution. Failure of a replacement levy or  
29 supplemental levy election does not affect any previously approved  
30 and existing maintenance and operation levy within the affected  
31 school district or districts.

32 (c) For the purpose of applying the limitation of this subsection  
33 (2), a two-year through six-year levy to support the construction,  
34 modernization, or remodeling of school facilities shall not be deemed  
35 to be a tax levy for maintenance and operation support of a school  
36 district.

37 (3) A special election may be called and the time therefor fixed  
38 by the board of school directors, by giving notice thereof by  
39 publication in the manner provided by law for giving notices of  
40 general elections, at which special election the proposition

1 authorizing such excess levy shall be submitted in such form as to  
2 enable the voters favoring the proposition to vote "yes" and those  
3 opposed thereto to vote "no."

4 (4) To ensure that maintenance and operation levies are not used  
5 for basic education programs, beginning with ballot propositions  
6 submitted to the voters in calendar year 2019, districts must provide  
7 a report to the office of the superintendent of public instruction  
8 detailing the programs and activities to be funded through a proposed  
9 levy for maintenance and operation support. The report must be  
10 submitted to, and approved by, the office of the superintendent of  
11 public instruction prior to the election for the proposition.

12 NEW SECTION. Sec. 304. A new section is added to chapter  
13 28A.500 RCW to read as follows:

14 This chapter expires January 1, 2019.

15 **PART IV**

16 **PROVIDING A ONE-YEAR DELAY IN THE LEVY LID REDUCTION**

17 NEW SECTION. Sec. 401. The legislature recognizes that school  
18 districts rely on local property tax levies. The legislature further  
19 recognizes that the state levy lid law, which limits the amount a  
20 school district may collect through local levies, is statutorily  
21 scheduled to revert to a lower limit beginning in calendar year 2018.  
22 The legislature further finds that this lower limit may impair some  
23 school district finances. Therefore, the legislature intends to  
24 maintain the current levy limit for an additional year as the state  
25 revises its statutory policies with regard to local school district  
26 levies.

27 **Sec. 402.** RCW 84.52.0531 and 2013 c 242 s 8 are each amended to  
28 read as follows:

29 The maximum dollar amount which may be levied by or for any  
30 school district for maintenance and operation support under the  
31 provisions of RCW 84.52.053 shall be determined as follows:

32 (1) For excess levies for collection in calendar year 1997, the  
33 maximum dollar amount shall be calculated pursuant to the laws and  
34 rules in effect in November 1996.

35 (2) For excess levies for collection in calendar year 1998 and  
36 thereafter, the maximum dollar amount shall be the sum of (a) plus or

1 minus (b), (c), and (d) of this subsection minus (e) of this  
2 subsection:

3 (a) The district's levy base as defined in subsections (3) and  
4 (4) of this section multiplied by the district's maximum levy  
5 percentage as defined in subsection (7) of this section;

6 (b) For districts in a high/nonhigh relationship, the high school  
7 district's maximum levy amount shall be reduced and the nonhigh  
8 school district's maximum levy amount shall be increased by an amount  
9 equal to the estimated amount of the nonhigh payment due to the high  
10 school district under RCW 28A.545.030(3) and 28A.545.050 for the  
11 school year commencing the year of the levy;

12 (c) Except for nonhigh districts under (d) of this subsection,  
13 for districts in an interdistrict cooperative agreement, the  
14 nonresident school district's maximum levy amount shall be reduced  
15 and the resident school district's maximum levy amount shall be  
16 increased by an amount equal to the per pupil basic education  
17 allocation included in the nonresident district's levy base under  
18 subsection (3) of this section multiplied by:

19 (i) The number of full-time equivalent students served from the  
20 resident district in the prior school year; multiplied by:

21 (ii) The serving district's maximum levy percentage determined  
22 under subsection (7) of this section; increased by:

23 (iii) The percent increase per full-time equivalent student as  
24 stated in the state basic education appropriation section of the  
25 biennial budget between the prior school year and the current school  
26 year divided by fifty-five percent;

27 (d) The levy bases of nonhigh districts participating in an  
28 innovation academy cooperative established under RCW 28A.340.080  
29 shall be adjusted by the office of the superintendent of public  
30 instruction to reflect each district's proportional share of student  
31 enrollment in the cooperative;

32 (e) The district's maximum levy amount shall be reduced by the  
33 maximum amount of state matching funds for which the district is  
34 eligible under RCW 28A.500.010.

35 (3) For excess levies for collection in calendar year 2005 and  
36 thereafter, a district's levy base shall be the sum of allocations in  
37 (a) through (c) of this subsection received by the district for the  
38 prior school year and the amounts determined under subsection (4) of  
39 this section, including allocations for compensation increases, plus  
40 the sum of such allocations multiplied by the percent increase per

1 full time equivalent student as stated in the state basic education  
2 appropriation section of the biennial budget between the prior school  
3 year and the current school year and divided by fifty-five percent. A  
4 district's levy base shall not include local school district property  
5 tax levies or other local revenues, or state and federal allocations  
6 not identified in (a) through (c) of this subsection.

7 (a) The district's basic education allocation as determined  
8 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

9 (b) State and federal categorical allocations for the following  
10 programs:

11 (i) Pupil transportation;

12 (ii) Special education;

13 (iii) Education of highly capable students;

14 (iv) Compensatory education, including but not limited to  
15 learning assistance, migrant education, Indian education, refugee  
16 programs, and bilingual education;

17 (v) Food services; and

18 (vi) Statewide block grant programs; and

19 (c) Any other federal allocations for elementary and secondary  
20 school programs, including direct grants, other than federal impact  
21 aid funds and allocations in lieu of taxes.

22 (4) For levy collections in calendar years 2005 through ((2017))  
23 2018, in addition to the allocations included under subsection (3)(a)  
24 through (c) of this section, a district's levy base shall also  
25 include the following:

26 (a)(i) For levy collections in calendar year 2010, the difference  
27 between the allocation the district would have received in the  
28 current school year had RCW 84.52.068 not been amended by chapter 19,  
29 Laws of 2003 1st sp. sess. and the allocation the district received  
30 in the current school year pursuant to RCW 28A.505.220;

31 (ii) For levy collections in calendar years 2011 through ((2017))  
32 2018, the allocation rate the district would have received in the  
33 prior school year using the Initiative 728 rate multiplied by the  
34 full-time equivalent student enrollment used to calculate the  
35 Initiative 728 allocation for the prior school year; and

36 (b) The difference between the allocations the district would  
37 have received the prior school year using the Initiative 732 base and  
38 the allocations the district actually received the prior school year  
39 pursuant to RCW 28A.400.205.

1 (5) For levy collections in calendar years 2011 through ((2017))  
2 2018, in addition to the allocations included under subsections  
3 (3)(a) through (c) and (4)(a) and (b) of this section, a district's  
4 levy base shall also include the difference between an allocation of  
5 fifty-three and two-tenths certificated instructional staff units per  
6 thousand full-time equivalent students in grades kindergarten through  
7 four enrolled in the prior school year and the allocation of  
8 certificated instructional staff units per thousand full-time  
9 equivalent students in grades kindergarten through four that the  
10 district actually received in the prior school year, except that the  
11 levy base for a school district whose allocation in the 2009-10  
12 school year was less than fifty-three and two-tenths certificated  
13 instructional staff units per thousand full-time equivalent students  
14 in grades kindergarten through four shall include the difference  
15 between the allocation the district actually received in the 2009-10  
16 school year and the allocation the district actually received in the  
17 prior school year.

18 (6) For levy collections beginning in calendar year 2014 and  
19 thereafter, in addition to the allocations included under subsections  
20 (3)(a) through (c), (4)(a) and (b), and (5) of this section, a  
21 district's levy base shall also include the funds allocated by the  
22 superintendent of public instruction under RCW 28A.715.040 to a  
23 school that is the subject of a state-tribal education compact and  
24 that formerly contracted with the school district to provide  
25 educational services through an interlocal agreement and received  
26 funding from the district.

27 (7)(a) A district's maximum levy percentage shall be twenty-four  
28 percent in 2010 and twenty-eight percent in 2011 through ((2017))  
29 2018 and twenty-four percent every year thereafter;

30 (b) For qualifying districts, in addition to the percentage in  
31 (a) of this subsection the grandfathered percentage determined as  
32 follows:

33 (i) For 1997, the difference between the district's 1993 maximum  
34 levy percentage and twenty percent; and

35 (ii) For 2011 through ((2017)) 2018, the percentage calculated as  
36 follows:

37 (A) Multiply the grandfathered percentage for the prior year  
38 times the district's levy base determined under subsection (3) of  
39 this section;



1 (B) Reduce the result of (b)(ii)(A) of this subsection by any  
2 levy reduction funds as defined in subsection (8) of this section  
3 that are to be allocated to the district for the current school year;

4 (C) Divide the result of (b)(ii)(B) of this subsection by the  
5 district's levy base; and

6 (D) Take the greater of zero or the percentage calculated in  
7 (b)(ii)(C) of this subsection.

8 (8) "Levy reduction funds" shall mean increases in state funds  
9 from the prior school year for programs included under subsections  
10 (3) and (4) of this section: (a) That are not attributable to  
11 enrollment changes, compensation increases, or inflationary  
12 adjustments; and (b) that are or were specifically identified as levy  
13 reduction funds in the appropriations act. If levy reduction funds  
14 are dependent on formula factors which would not be finalized until  
15 after the start of the current school year, the superintendent of  
16 public instruction shall estimate the total amount of levy reduction  
17 funds by using prior school year data in place of current school year  
18 data. Levy reduction funds shall not include moneys received by  
19 school districts from cities or counties.

20 (9) The definitions in this subsection apply throughout this  
21 section unless the context clearly requires otherwise.

22 (a) "Prior school year" means the most recent school year  
23 completed prior to the year in which the levies are to be collected.

24 (b) "Current school year" means the year immediately following  
25 the prior school year.

26 (c) "Initiative 728 rate" means the allocation rate at which the  
27 student achievement program would have been funded under chapter 3,  
28 Laws of 2001, if all annual adjustments to the initial 2001  
29 allocation rate had been made in previous years and in each  
30 subsequent year as provided for under chapter 3, Laws of 2001.

31 (d) "Initiative 732 base" means the prior year's state allocation  
32 for annual salary cost-of-living increases for district employees in  
33 the state-funded salary base as it would have been calculated under  
34 chapter 4, Laws of 2001, if each annual cost-of-living increase  
35 allocation had been provided in previous years and in each subsequent  
36 year.

37 (10) Funds collected from transportation vehicle fund tax levies  
38 shall not be subject to the levy limitations in this section.

1 (11) The superintendent of public instruction shall develop rules  
2 and inform school districts of the pertinent data necessary to carry  
3 out the provisions of this section.

4 (12) For calendar year 2009, the office of the superintendent of  
5 public instruction shall recalculate school district levy authority  
6 to reflect levy rates certified by school districts for calendar year  
7 2009.

8 **Sec. 403.** RCW 84.52.0531 and 2010 c 237 s 2 and 2010 c 99 s 11  
9 are each reenacted and amended to read as follows:

10 The maximum dollar amount which may be levied by or for any  
11 school district for maintenance and operation support under the  
12 provisions of RCW 84.52.053 shall be determined as follows:

13 (1) For excess levies for collection in calendar year 1997, the  
14 maximum dollar amount shall be calculated pursuant to the laws and  
15 rules in effect in November 1996.

16 (2) For excess levies for collection in calendar year 1998 and  
17 thereafter, the maximum dollar amount shall be the sum of (a) plus or  
18 minus (b), (c), and (d) of this subsection minus (e) of this  
19 subsection:

20 (a) The district's levy base as defined in subsection (3) of this  
21 section multiplied by the district's maximum levy percentage as  
22 defined in subsection (4) of this section;

23 (b) For districts in a high/nonhigh relationship, the high school  
24 district's maximum levy amount shall be reduced and the nonhigh  
25 school district's maximum levy amount shall be increased by an amount  
26 equal to the estimated amount of the nonhigh payment due to the high  
27 school district under RCW 28A.545.030(3) and 28A.545.050 for the  
28 school year commencing the year of the levy;

29 (c) Except for nonhigh districts under (d) of this subsection,  
30 for districts in an interdistrict cooperative agreement, the  
31 nonresident school district's maximum levy amount shall be reduced  
32 and the resident school district's maximum levy amount shall be  
33 increased by an amount equal to the per pupil basic education  
34 allocation included in the nonresident district's levy base under  
35 subsection (3) of this section multiplied by:

36 (i) The number of full-time equivalent students served from the  
37 resident district in the prior school year; multiplied by:

38 (ii) The serving district's maximum levy percentage determined  
39 under subsection (4) of this section; increased by:

1 (iii) The percent increase per full-time equivalent student as  
2 stated in the state basic education appropriation section of the  
3 biennial budget between the prior school year and the current school  
4 year divided by fifty-five percent;

5 (d) The levy bases of nonhigh districts participating in an  
6 innovation academy cooperative established under RCW 28A.340.080  
7 shall be adjusted by the office of the superintendent of public  
8 instruction to reflect each district's proportional share of student  
9 enrollment in the cooperative;

10 (e) The district's maximum levy amount shall be reduced by the  
11 maximum amount of state matching funds for which the district is  
12 eligible under RCW 28A.500.010.

13 (3) For excess levies for collection in calendar year 1998 and  
14 thereafter, a district's levy base shall be the sum of allocations in  
15 (a) through (c) of this subsection received by the district for the  
16 prior school year, including allocations for compensation increases,  
17 plus the sum of such allocations multiplied by the percent increase  
18 per full time equivalent student as stated in the state basic  
19 education appropriation section of the biennial budget between the  
20 prior school year and the current school year and divided by fifty-  
21 five percent. A district's levy base shall not include local school  
22 district property tax levies or other local revenues, or state and  
23 federal allocations not identified in (a) through (c) of this  
24 subsection.

25 (a) The district's basic education allocation as determined  
26 pursuant to RCW 28A.150.250, 28A.150.260, and 28A.150.350;

27 (b) State and federal categorical allocations for the following  
28 programs:

29 (i) Pupil transportation;

30 (ii) Special education;

31 (iii) Education of highly capable students;

32 (iv) Compensatory education, including but not limited to  
33 learning assistance, migrant education, Indian education, refugee  
34 programs, and bilingual education;

35 (v) Food services; and

36 (vi) Statewide block grant programs; and

37 (c) Any other federal allocations for elementary and secondary  
38 school programs, including direct grants, other than federal impact  
39 aid funds and allocations in lieu of taxes.

1 (4)(a) A district's maximum levy percentage shall be twenty-four  
2 percent in 2010 and twenty-eight percent in 2011 through ((2017))  
3 2018 and twenty-four percent every year thereafter;

4 (b) For qualifying districts, in addition to the percentage in  
5 (a) of this subsection the grandfathered percentage determined as  
6 follows:

7 (i) For 1997, the difference between the district's 1993 maximum  
8 levy percentage and twenty percent; ((and))

9 (ii) For 2011 through ((2017)) 2018, the percentage calculated as  
10 follows:

11 (A) Multiply the grandfathered percentage for the prior year  
12 times the district's levy base determined under subsection (3) of  
13 this section;

14 (B) Reduce the result of (b)(ii)(A) of this subsection by any  
15 levy reduction funds as defined in subsection (5) of this section  
16 that are to be allocated to the district for the current school year;

17 (C) Divide the result of (b)(ii)(B) of this subsection by the  
18 district's levy base; and

19 (D) Take the greater of zero or the percentage calculated in  
20 (b)(ii)(C) of this subsection;

21 (iii) For ((2018)) 2019 and thereafter, the percentage shall be  
22 calculated as follows:

23 (A) Multiply the grandfathered percentage for the prior year  
24 times the district's levy base determined under subsection (3) of  
25 this section;

26 (B) Reduce the result of (b)(iii)(A) of this subsection by any  
27 levy reduction funds as defined in subsection (5) of this section  
28 that are to be allocated to the district for the current school year;

29 (C) Divide the result of (b)(iii)(B) of this subsection by the  
30 district's levy base; and

31 (D) Take the greater of zero or the percentage calculated in  
32 (b)(iii)(C) of this subsection.

33 (5) "Levy reduction funds" shall mean increases in state funds  
34 from the prior school year for programs included under subsection (3)  
35 of this section: (a) That are not attributable to enrollment changes,  
36 compensation increases, or inflationary adjustments; and (b) that are  
37 or were specifically identified as levy reduction funds in the  
38 appropriations act. If levy reduction funds are dependent on formula  
39 factors which would not be finalized until after the start of the  
40 current school year, the superintendent of public instruction shall

1 estimate the total amount of levy reduction funds by using prior  
2 school year data in place of current school year data. Levy reduction  
3 funds shall not include moneys received by school districts from  
4 cities or counties.

5 (6) For the purposes of this section, "prior school year" means  
6 the most recent school year completed prior to the year in which the  
7 levies are to be collected.

8 (7) For the purposes of this section, "current school year" means  
9 the year immediately following the prior school year.

10 (8) Funds collected from transportation vehicle fund tax levies  
11 shall not be subject to the levy limitations in this section.

12 (9) The superintendent of public instruction shall develop rules  
13 and regulations and inform school districts of the pertinent data  
14 necessary to carry out the provisions of this section.

15 **Sec. 404.** 2013 c 242 s 10 (uncodified) is amended to read as  
16 follows:

17 Section 8 of this act expires January 1, (~~2018~~) 2019.

18 **Sec. 405.** 2012 1st sp.s. c 10 s 10 (uncodified) is amended to  
19 read as follows:

20 Section 8 of this act expires January 1, (~~2018~~) 2019.

21 **Sec. 406.** 2010 c 237 s 9 (uncodified) is amended to read as  
22 follows:

23 Sections 1, 5, and 6 of this act expire January 1, (~~2018~~) 2019.

24 **Sec. 407.** 2010 c 237 s 8 (uncodified) is amended to read as  
25 follows:

26 This act expires January 1, (~~2018~~) 2019.

27 **Sec. 408.** 2010 c 237 s 10 (uncodified) is amended to read as  
28 follows:

29 Section 2 of this act takes effect January 1, (~~2018~~) 2019.

30 **Sec. 409.** 2016 c 202 s 56 (uncodified) is amended to read as  
31 follows:

32 Section 957 of this act expires January 1, (~~2018~~) 2019.



1 provide a teacher recruitment and retention bonus of ten thousand  
2 dollars for teachers employed in urban, high-poverty schools.

3 **Sec. 502.** RCW 28A.150.410 and 2010 c 236 s 10 are each amended  
4 to read as follows:

5 (1) Through the 2017-18 school year, the legislature shall  
6 establish for each school year in the omnibus appropriations act a  
7 statewide salary allocation schedule, for allocation purposes only,  
8 to be used by school districts to distribute state funds for basic  
9 education certificated instructional staff salaries under RCW  
10 28A.150.260. For the purposes of this section, the staff allocations  
11 for classroom teachers, teacher librarians, guidance counselors, and  
12 student health services staff under RCW 28A.150.260 are considered  
13 allocations for certificated instructional staff.

14 (2) Through the 2017-18 school year, salary allocations for  
15 state-funded basic education certificated instructional staff shall  
16 be calculated by the superintendent of public instruction by  
17 determining the district's average salary for certificated  
18 instructional staff, using the statewide salary allocation schedule  
19 and related documents, conditions, and limitations established by the  
20 omnibus appropriations act.

21 ~~(3) ((Beginning January 1, 1992, no more than ninety college~~  
22 ~~quarter-hour credits received by any employee after the baccalaureate~~  
23 ~~degree may be used to determine compensation allocations under the~~  
24 ~~state salary allocation schedule and LEAP documents referenced in the~~  
25 ~~omnibus appropriations act, or any replacement schedules and~~  
26 ~~documents, unless:~~

27 ~~(a) The employee has a master's degree; or~~

28 ~~(b) The credits were used in generating state salary allocations~~  
29 ~~before January 1, 1992.~~

30 ~~(4))~~ Beginning in the 2007-08 school year and through the  
31 2017-18 school year, the calculation of years of service for  
32 occupational therapists, physical therapists, speech-language  
33 pathologists, audiologists, nurses, social workers, counselors, and  
34 psychologists regulated under Title 18 RCW may include experience in  
35 schools and other nonschool positions as occupational therapists,  
36 physical therapists, speech-language pathologists, audiologists,  
37 nurses, social workers, counselors, or psychologists. The calculation  
38 shall be that one year of service in a nonschool position counts as  
39 one year of service for purposes of this chapter, up to a limit of

1 two years of nonschool service. Nonschool years of service included  
2 in calculations under this subsection shall not be applied to service  
3 credit totals for purposes of any retirement benefit under chapter  
4 41.32, 41.35, or 41.40 RCW, or any other state retirement system  
5 benefits.

6 (4) Beginning with the 2018-19 school year, there is no statewide  
7 salary schedule for certificated instructional staff. However, school  
8 district boards of directors must not provide salary increases based  
9 on a master's or other advanced degree that is not in the subject  
10 area in which the individual teaches.

11 **Sec. 503.** RCW 28A.400.200 and 2010 c 235 s 401 are each amended  
12 to read as follows:

13 (1) Every school district board of directors shall fix, alter,  
14 allow, and order paid salaries and compensation for all district  
15 employees in conformance with this section.

16 (2)~~((a))~~ Beginning in the 2018-19 school year, salaries for all  
17 full-time certificated instructional staff in the basic education  
18 program shall not be less than ((the salary provided in the  
19 appropriations act in the statewide salary allocation schedule for an  
20 employee with a baccalaureate degree and zero years of service; and

21 ~~(b) Salaries for certificated instructional staff with a master's~~  
22 ~~degree shall not be less than the salary provided in the~~  
23 ~~appropriations act in the statewide salary allocation schedule for an~~  
24 ~~employee with a master's degree and zero years of service)) forty-~~  
25 five thousand dollars. Salaries for part-time certificated  
26 instructional staff shall be adjusted proportionally.

27 (3)(a) Beginning in the 2018-19 school year, the ((actual  
28 average)) total salary and benefits paid to certificated  
29 instructional, certificated administrative, and classified staff  
30 shall not exceed eighty percent of the district's ((average  
31 certificated instructional staff salary used for the state basic  
32 education allocations for that school year as determined pursuant to  
33 RCW ~~28A.150.410~~) total expenditures from the district's general  
34 fund. For districts that exceed the eighty percent threshold as of  
35 the 2017-18 school year based on school expenditure data reported to  
36 the office of the superintendent of public instruction, such  
37 districts have until the 2023-24 school year to comply. The housing  
38 allowance under section 504 of this act and the teacher recruitment



1 and retention bonus under section 506 of this act are excluded from  
2 the eighty percent calculation.

3 (b) Fringe benefit contributions for certificated instructional  
4 staff shall be included as salary under (a) of this subsection only  
5 to the extent that the district's actual average benefit contribution  
6 exceeds the amount of the insurance benefits allocation provided per  
7 certificated instructional staff unit in the state operating  
8 appropriations act in effect at the time the compensation is payable.  
9 For purposes of this section, fringe benefits shall not include  
10 payment for unused leave for illness or injury under RCW 28A.400.210;  
11 employer contributions for old age survivors insurance, workers'  
12 compensation, unemployment compensation, and retirement benefits  
13 under the Washington state retirement system; or employer  
14 contributions for health benefits in excess of the insurance benefits  
15 allocation provided per certificated instructional staff unit in the  
16 state operating appropriations act in effect at the time the  
17 compensation is payable. A school district may not use state funds to  
18 provide employer contributions for such excess health benefits.

19 (c) Salary and benefits for certificated instructional staff in  
20 programs other than basic education shall be consistent with the  
21 salary and benefits paid to certificated instructional staff in the  
22 basic education program.

23 (4) Additional salaries and benefits for certificated  
24 instructional staff (~~may exceed the limitations in subsection (3) of~~  
25 this section)) shall only be provided by separate contract for  
26 additional time, for additional responsibilities, for incentives, or  
27 for implementing specific measurable innovative activities, including  
28 professional development, specified by the school district to: (a)  
29 Close one or more achievement gaps, (b) focus on development of  
30 science, technology, engineering, and mathematics (STEM) learning  
31 opportunities, or (c) provide arts education. Beginning September 1,  
32 2011, school districts shall annually provide a brief description of  
33 the innovative activities included in any supplemental contract to  
34 the office of the superintendent of public instruction. The office of  
35 the superintendent of public instruction shall summarize the district  
36 information and submit an annual report to the education committees  
37 of the house of representatives and the senate. Supplemental  
38 contracts shall not cause the state to incur any present or future  
39 funding obligation. Supplemental contracts shall be subject to the  
40 collective bargaining provisions of chapter 41.59 RCW and the

1 provisions of RCW 28A.405.240, shall not exceed one year, and if not  
2 renewed shall not constitute adverse change in accordance with RCW  
3 28A.405.300 through 28A.405.380. No district may enter into a  
4 supplemental contract under this subsection for the provision of  
5 services which are a part of the basic education program required by  
6 Article IX, section ((3)) 1 of the state Constitution.

7 (5) Employee benefit plans offered by any district shall comply  
8 with RCW 28A.400.350 ((and)) 28A.400.275 and 28A.400.280.

## 9 HOUSING ALLOWANCE

10 NEW SECTION. **Sec. 504.** A new section is added to chapter  
11 28A.400 RCW to read as follows:

12 (1) The legislature recognizes that homeowners and renters spend  
13 a significant portion of their incomes on housing costs. The  
14 legislature further recognizes that housing costs vary considerably  
15 throughout the state. As a consequence, the legislature further  
16 recognizes that the costs of delivering comparable education services  
17 varies from place to place. Therefore, the legislature intends,  
18 through the housing allowance in this section, to provide an  
19 additional allocation to adjust for regional cost differences.

20 (2) Beginning with the 2018-19 school year, in addition to other  
21 compensation provided to public school employees, state-funded  
22 certificated administrative, certificated instructional, and  
23 classified staff teaching full or part-time in eligible school  
24 districts shall receive an annual housing allowance, as provided in  
25 this section.

26 (3) The amount of the housing allowance for each full-time  
27 employee employed by the school district is equal to ten thousand  
28 dollars multiplied by the regional cost factor. The amount of the  
29 allowance for part-time staff is adjusted proportionally.

30 (4) After the 2018-19 school year, the housing allowance  
31 authorized under this section must be annually adjusted for inflation  
32 as specified in section 102 of this act.

33 (5) The office of the superintendent of public instruction shall  
34 administer the housing allowance program and adopt rules for its  
35 implementation.

36 (6) The department of revenue must provide the necessary property  
37 tax information to the office of the superintendent of public  
38 instruction by March 1st of each year. The department shall use the

1 most recent property tax data provided by the county assessors.  
2 County assessors must provide updated parcel information to the  
3 department in a form and manner required by the department; however,  
4 the assessors must provide updated data at least every two years.

5 (7) The housing allowance authorized under this section is not  
6 considered part of the definition or funding of the instructional  
7 program of basic education under Article IX of the state  
8 Constitution; and it is not considered earnable compensation as  
9 defined in RCW 41.32.010 and compensation earnable as defined in RCW  
10 41.40.010 and 41.35.010.

11 (8) The definitions in this subsection apply throughout this  
12 section.

13 (a) "Eligible school district" means a school district where the  
14 average equalized assessed value per residential parcel within the  
15 school district is above the statewide average equalized assessed  
16 value per residential parcel.

17 (b) "Excess residential value" means the amount by which the  
18 average equalized assessed value per residential parcel in the school  
19 district exceeds the statewide average equalized assessed per  
20 residential parcel.

21 (c) "Highest district excess residential value" means the school  
22 district with the largest excess residential value.

23 (d) "Regional cost factor" means the quotient of the school  
24 district excess residential value and the highest district excess  
25 residential value.

26 (e) "Residential parcel" means a parcel with a land use code of  
27 11, 12, 13, 14, 18, or 19 as provided in the parcel extract compiled  
28 by the department of revenue.

29 (f) "School district excess residential value" means the excess  
30 residential value of an eligible school district.

31 **NATIONAL BOARD FOR PROFESSIONAL TEACHING STANDARDS BONUS**

32 **Sec. 505.** RCW 28A.405.415 and 2013 2nd sp.s. c 5 s 4 are each  
33 amended to read as follows:

34 (1) A school district board of directors may provide a bonus to a  
35 certificated instructional staff person who ((have)) has attained  
36 certification from the national board for professional teaching  
37 standards ~~((shall receive a bonus each year in which they maintain~~  
38 ~~the certification. The bonus shall be calculated as follows: The~~

1 ~~annual bonus shall be five thousand dollars in the 2007-08 school~~  
2 ~~year. Thereafter, the annual bonus shall increase by inflation,~~  
3 ~~except that the bonus shall not be increased during the 2013-14 and~~  
4 ~~2014-15 school years)).~~

5 (2) A school district board of directors may provide a bonus to a  
6 certificated instructional staff person who ((have)) has attained  
7 certification from the national board for professional teaching  
8 standards ((shall be eligible for bonuses)) in addition to that  
9 provided by subsection (1) of this section if the individual is in an  
10 instructional assignment in a school in which at least seventy  
11 percent of the students qualify for the free and reduced-price lunch  
12 program.

13 (3) ~~((The amount of the additional bonus under subsection (2) of~~  
14 ~~this section for those meeting the qualifications of subsection (2)~~  
15 ~~of this section is five thousand dollars.~~

16 (4) ~~The bonuses provided under this section are in addition to~~  
17 ~~compensation received under a district's salary schedule adopted in~~  
18 ~~accordance with RCW 28A.405.200 and shall not be included in~~  
19 ~~calculations of a district's average salary and associated salary~~  
20 ~~limitations under RCW 28A.400.200.~~

21 (5) ~~The bonuses provided under this section shall be paid in a~~  
22 ~~lump sum amount.))~~ The bonuses provided under this section shall not  
23 be considered part of the program of basic education or the funding  
24 necessary to comply with the state's Article IX constitutional duty.

25 NEW SECTION. Sec. 506. A new section is added to chapter  
26 28A.405 RCW to read as follows:

27 (1) Certificated instructional staff and certificated  
28 administrative staff are eligible for an additional recruitment and  
29 retention bonus as provided in this section.

30 (2) To qualify for a recruitment and retention bonus, the  
31 certificated instructional staff or certificated administrative staff  
32 must be employed at a school district with:

- 33 (a) An enrollment exceeding twenty-five thousand students; and
- 34 (b) A poverty rate exceeding twenty-five percent.

35 (3) The amount of the recruitment and retention bonus is twelve  
36 thousand five hundred dollars. The amount of the bonus for part-time  
37 staff is adjusted proportionally. School districts eligible for a  
38 teacher recruitment and retention bonus under this section must

1 increase the compensation of all certificated staff and certificated  
2 administrative staff by the amount of the bonus.

3 (4) For the purpose of this section, "poverty rate" means the  
4 most recent estimates of poverty within Washington's school districts  
5 for children ages five to seventeen under the United States census  
6 bureau's small area and poverty estimates program.

7 (5) The recruitment and retention bonus authorized under this  
8 section is not considered part of the definition or funding of the  
9 instructional program of basic education under Article IX of the  
10 state Constitution; and it is not considered earnable compensation as  
11 defined in RCW 41.32.010 and compensation earnable as defined in RCW  
12 41.40.010 and 41.35.010.

### 13 STATE-FUNDED EXTENDED YEAR CONTRACTS

14 NEW SECTION. **Sec. 507.** A new section is added to chapter  
15 28A.320 RCW to read as follows:

16 (1) Beginning with the 2018-19 school year, each school district  
17 board of directors is authorized to enter into state-funded extended  
18 year contracts with qualified nonsupervisory certificated  
19 instructional staff to provide remedial education instruction and  
20 services to underachieving students as determined by statewide,  
21 school, or district assessments or other student performance  
22 measurement tools.

23 (2) The state-funded extended year contracts authorized under  
24 this section must meet the following limitations and conditions on  
25 the use of funds:

26 (a) May be for up to an additional ninety days of employment  
27 outside of the one hundred eighty day school district calendar;

28 (b) Must be time-based with compensation at the hourly rate  
29 calculated on the individual employee's placement on the immediately  
30 previous school year salary schedule;

31 (c) The individual employee's immediate supervisor must certify  
32 to the superintendent of the school district that the activity was  
33 done in the appropriate time and manner and was provided in  
34 compliance with the limitations in this subsection;

35 (d) If not renewed, shall not constitute adverse change in  
36 accordance with RCW 28A.405.300 through 28A.405.380;

37 (e) Must be separately accounted for by the school districts; and

1 (f) Must be audited as part of the regular financial audits of  
2 school districts by the state auditor's office to ensure compliance  
3 with the limitations and conditions of this subsection.

4 (3) The state-funded extended year contracts authorized under  
5 this section shall not be considered part of the definition or  
6 funding of the instructional program of basic education under Article  
7 IX of the state Constitution.

8 **HEALTH CARE BENEFITS**

9 **Sec. 508.** RCW 28A.400.350 and 2012 2nd sp.s. c 3 s 3 are each  
10 amended to read as follows:

11 (1) The board of directors of any of the state's school districts  
12 or educational service districts may make available liability, life,  
13 health, health care, accident, disability, and salary protection or  
14 insurance, direct agreements as defined in chapter 48.150 RCW, or any  
15 one of, or a combination of the types of employee benefits enumerated  
16 in this subsection, or any other type of insurance or protection, for  
17 the members of the boards of directors, the students, and employees  
18 of the school district or educational service district, and their  
19 dependents. Such coverage may be provided by contracts or agreements  
20 with private carriers, with the state health care authority after  
21 July 1, 1990, pursuant to the approval of the authority  
22 administrator, or through self-insurance or self-funding pursuant to  
23 chapter 48.62 RCW, or in any other manner authorized by law. Any  
24 direct agreement must comply with RCW 48.150.050.

25 (2) Whenever funds are available for these purposes the board of  
26 directors of the school district or educational service district may  
27 contribute all or a part of the cost of such protection or insurance  
28 for the employees of their respective school districts or educational  
29 service districts and their dependents. The premiums on such  
30 liability insurance shall be borne by the school district or  
31 educational service district.

32 After October 1, 1990, school districts may not contribute to any  
33 employee protection or insurance other than liability insurance  
34 unless the district's employee benefit plan conforms to RCW  
35 28A.400.275 and 28A.400.280.

36 (3) For school board members, educational service district board  
37 members, and students, the premiums due on such protection or  
38 insurance shall be borne by the assenting school board member,

1 educational service district board member, or student. The school  
2 district or educational service district may contribute all or part  
3 of the costs, including the premiums, of life, health, health care,  
4 accident or disability insurance which shall be offered to all  
5 students participating in interschool activities on the behalf of or  
6 as representative of their school, school district, or educational  
7 service district. The school district board of directors and the  
8 educational service district board may require any student  
9 participating in extracurricular interschool activities to, as a  
10 condition of participation, document evidence of insurance or  
11 purchase insurance that will provide adequate coverage, as determined  
12 by the school district board of directors or the educational service  
13 district board, for medical expenses incurred as a result of injury  
14 sustained while participating in the extracurricular activity. In  
15 establishing such a requirement, the district shall adopt regulations  
16 for waiving or reducing the premiums of such coverage as may be  
17 offered through the school district or educational service district  
18 to students participating in extracurricular activities, for those  
19 students whose families, by reason of their low income, would have  
20 difficulty paying the entire amount of such insurance premiums. The  
21 district board shall adopt regulations for waiving or reducing the  
22 insurance coverage requirements for low-income students in order to  
23 assure such students are not prohibited from participating in  
24 extracurricular interschool activities.

25 (4) All contracts or agreements for insurance or protection  
26 written to take advantage of the provisions of this section shall  
27 provide that the beneficiaries of such contracts may utilize on an  
28 equal participation basis the services of those practitioners  
29 licensed pursuant to chapters 18.22, 18.25, 18.53, 18.57, and 18.71  
30 RCW.

31 (5) School districts offering medical, vision, and dental  
32 benefits shall:

33 (a) Offer a high deductible health plan option with a health  
34 savings account that conforms to section 223, part VII of subchapter  
35 1 of the internal revenue code of 1986. School districts shall comply  
36 with all applicable federal standards related to the establishment of  
37 health savings accounts;

38 (b) (~~Make progress toward~~) Offer health benefit plans that  
39 incorporate a plan design with employee premiums that are established  
40 to ensure that full family coverage premiums are not more than three

1 times the premiums for employees purchasing single coverage for the  
2 same coverage plan(~~(, unless a subsequent premium differential target~~  
3 ~~is defined as a result of the review and subsequent actions described~~  
4 ~~in RCW 41.05.655))~~);

5 (c) Use savings pool funds to reduce out-of-pocket premium  
6 expenses for employees to maintain the three-to-one premium ratio  
7 identified in (b) of this subsection;

8 (d) Offer employees at least one health benefit plan that is not  
9 a high deductible health plan offered in conjunction with a health  
10 savings account in which the employee share of the premium cost for a  
11 full-time employee, regardless of whether the employee chooses  
12 employee-only coverage or coverage that includes dependents, does not  
13 exceed the share of premium cost paid by state employees during the  
14 state employee benefits year that started immediately prior to the  
15 school year.

16 (6) All contracts or agreements for employee benefits must be  
17 held to responsible contracting standards, meaning a fair, prudent,  
18 and accountable competitive procedure for procuring services that  
19 includes an open competitive process, except where an open process  
20 would compromise cost-effective purchasing, with documentation  
21 justifying the approach.

22 (7) School districts offering medical, vision, and dental  
23 benefits shall also make progress on promoting health care  
24 innovations and cost savings and significantly reduce administrative  
25 costs.

26 (8) All contracts or agreements for insurance or protection  
27 described in this section shall be in compliance with chapter 3, Laws  
28 of 2012 2nd sp. sess.

29 (9) Upon notification from the office of the insurance  
30 commissioner of a school district's substantial noncompliance with  
31 the data reporting requirements of RCW 28A.400.275, and the failure  
32 is due to the action or inaction of the school district, and if the  
33 noncompliance has occurred for two reporting periods, the  
34 superintendent is authorized and required to limit the school  
35 district's authority provided in subsection (1) of this section  
36 regarding employee health benefits to the provision of health benefit  
37 coverage provided by the state health care authority.

38 **PART VI**

39 **MEASURES OF SUCCESS**



1       **Sec. 601.** RCW 28A.150.550 and 2013 c 282 s 2 are each amended to  
2 read as follows:

3       (1) ~~The ((following statewide indicators of educational system~~  
4 ~~health are established))~~ legislature intends to measure each school  
5 district's success towards accomplishing the goal to improve the  
6 educational outcomes for all students using the following school  
7 district performance targets to be met by each district by 2020:

8       (a) ~~((The percentage of students demonstrating the~~  
9 ~~characteristics of entering kindergartners in all six areas~~  
10 ~~identified by the Washington kindergarten inventory of developing~~  
11 ~~skills administered in accordance with RCW 28A.655.080;~~

12       ~~(b))~~ Increase the third grade literacy rate by raising to  
13 eighty-six percent the percentage of students meeting the standard on  
14 the ((fourth)) third grade statewide reading assessment administered  
15 in accordance with RCW 28A.655.070;

16       ~~((c))~~ (b) Improve high school readiness by increasing to  
17 seventy-two percent the percentage of students meeting the standard  
18 on the eighth grade statewide mathematics assessment administered in  
19 accordance with RCW 28A.655.070;

20       ~~((d))~~ (c) Raise the four-year cohort high school graduation  
21 rate to eighty-nine percent;

22       ~~((e))~~ (d) Enhance the quality of the high school diploma by  
23 increasing to ninety-three percent the percentage of high school  
24 graduates who ((during)) enroll in a college, university, or career  
25 and technical education or apprenticeship no later than the second  
26 quarter after graduation and are ((either enrolled in postsecondary  
27 education or training or are employed, and the percentage during the  
28 fourth quarter after graduation who are either enrolled in  
29 postsecondary education or training or are employed; and

30       ~~(f) The percentage of students enrolled in))~~ able to bypass  
31 precollege or remedial courses ((in college)).

32       (2) ~~((The statewide indicators established in subsection (1) of~~  
33 ~~this section shall be disaggregated as provided under RCW~~  
34 ~~28A.300.042.~~

35       (3) ~~The state board of education, with assistance from the office~~  
36 ~~of the superintendent of public instruction, the workforce training~~  
37 ~~and education coordinating board, the educational opportunity gap~~  
38 ~~oversight and accountability committee, and the student achievement~~  
39 ~~council, shall establish a process for identifying realistic but~~  
40 ~~challenging system wide performance goals and measurements, if~~

1 ~~necessary, for each of the indicators established in subsection (1)~~  
2 ~~of this section, including for subcategories of students as provided~~  
3 ~~under subsection (2) of this section. The performance goal for each~~  
4 ~~indicator must be set on a biennial basis, and may only be adjusted~~  
5 ~~upward.)) The following additional school district performance target  
6 shall also be used to measure each school district's success towards  
7 accomplishing the goal to improve the educational outcomes for all  
8 students and must be met by each district by 2024: Closing the  
9 opportunity gap to five percent as measured by the criteria provided  
10 in RCW 28A.657.020(3)(b).~~

11 (3) Each school district shall also annually report the following  
12 to the superintendent of public instruction:

13 (a) The percentage of students demonstrating the characteristics  
14 of entering kindergartners in all six areas identified by the  
15 Washington kindergarten inventory of developing skills administered  
16 in accordance with RCW 28A.655.080; and

17 (b) The percentage of high school graduates from the school  
18 district who during the second quarter after graduation are either  
19 enrolled in postsecondary education or training or are employed, and  
20 the percentage during the fourth quarter after graduation who are  
21 either enrolled in postsecondary education or training or are  
22 employed.

23 (4) The state board of education, the office of the  
24 superintendent of public instruction, and the student achievement  
25 council shall each align their strategic planning and education  
26 reform efforts with the ~~((statewide indicators))~~ goal and performance  
27 ~~((goals))~~ targets established under this section.

28 (5)(a) The state board of education, with assistance from the  
29 office of the superintendent of public instruction, the workforce  
30 training and education coordinating board, the educational  
31 opportunity gap oversight and accountability committee, and the  
32 student achievement council, shall submit an annual report to the  
33 governor and the education committees of the legislature on the  
34 status of each ~~((indicator))~~ school district in meeting the  
35 performance targets in subsections (1) and (2) of this section and  
36 ~~((recommend revised performance goals and measurements, if necessary,~~  
37 ~~by December 1st of each even numbered year, except that the initial~~  
38 ~~report establishing baseline values and initial goals shall be~~  
39 ~~delivered to the education committees of the legislature by December~~  
40 ~~1, 2013)) include the information reported under subsection (3) of~~

1 this section by December 1st. The report shall disaggregate the data  
2 as provided under RCW 28A.300.042.

3 ~~(b) ((If the educational system is not on target to meet the~~  
4 ~~performance goals on any individual indicator, the report must~~  
5 ~~recommend evidence-based reforms intended to improve student~~  
6 ~~achievement in that area.~~

7 ~~(e))~~ To the extent data is available, the success in meeting the  
8 performance ~~((goals for each indicator))~~ targets must be compared  
9 with national data in order to identify whether Washington student  
10 achievement results are within the top ten percent nationally or are  
11 comparable to results in peer states with similar characteristics as  
12 Washington. ~~((If comparison data show that Washington students are~~  
13 ~~falling behind national peers on any indicator, the report must~~  
14 ~~recommend evidence-based reforms targeted at addressing the indicator~~  
15 ~~in question.))~~

## 16 PART VII

### 17 ACCOUNTABILITY THROUGH IMPROVED ACCOUNTING TRANSPARENCY

18 NEW SECTION. **Sec. 701.** The legislature intends to provide  
19 additional procedural safeguards to eliminate the use of local excess  
20 levies to fund basic education.

21 **Sec. 702.** RCW 28A.320.330 and 2009 c 460 s 1 are each amended to  
22 read as follows:

23 School districts shall establish the following funds in addition  
24 to those provided elsewhere by law:

25 (1)(a) A general fund for maintenance and operation of the school  
26 district to account for all financial operations of the school  
27 district except those required to be accounted for in another fund.

28 (b) By the 2018-19 school year, a local revenue subfund of the  
29 general fund shall be established for the purpose of accounting for  
30 the financial operations of a school district that are paid from  
31 local revenue. Money deposited into the local revenue subfund shall  
32 include proceeds from school district excess levies as authorized by  
33 RCW 84.52.053 and local effort assistance payments from the state as  
34 authorized by RCW 84.52.0531. Expenditures from this subfund shall be  
35 tracked separately to account for the expenditure of each of these  
36 streams of funds by revenue sources within a school district.

1 (2) A capital projects fund shall be established for major  
2 capital purposes. All statutory references to a "building fund" shall  
3 mean the capital projects fund so established. Money to be deposited  
4 into the capital projects fund shall include, but not be limited to,  
5 bond proceeds, proceeds from excess levies authorized by RCW  
6 84.52.053, state apportionment proceeds as authorized by RCW  
7 28A.150.270, earnings from capital projects fund investments as  
8 authorized by RCW 28A.320.310 and 28A.320.320, and state forest  
9 revenues transferred pursuant to subsection (3) of this section.

10 Money derived from the sale of bonds, including interest earnings  
11 thereof, may only be used for those purposes described in RCW  
12 28A.530.010, except that accrued interest paid for bonds shall be  
13 deposited in the debt service fund.

14 Money to be deposited into the capital projects fund shall  
15 include but not be limited to rental and lease proceeds as authorized  
16 by RCW 28A.335.060, and proceeds from the sale of real property as  
17 authorized by RCW 28A.335.130.

18 Money legally deposited into the capital projects fund from other  
19 sources may be used for the purposes described in RCW 28A.530.010,  
20 and for the purposes of:

21 (a) Major renovation and replacement of facilities and systems  
22 where periodical repairs are no longer economical or extend the  
23 useful life of the facility or system beyond its original planned  
24 useful life. Such renovation and replacement shall include, but shall  
25 not be limited to, major repairs, exterior painting of facilities,  
26 replacement and refurbishment of roofing, exterior walls, windows,  
27 heating and ventilating systems, floor covering in classrooms and  
28 public or common areas, and electrical and plumbing systems.

29 (b) Renovation and rehabilitation of playfields, athletic fields,  
30 and other district real property.

31 (c) The conduct of preliminary energy audits and energy audits of  
32 school district buildings. For the purpose of this section:

33 (i) "Preliminary energy audits" means a determination of the  
34 energy consumption characteristics of a building, including the size,  
35 type, rate of energy consumption, and major energy using systems of  
36 the building.

37 (ii) "Energy audit" means a survey of a building or complex which  
38 identifies the type, size, energy use level, and major energy using  
39 systems; which determines appropriate energy conservation maintenance  
40 or operating procedures and assesses any need for the acquisition and

1 installation of energy conservation measures, including solar energy  
2 and renewable resource measures.

3 (iii) "Energy capital improvement" means the installation, or  
4 modification of the installation, of energy conservation measures in  
5 a building which measures are primarily intended to reduce energy  
6 consumption or allow the use of an alternative energy source.

7 (d) Those energy capital improvements which are identified as  
8 being cost-effective in the audits authorized by this section.

9 (e) Purchase or installation of additional major items of  
10 equipment and furniture: PROVIDED, That vehicles shall not be  
11 purchased with capital projects fund money.

12 (f)(i) Costs associated with implementing technology systems,  
13 facilities, and projects, including acquiring hardware, licensing  
14 software, and online applications and training related to the  
15 installation of the foregoing. However, the software or applications  
16 must be an integral part of the district's technology systems,  
17 facilities, or projects.

18 (ii) Costs associated with the application and modernization of  
19 technology systems for operations and instruction including, but not  
20 limited to, the ongoing fees for online applications, subscriptions,  
21 or software licenses, including upgrades and incidental services, and  
22 ongoing training related to the installation and integration of these  
23 products and services. However, to the extent the funds are used for  
24 the purpose under this subsection (2)(f)(ii), the school district  
25 shall transfer to the district's general fund the portion of the  
26 capital projects fund used for this purpose. The office of the  
27 superintendent of public instruction shall develop accounting  
28 guidelines for these transfers in accordance with internal revenue  
29 service regulations.

30 (g) Major equipment repair, painting of facilities, and other  
31 major preventative maintenance purposes. However, to the extent the  
32 funds are used for the purpose under this subsection (2)(g), the  
33 school district shall transfer to the district's general fund the  
34 portion of the capital projects fund used for this purpose. The  
35 office of the superintendent of public instruction shall develop  
36 accounting guidelines for these transfers in accordance with internal  
37 revenue service regulations. Based on the district's most recent two-  
38 year history of general fund maintenance expenditures, funds used for  
39 this purpose may not replace routine annual preventive maintenance  
40 expenditures made from the district's general fund.

1 (3) A debt service fund to provide for tax proceeds, other  
2 revenues, and disbursements as authorized in chapter 39.44 RCW. State  
3 forestland revenues that are deposited in a school district's debt  
4 service fund pursuant to RCW 79.64.110 and to the extent not  
5 necessary for payment of debt service on school district bonds may be  
6 transferred by the school district into the district's capital  
7 projects fund.

8 (4) An associated student body fund as authorized by RCW  
9 28A.325.030.

10 (5) Advance refunding bond funds and refunded bond funds to  
11 provide for the proceeds and disbursements as authorized in chapter  
12 39.53 RCW.

13 **Sec. 703.** RCW 28A.505.140 and 2006 c 263 s 202 are each amended  
14 to read as follows:

15 (1) Notwithstanding any other provision of law, the  
16 superintendent of public instruction shall adopt such rules as will  
17 ensure proper budgetary procedures and practices, including monthly  
18 financial statements consistent with the provisions of RCW 43.09.200,  
19 and this chapter. By the 2018-19 school year, the rules shall require  
20 school districts to provide separate accounting of state, federal,  
21 and local revenues to expenditures, including the identification and  
22 separate accounting of basic education and nonbasic education  
23 expenditures by revenue source.

24 (2) If the superintendent of public instruction determines upon a  
25 review of the budget of any district that said budget does not comply  
26 with the budget procedures established by this chapter or by rules  
27 adopted by the superintendent of public instruction, or the  
28 provisions of RCW 43.09.200, the superintendent shall give written  
29 notice of this determination to the board of directors of the local  
30 school district.

31 (3) The local school district, notwithstanding any other  
32 provision of law, shall, within thirty days from the date the  
33 superintendent of public instruction issues a notice pursuant to  
34 subsection (2) of this section, submit a revised budget which meets  
35 the requirements of RCW 43.09.200, this chapter, and the rules of the  
36 superintendent of public instruction.

37 **Sec. 704.** RCW 28A.505.040 and 1995 c 121 s 1 are each amended to  
38 read as follows:

1       (1) On or before the tenth day of July in each year, all school  
2 districts shall prepare their budget for the ensuing fiscal year. The  
3 annual budget development process shall include the development or  
4 update of a four-year budget outlook that includes a four-year  
5 enrollment projection.

6       (2) The completed budget must include a summary of the four-year  
7 budget outlook and four-year enrollment projection and set forth the  
8 complete financial plan of the district for the ensuing fiscal year.

9       (3)(a) Upon completion of their budgets, every school district  
10 shall electronically publish a notice stating that the district has  
11 completed the budget, posted it electronically, placed it on file in  
12 the school district administration office, and that a copy  
13 ((thereof)) of the budget and a summary of the four-year outlook and  
14 enrollment projection will be furnished to any person who calls upon  
15 the district for it. ((The district shall provide a sufficient number  
16 of copies of the budget to meet the reasonable demands of the  
17 public.))

18       (b) School districts shall submit one copy of their budget and  
19 the four-year budget outlook summary and the four-year enrollment  
20 projection to their educational service districts and the office of  
21 the superintendent of public instruction for review and comment by  
22 July 10th. The superintendent of public instruction may delay the  
23 date in this section if the state's operating budget is not finally  
24 approved by the legislature until after June 1st.

25       (c) The office of the superintendent of public instruction shall  
26 consider the information provided under (b) of this subsection when  
27 ranking each school district by the financial health of the school  
28 district in order to provide information for districts to avoid  
29 potential financial difficulty, insolvency, or binding conditions.

30       **Sec. 705.** RCW 28A.505.050 and 1995 c 121 s 2 are each amended to  
31 read as follows:

32       (1) Upon completion of their budgets as provided in RCW  
33 28A.505.040, every school district shall publish a notice stating  
34 that the board of directors will meet for the purpose of fixing and  
35 adopting the budget of the district for the ensuing fiscal year.

36       (2) Such notice shall designate the date, time, and place of said  
37 meeting which shall occur no later than the thirty-first day of  
38 August for first-class school districts, and the first day of August  
39 for second-class school districts.

1       (3) The notice shall also state that any person may appear  
2       (~~thereat~~) at the meeting and be heard for or against any part of  
3       such budget, the four-year budget outlook summary, and the four-year  
4       enrollment projection. (~~Said~~) The notice shall be electronically  
5       published and published at least once each week for two consecutive  
6       weeks in a newspaper of general circulation in the district, or, if  
7       there be none, in a newspaper of general circulation in the county or  
8       counties in which such district is a part. The last notice shall be  
9       published no later than seven days immediately prior to the hearing.

10       **Sec. 706.** RCW 28A.505.060 and 1990 c 33 s 418 are each amended  
11       to read as follows:

12       (1) On the date given in (~~said~~) the notice as provided in RCW  
13       28A.505.050 the school district board of directors shall meet at the  
14       time and place designated. Any person may appear (~~thereat~~) at the  
15       meeting and be heard for or against any part of such budget, the  
16       four-year budget outlook summary, and the four-year enrollment  
17       projection.

18       (2) Such hearing may be continued not to exceed a total of two  
19       days: PROVIDED, That the budget must be adopted no later than August  
20       31st in first-class school districts, and not later than August 1st  
21       in second-class school districts.

22       (3) Upon conclusion of the hearing, the board of directors shall  
23       fix and determine the appropriation from each fund contained in the  
24       budget separately, and shall by resolution adopt the budget, the  
25       four-year budget outlook summary, and the four-year enrollment  
26       projection and the appropriations as so finally determined, and enter  
27       the same in the official minutes of the board: PROVIDED, That first-  
28       class school districts shall file copies of their adopted budget with  
29       their educational service district no later than September 3rd, and  
30       second-class school districts shall forward copies of their adopted  
31       budget to their educational service district no later than August 3rd  
32       for review, alteration, and approval as provided for in RCW  
33       28A.505.070 by the budget review committee.

34       **Sec. 707.** RCW 28A.505.100 and 1990 c 33 s 420 are each amended  
35       to read as follows:

36       The budget shall set forth the estimated revenues from all  
37       sources for the ensuing fiscal year, the estimated revenues for the  
38       fiscal year current at the time of budget preparation, the actual



1 revenues for the last completed fiscal year, and the reserved and  
2 unreserved fund balances for each year. The estimated revenues from  
3 all sources for the ensuing fiscal year shall not include any revenue  
4 not anticipated to be available during that fiscal year: PROVIDED,  
5 That school districts, pursuant to RCW 28A.505.110, can be granted  
6 permission by the superintendent of public instruction to include as  
7 revenues in their budgets, receivables collectible in future fiscal  
8 years.

9 (2)(a) The budget shall set forth by detailed items or classes  
10 the estimated expenditures for the ensuing fiscal year, the estimated  
11 expenditures for the fiscal year current at the time of budget  
12 preparation, and the actual expenditures for the last completed  
13 fiscal year.

14 (b) The budget shall set forth:

15 (i) The state-funded salary amounts, locally funded salary  
16 amounts, total salary amounts, full-time equivalents((7)) for each  
17 individual certificated instructional staff, certificated  
18 administrative staff, and classified staff; and

19 (ii) The high, low, and average annual salaries, which shall be  
20 displayed by job classification within each budget classification.  
21 ~~((If individual salaries within each job classification are not~~  
22 ~~displayed, districts shall provide the individual salaries together~~  
23 ~~with the title or position of the recipient and the total amounts of~~  
24 ~~salary under each budget class upon request. Salary schedules shall~~  
25 ~~be displayed.))~~

26 (3) In districts where negotiations have not been completed, the  
27 district may budget the salaries at the current year's rate and  
28 restrict fund balance for the amount of anticipated increase in  
29 salaries, so long as an explanation shall be attached to the budget  
30 on such restriction of fund balance.

31 NEW SECTION. Sec. 708. A new section is added to chapter  
32 28A.320 RCW to read as follows:

33 Each school district is encouraged to annually use the four-year  
34 budget outlook and the four-year enrollment projection developed  
35 under RCW 28A.505.140 to inform the school district's decisions  
36 regarding the district's instructional priorities and program  
37 offerings and to communicate this information to the local community.



1 school district employees, and communities to continue to strive  
2 towards improving student academic performance and make every effort  
3 to meet the goal of improving educational outcomes for all students  
4 as measured by the performance targets.

5 (3) The legislature also intends to refocus the existing  
6 statutory process to identify school districts for assistance and  
7 required action by requiring these processes to use the performance  
8 targets established in this act as the primary measure of success to  
9 be met by school districts.

10 **Sec. 802.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended  
11 to read as follows:

12 The definitions in this section apply throughout this chapter  
13 unless the context clearly requires otherwise.

14 (1) "Basic education goal" means the student learning goals and  
15 the student knowledge and skills described under RCW 28A.150.210.

16 (2) "Certificated administrative staff" means all those persons  
17 who are chief executive officers, chief administrative officers,  
18 confidential employees, supervisors, principals, or assistant  
19 principals within the meaning of RCW 41.59.020(4).

20 (3) "Certificated employee" as used in this chapter and RCW  
21 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,  
22 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those  
23 persons who hold certificates as authorized by rule of the Washington  
24 professional educator standards board.

25 (4) "Certificated instructional staff" means those persons  
26 employed by a school district who are nonsupervisory certificated  
27 employees within the meaning of RCW 41.59.020(8).

28 (5) "Class size" means an instructional grouping of students  
29 where, on average, the ratio of students to teacher is the number  
30 specified.

31 (6) "Classified employee" means a person who does not hold a  
32 (~~professional—education~~) certificate as authorized by the  
33 Washington professional educator standards board, or is employed in a  
34 position that does not require such a certificate.

35 (7) "Classroom teacher" generally means a person who holds a  
36 (~~professional—education—certificate—and~~) certificate as authorized  
37 by the Washington professional educator standards board, is employed  
38 in a position for which such certificate is required, and whose  
39 primary duty is the daily educational instruction of students. (~~It~~

1 ~~exceptional cases))~~ However, people (~~of unusual competence but~~)  
2 without certification may teach students so long as a certificated  
3 person exercises general supervision, but the hiring of such  
4 classified employees shall not occur during a labor dispute, and such  
5 classified employees shall not be hired to replace certificated  
6 employees during a labor dispute. School districts that hire a person  
7 without a certificate to teach students must ensure that the person  
8 undergoes a record check in accordance with RCW 28A.400.303.

9 (8) "Instructional program of basic education" means the minimum  
10 program required to be provided by school districts and includes  
11 instructional hour requirements and other components under RCW  
12 28A.150.220.

13 (9) "Program of basic education" means the overall program under  
14 RCW 28A.150.200 and deemed by the legislature to comply with the  
15 requirements of Article IX, section 1 of the state Constitution.

16 (10) "School day" means each day of the school year on which  
17 pupils enrolled in the common schools of a school district are  
18 engaged in academic and career and technical instruction planned by  
19 and under the direction of the school.

20 (11) "School year" includes the minimum number of school days  
21 required under RCW 28A.150.220 and begins on the first day of  
22 September and ends with the last day of August, except that any  
23 school district may elect to commence the annual school term in the  
24 month of August of any calendar year and in such case the operation  
25 of a school district for such period in August shall be credited by  
26 the superintendent of public instruction to the succeeding school  
27 year for the purpose of the allocation and distribution of state  
28 funds for the support of such school district.

29 (12) "Teacher planning period" means a period of a school day as  
30 determined by the administration and board of (~~the~~) directors of  
31 the district that may be used by teachers for instruction-related  
32 activities including but not limited to preparing instructional  
33 materials; reviewing student performance; recording student data;  
34 consulting with other teachers, instructional assistants, mentors,  
35 instructional coaches, administrators, and parents; or participating  
36 in professional development.

37 **Sec. 803.** RCW 28A.410.025 and 1969 ex.s. c 223 s 28A.67.010 are  
38 each amended to read as follows:

1 Except for a classroom teacher as defined in RCW 28A.150.203, no  
2 person shall be accounted as a qualified teacher within the meaning  
3 of the school law who is not the holder of a valid teacher's  
4 certificate or permit issued by lawful authority of this state.

5 NEW SECTION. **Sec. 804.** A new section is added to chapter  
6 28A.657 RCW to read as follows:

7 (1)(a) By November 1st in the school years before the date on  
8 which the performance targets listed in RCW 28A.150.550 (as  
9 recodified by this act) must be met, the state board of education  
10 shall annually use the achievement index developed under RCW  
11 28A.657.110 and other appropriate measures to identify school  
12 districts that are on pace or ahead of pace to meet the performance  
13 targets.

14 (b) By November 1st in the school years after the date to meet  
15 the performance target has passed, the state board of education must  
16 annually identify school districts that have met the performance  
17 targets.

18 (2) When a school district is identified by the state board of  
19 education in accordance with subsection (1) of this section, the  
20 school district must be granted additional autonomy, flexibility, and  
21 control to promote continued innovation and excellence including, but  
22 not limited to, areas such as scheduling, personnel, funding, and  
23 educational programs to continue to improve student outcomes and  
24 academic achievement. Such school districts are not subject to, and  
25 are exempt from, all other state statutes and rules applicable to  
26 school districts and school district boards of directors, except  
27 those statutes made applicable under this section.

28 (3) A school district identified by the state board of education  
29 as being granted additional flexibility must:

30 (a) Comply with local, state, and federal health, safety,  
31 parents' rights, civil rights, and nondiscrimination laws applicable  
32 to school districts, including but not limited to chapter 28A.642 RCW  
33 (discrimination prohibition) and chapter 28A.640 RCW (sexual  
34 equality);

35 (b) Provide a program of basic education that meets the goals in  
36 RCW 28A.150.210 including instruction in the essential academic  
37 learning requirements, and participate in the statewide student  
38 assessment system as developed under RCW 28A.655.070;

1 (c) Employ certificated instructional staff as required in RCW  
2 28A.410.025. The school districts, however, may hire noncertificated  
3 instructional staff as provided in RCW 28A.150.203(7);

4 (d) Comply with the employee record check requirements in RCW  
5 28A.400.303;

6 (e) Adhere to generally accepted accounting principles and be  
7 subject to financial examinations and audits as determined by the  
8 state auditor, including annual audits for legal and fiscal  
9 compliance;

10 (f) Complete the requirements of the annual performance report  
11 under RCW 28A.655.110;

12 (g) Be subject to the performance improvement goals adopted by  
13 the state board of education under RCW 28A.305.130;

14 (h) Follow the requirements of the open public meetings act in  
15 chapter 42.30 RCW and public records requirements in chapter 42.56  
16 RCW; and

17 (i) Implement the provisions of the interstate compact on  
18 educational opportunity for military children, when applicable.

19 (4) A school district identified by the state board of education  
20 as being granted additional flexibility under this section is  
21 encouraged to exempt schools within the district from all school  
22 district policies and collective bargaining agreements if the school  
23 is on pace to meet the performance targets or have met the  
24 performance targets.

25 (5) A school district identified under subsection (1) of this  
26 section shall not engage in any sectarian practices in its  
27 educational program, admissions or employment policies, or  
28 operations.

29 (6) A school district identified under subsection (1) of this  
30 section is subject to the supervision of the superintendent of public  
31 instruction and the state board of education, including  
32 accountability measures, to the same extent as other school  
33 districts, except as provided in this section.

34 (7) The state board of education shall annually notify the  
35 superintendent of public instruction, the governor, and the  
36 legislature regarding which school districts are identified under  
37 subsection (1) of this section and are therefore exempt from most  
38 state laws and rules.

39 (8) For the purposes of this section and RCW 28A.657.020, "on  
40 pace" means that the district is making improvement in equal annual

1 increments such that the district will meet the performance target by  
2 the date established under this section.

3 **Sec. 805.** RCW 28A.657.020 and 2014 c 191 s 1 are each amended to  
4 read as follows:

5 (1) Beginning in 2010, and each year thereafter through December  
6 1, 2012, the superintendent of public instruction shall annually  
7 identify schools as one of the state's persistently lowest-achieving  
8 schools if the school is a Title I school, or a school that is  
9 eligible for but does not receive Title I funds, that is among the  
10 lowest-achieving five percent of Title I or Title I eligible schools  
11 in the state.

12 (2) The criteria for determining whether a school is among the  
13 persistently lowest-achieving five percent of Title I schools, or  
14 Title I eligible schools, under subsection (1) of this section shall  
15 be established by the superintendent of public instruction. The  
16 criteria must meet all applicable requirements for the receipt of a  
17 federal school improvement grant under the American recovery and  
18 reinvestment act of 2009 and Title I of the elementary and secondary  
19 education act of 1965, and take into account both:

20 (a) The academic achievement of the "all students" group in a  
21 school in terms of proficiency on the state's assessment, and any  
22 alternative assessments, in reading and mathematics combined; and

23 (b) The school's lack of progress on the mathematics and reading  
24 assessments over a number of years in the "all students" group.

25 (3)(a) Beginning February 1, 2014, and each February thereafter,  
26 the superintendent of public instruction shall annually identify  
27 challenged schools in need of improvement and a subset of such  
28 schools that are the persistently lowest-achieving schools in the  
29 state.

30 (b) The ~~((criteria for determining))~~ performance targets listed  
31 in RCW 28A.150.550 (as recodified by this act) must be used to  
32 determine whether a school is a challenged school in need of  
33 improvement ~~((shall be adopted by))~~. The superintendent of public  
34 instruction shall adopt in rule~~((The))~~ additional criteria  
35 ~~((must))~~, only if necessary, to meet all applicable federal  
36 requirements under Title I of the elementary and secondary education  
37 act of 1965 and other federal rules or guidance, including applicable  
38 requirements for the receipt of federal school improvement funds if  
39 available, but the performance targets and any additional criteria,

1 if adopted, shall apply equally to Title I, Title I-eligible, and  
2 non-Title I schools in the state. (~~The criteria~~) When evaluating a  
3 school district to determine whether the district is on or ahead of  
4 pace to meet the performance targets or has met the performance  
5 targets, the superintendent of public instruction and the state board  
6 of education must take into account the academic achievement of the  
7 "all students" group and subgroups of students in a school in terms  
8 of proficiency on the state assessments in reading or English  
9 language arts and mathematics and a high school's graduation rate for  
10 all students and subgroups of students. The superintendent may  
11 establish tiered categories of challenged schools based on the  
12 relative performance of all students, subgroups of students, and  
13 other factors.

14 (c) The superintendent of public instruction and the state board  
15 of education shall (~~also adopt criteria in rule for determining~~)  
16 determine whether a challenged school in need of improvement is also  
17 a persistently lowest-achieving school for purposes of the required  
18 action district process under this chapter, which shall include the  
19 school's lack of progress in meeting the performance targets in RCW  
20 28A.150.550 (as recodified by this act) for all students and  
21 subgroups of students over a number of years. (~~The criteria for~~)  
22 When identifying persistently lowest-achieving schools the  
23 superintendent of public instruction and the state board of education  
24 shall also take into account the level of state or federal resources  
25 available to implement a required action plan.

26 (d) If the Washington achievement index is approved by the United  
27 States department of education for use in identifying schools for  
28 federal purposes, the superintendent of public instruction shall use  
29 the approved index to identify schools under (b) and (c) of this  
30 subsection.

31 (4) As used in this section, "on pace" has the definition in  
32 section 804 of this act.

33 NEW SECTION. Sec. 806. A new section is added to chapter  
34 28A.655 RCW to read as follows:

35 (1) By the 2017-18 school year, the state board of education must  
36 create a process for a limited number of school districts to become  
37 innovation districts and be exempt from most state laws, except those  
38 laws specified under section 804(3) of this act.



1 (2) The process must require each school district desiring an  
2 exemption under subsection (1) of this section to submit a plan to  
3 the state board of education detailing how the additional flexibility  
4 will enable the school district to improve educational outcomes for  
5 students enrolled in the district.

6 (3) School districts that have been identified under RCW  
7 28A.657.020 as persistently failing schools are not eligible for the  
8 additional flexibility provided under this section.

9 **PART IX**

10 **ESTABLISHING THE TOP TEACHER RECOGNITION GRANT PROGRAM**

11 NEW SECTION. **Sec. 901.** A new section is added to chapter  
12 28A.625 RCW to read as follows:

13 (1) The top teacher recognition grant program is established to  
14 encourage excellence in the classroom teaching ranks and to recognize  
15 the most outstanding classroom teachers in Washington state.

16 (2) Subject to available funds provided specifically in the  
17 omnibus appropriations act for this purpose, in each odd-numbered  
18 year, every educational service district must identify, based on  
19 merit as determined by the educational service district, the top five  
20 percent of teachers who are teaching in a school district within the  
21 educational service district.

22 (3) The teachers identified in the top five percent shall be  
23 chosen and certified by the educational service district board of  
24 directors from a list of nominees submitted by each school district's  
25 board of directors. The school district board's nominees must be  
26 selected from a list of candidates submitted by school principals  
27 using selection criteria and a process developed by the school  
28 district's board of directors, after receiving input from the  
29 community.

30 (4) The teachers identified in the top two percent shall receive  
31 a one-time award of a fifty thousand dollar top teacher recognition  
32 grant. The rest of the teachers who are identified in the top five  
33 percent shall receive one-time awards of a twenty-five thousand  
34 dollar top teacher recognition grant.

35 (5) The top teacher recognition grants are not:

36 (a) Subject to the collective bargaining laws in chapter 41.59  
37 RCW;

1 (b) Included for the purposes of computing a retirement allowance  
2 under any public retirement system in this state; or

3 (c) Part of the program of basic education or the funding  
4 necessary to comply with the state's Article IX constitutional duty.

5 **PART X**

6 **FUTURE COLLECTIVE BARGAINING AGREEMENTS MUST CONFORM TO ACT**

7 NEW SECTION. **Sec. 1001.** A new section is added to chapter 41.56  
8 RCW to read as follows:

9 (1) Chapter . . . , Laws of 2017 (this act) does not affect or  
10 impair any collective bargaining agreements in effect on the  
11 effective date of this section between an employer and an educational  
12 employee or employee organization under this chapter.

13 (2) Any collective bargaining agreement entered into, modified,  
14 reopened, or renewed after the effective date of this section shall  
15 be consistent with chapter . . . , Laws of 2017 (this act).

16 NEW SECTION. **Sec. 1002.** A new section is added to chapter 41.59  
17 RCW to read as follows:

18 (1) Chapter . . . , Laws of 2017 (this act) does not affect or  
19 impair any collective bargaining agreements in effect on the  
20 effective date of this section between an employer and an educational  
21 employee or employee organization under this chapter.

22 (2) Any collective bargaining agreement entered into, modified,  
23 reopened, or renewed after the effective date of this section shall  
24 be consistent with chapter . . . , Laws of 2017 (this act).

25 NEW SECTION. **Sec. 1003.** A new section is added to chapter 41.59  
26 RCW to read as follows:

27 Housing allowances as provided in section 504 of this act are not  
28 subject to collective bargaining.

29 NEW SECTION. **Sec. 1004.** A new section is added to chapter 41.56  
30 RCW to read as follows:

31 Housing allowances as provided in section 504 of this act are not  
32 subject to collective bargaining by classified employees of school  
33 districts as defined in RCW 28A.150.203.

1 **PART XI**

2 **PROHIBITING TEACHER STRIKES**

3 NEW SECTION. **Sec. 1101.** The legislature finds that, like other  
4 state and local public employees, educational employees do not have a  
5 legally protected right to strike. No such right existed at common  
6 law, and none has been granted by statute. The legislature further  
7 finds, as have numerous trial court decisions and the Washington  
8 state attorney general in AGO 2006 No. 3, that any argument that a  
9 right to strike is implied by the absence of a provision in chapter  
10 41.59 RCW is wrong. The legislature intends to provide greater  
11 clarity to parents and school districts by prohibiting strikes, work  
12 stoppages, or work slowdowns or other refusal to perform official  
13 duties.

14 NEW SECTION. **Sec. 1102.** A new section is added to chapter 41.59  
15 RCW to read as follows:

16 Nothing contained in this chapter permits or grants any  
17 educational employee the right to strike, participate in work  
18 stoppages or work slowdowns, or to otherwise refuse to perform his or  
19 her official duties.

20 **PART XII**

21 **STUDENT ABSENTEEISM**

22 NEW SECTION. **Sec. 1201.** The legislature finds that it is  
23 necessary to curb the rampant absenteeism in K-12 schools and intends  
24 to do so by providing an incentive for school districts to keep  
25 students in school. The legislature recognizes that the incentive  
26 policy will not automatically result in reduced funding if a school  
27 district is successful in getting all students to attend. The  
28 legislature acknowledges that even if the policy does result in less  
29 funding for some districts, the court has provided that the funding  
30 formulas are not cast in "constitutional concrete" but that there  
31 must be an educational rationale for a reduction. The legislature  
32 finds that research shows that students who are chronically absent  
33 from school have lower levels of reading proficiency, reduced high  
34 school graduation rates, and less success in college. The legislature  
35 further finds that these are all education rationales that demand the  
36 legislature take action to stop chronic school absenteeism.



1 (a) Be at least eighteen years of age, hold a high school diploma  
2 or its equivalent, and have received a passing grade on the education  
3 testing service paraeducator assessment; or

4 (b) Hold an associate of arts degree; or

5 (c) Have earned seventy-two quarter credits or forty-eight  
6 semester credits at an institution of higher education; or

7 (d) Have completed a registered apprenticeship program.

8 (2)(a) By September 1, 2017, members of the paraeducator board  
9 must be appointed. The board shall be composed of one paraeducator,  
10 one teacher, one principal, one parent whose child receives  
11 instructional support from a paraeducator, one representative from a  
12 private school, one representative of a community or technical  
13 college, and one representative of a four-year institution of higher  
14 education as defined in RCW 28B.10.016.

15 (b) Appointments to the board shall be made as follows:

16 (i) The superintendent of public instruction shall appoint the  
17 paraeducator, the teacher, the private school representative, the  
18 office of the superintendent of public instruction representative,  
19 and the principal;

20 (ii) The Washington state parent teacher association shall  
21 appoint the parent whose child receives instructional support from a  
22 paraeducator;

23 (iii) The state board for community and technical colleges shall  
24 appoint the representative of a community or technical college; and

25 (iv) The student achievement council shall appoint the  
26 representative of an institution of higher education.

27 (c) A representative from the office of the superintendent of  
28 public instruction shall be the nonvoting facilitator of the board.

29 (d) The office of the superintendent of public instruction shall  
30 be the administrator of the board.

31 (3) Beginning September 1, 2017, the paraeducator board must  
32 administer policies and rules for the preparation and certification  
33 of paraeducators who work in special education, basic education, the  
34 learning assistance program, the federal disadvantaged program, or  
35 the English language learners program, the paraeducator career  
36 ladder, or the pathway to teacher certification.

37 (4)(a) During the 2018-19 school year, grants, as funded by the  
38 legislature, shall be distributed by the board to a diverse set of  
39 school districts that volunteer to field test the implementation of

1 the paraeducator certification, special education, and English  
2 language learner endorsement.

3 (b) Effective September 1, 2019, all school districts must begin  
4 implementing the paraeducator certification for paraeducators working  
5 in the programs in special education, basic education, the learning  
6 assistance program, the federal disadvantaged program, or the English  
7 language learner program. Paraeducators have three years to acquire  
8 their certification.

9 (c) The certification standards shall be adopted by the board and  
10 must include:

11 (i) Supporting instructional opportunities;

12 (ii) Demonstrating professionalism and ethical practices;

13 (iii) Supporting a positive and safe learning environment;

14 (iv) Communicating effectively and participating in the team  
15 process; and

16 (v) Demonstrating cultural competency aligned with standards  
17 developed by the professional educator standards board under RCW  
18 28A.410.270.

19 (d) The board shall develop a practicum and must ensure that  
20 paraeducators have multiple methods to access training necessary to  
21 become certificated.

22 (e) The board has the authority to establish certification fees  
23 paid by paraeducators, however the board shall adapt the current  
24 teacher e-certification process to be used for paraeducator  
25 certification.

26 (f) The office of the superintendent of public instruction shall  
27 be provided the necessary funds to administer the board and the  
28 paraeducator certificates and endorsements.

29 (g) The board shall develop competency-based testing to allow  
30 paraeducators to use their prior experience or training to meet  
31 paraeducator standards.

32 (5) Beginning September 1, 2019, all paraeducators working in  
33 special education and English language learning programs have three  
34 years to acquire their endorsement.

35 (a) The board may adopt rules to implement the endorsement and  
36 training standards.

37 (b) The board shall ensure that training is made available to  
38 paraeducators in a variety of means that will limit cost and improve  
39 access.

1 (6) Paraeducators must renew their certificate or necessary  
2 endorsements every five years. In order to renew the certificate or  
3 endorsement, they must complete the clock hours determined by the  
4 board. The board may develop the training modules as well as ensure  
5 that the clock hour training is made available to paraeducators in a  
6 variety of means that will limit cost and improve access.

7 (7) The professional educator standards board must design and  
8 implement a training program for teachers and principals as it  
9 relates to their role working with paraeducators. Teacher training  
10 must include how to direct a paraeducator working with students in  
11 the paraeducator's classroom. Principal training must include how to  
12 supervise and evaluate paraeducators.

13 (8)(a) The board shall develop the rules for an advanced  
14 paraeducator endorsement, training modules, and renewal process that  
15 must be implemented by September 1, 2019.

16 (b) Some responsibilities of the advanced paraeducator position  
17 are mentoring or coaching other paraeducators, assisting in highly  
18 impacted classrooms, short-term teacher substitution, and assistance  
19 in specific specialized instruction support or technology  
20 applications.

21 (c) The rules must include provisions regarding the ability of a  
22 person holding an advanced paraeducator endorsement that will qualify  
23 the paraeducator to replace a teacher in short absence situations in  
24 those districts that are experiencing difficulty finding substitute  
25 teachers.

26 (9) The definitions in this subsection apply throughout this  
27 section.

28 (a) "Board" means the paraeducator board.

29 (b) "English language learner programs" or "English language  
30 learner endorsement" refers to the English language learners program,  
31 the transitional bilingual instruction program, and the federal  
32 limited English proficiency program.

33 (c) "Paraeducator" means a classified school district employee  
34 who works under the supervision of a certificated or licensed staff  
35 member to support and assist in providing instructional services to  
36 students and their families. Paraeducators are not considered  
37 certificated instructional staff as that meaning and term is used in  
38 this title.

39 (10) This section is subject to the availability of amounts  
40 specifically appropriated for this specific purpose.

1       **Sec. 1303.** RCW 28A.630.400 and 2011 1st sp.s. c 11 s 132 are  
2 each amended to read as follows:

3       (1) The professional educator standards board and the state board  
4 for community and technical colleges, in consultation with the  
5 superintendent of public instruction, the state apprenticeship  
6 training council, and community colleges, shall adopt rules as  
7 necessary under chapter 34.05 RCW to implement the paraeducator  
8 associate of arts degree.

9       (2) As used in this section, a "paraeducator" is an individual  
10 who has completed an associate of arts degree for a paraeducator. The  
11 paraeducator may be hired by a school district to assist certificated  
12 instructional staff in the direct instruction of children in small  
13 and large groups, individualized instruction, testing of children,  
14 recordkeeping, and preparation of materials. The paraeducator shall  
15 work under the direction of instructional certificated staff.

16       (3)(a) If amounts are not appropriated specifically for the  
17 purpose of (b) of this subsection, the training program for a  
18 paraeducator associate of arts degree shall include, but is not  
19 limited to, the general requirements for receipt of an associate of  
20 arts degree and training in the areas of introduction to childhood  
21 education, orientation to children with disabilities, fundamentals of  
22 childhood education, creative activities for children, instructional  
23 materials for children, fine art experiences for children, the  
24 psychology of learning, introduction to education, child health and  
25 safety, child development and guidance, first aid, and a practicum in  
26 a school setting.

27       (b) Subject to the availability of amounts appropriated for this  
28 specific purpose, the training program for a paraeducator associate  
29 of arts degree shall include, but is not limited to, the general  
30 requirements for receipt of an associate of arts degree and training  
31 in the adopted state standards for paraeducators, which include core  
32 knowledge and skill competencies in (i) supporting instructional  
33 opportunities, (ii) demonstrating professional and ethical practices,  
34 (iii) supporting a positive and safe learning environment, (iv)  
35 communicating effectively and participating in the team process, and  
36 (v) demonstrating cultural competency aligned with standards  
37 developed by the professional educator standards board under RCW  
38 28A.410.270.



1 (4) Consideration shall be given to transferability of credit  
2 earned in this program to teacher preparation programs at colleges  
3 and universities.

4 **Sec. 1304.** RCW 28A.150.203 and 2009 c 548 s 102 are each amended  
5 to read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Basic education goal" means the student learning goals and  
9 the student knowledge and skills described under RCW 28A.150.210.

10 (2) "Certificated administrative staff" means all those persons  
11 who are chief executive officers, chief administrative officers,  
12 confidential employees, supervisors, principals, or assistant  
13 principals within the meaning of RCW 41.59.020(4).

14 (3) "Certificated employee" as used in this chapter and RCW  
15 28A.195.010, 28A.405.100, 28A.405.210, 28A.405.240, 28A.405.250,  
16 28A.405.300 through 28A.405.380, and chapter 41.59 RCW, means those  
17 persons who hold certificates as authorized by rule of the Washington  
18 professional educator standards board.

19 (4) "Certificated instructional staff" means those persons  
20 employed by a school district who are nonsupervisory certificated  
21 employees within the meaning of RCW 41.59.020(8), except for  
22 paraeducators.

23 (5) "Class size" means an instructional grouping of students  
24 where, on average, the ratio of students to teacher is the number  
25 specified.

26 (6) "Classified employee" means either a person who is employed  
27 as a paraeducator or who does not hold a professional education  
28 certificate or is employed in a position that does not require such a  
29 certificate.

30 (7) "Classroom teacher" means a person who holds a professional  
31 education certificate and is employed in a position for which such  
32 certificate is required whose primary duty is the daily educational  
33 instruction of students. In exceptional cases, people of unusual  
34 competence but without certification may teach students so long as a  
35 certificated person exercises general supervision, but the hiring of  
36 such classified employees shall not occur during a labor dispute, and  
37 such classified employees shall not be hired to replace certificated  
38 employees during a labor dispute.

1 (8) "Instructional program of basic education" means the minimum  
2 program required to be provided by school districts and includes  
3 instructional hour requirements and other components under RCW  
4 28A.150.220.

5 (9) "Program of basic education" means the overall program under  
6 RCW 28A.150.200 and deemed by the legislature to comply with the  
7 requirements of Article IX, section 1 of the state Constitution.

8 (10) "School day" means each day of the school year on which  
9 pupils enrolled in the common schools of a school district are  
10 engaged in academic and career and technical instruction planned by  
11 and under the direction of the school.

12 (11) "School year" includes the minimum number of school days  
13 required under RCW 28A.150.220 and begins on the first day of  
14 September and ends with the last day of August, except that any  
15 school district may elect to commence the annual school term in the  
16 month of August of any calendar year and in such case the operation  
17 of a school district for such period in August shall be credited by  
18 the superintendent of public instruction to the succeeding school  
19 year for the purpose of the allocation and distribution of state  
20 funds for the support of such school district.

21 (12) "Teacher planning period" means a period of a school day as  
22 determined by the administration and board of ((the)) directors of  
23 the district that may be used by teachers for instruction-related  
24 activities including but not limited to preparing instructional  
25 materials; reviewing student performance; recording student data;  
26 consulting with other teachers, instructional assistants, mentors,  
27 instructional coaches, administrators, and parents; or participating  
28 in professional development.

29 **Sec. 1305.** RCW 28A.410.062 and 2011 1st sp.s. c 23 s 1 are each  
30 amended to read as follows:

31 (1) The legislature finds that the current economic environment  
32 requires that the state, when appropriate, charge for some of the  
33 services provided directly to the users of those services. The office  
34 of the superintendent of public instruction is currently supported  
35 with state funds to process certification fees. In addition, the  
36 legislature finds that the processing of certifications should be  
37 moved to an online system that allows educators to manage their  
38 certifications and provides better information to policymakers. The  
39 legislature intends to assess a certification processing fee to

1 eliminate state-funded support of the cost to issue educator  
2 certificates.

3 (2) In addition to the certification fee established under RCW  
4 28A.410.060 for certificated instructional staff as defined in RCW  
5 28A.150.203, the superintendent of public instruction shall charge an  
6 application processing fee for initial educator and paraeducator  
7 certificates and subsequent actions. The superintendent of public  
8 instruction shall establish the amount of the fee by rule under  
9 chapter 34.05 RCW. The superintendent shall set the fee at a  
10 sufficient level to defray the costs of administering the educator  
11 certification program under RCW 28A.300.040(9) and the paraeducator  
12 certification program under section 1302 of this act. Revenue  
13 generated through the processing fee shall be deposited in the  
14 educator certification processing account.

15 (3) The educator certification processing account is established  
16 in the custody of the state treasurer. The superintendent of public  
17 instruction shall deposit in the account all moneys received from the  
18 fees collected in subsection (2) of this section. Moneys in the  
19 account may be spent only for the processing of educator and  
20 paraeducator certificates and subsequent actions. Disbursements from  
21 the account shall be on authorization of the superintendent of public  
22 instruction or the superintendent's designee. The account is subject  
23 to the allotment procedure provided under chapter 43.88 RCW, but no  
24 appropriation is required for disbursements.

25 **Sec. 1306.** RCW 28B.50.891 and 2014 c 136 s 4 are each amended to  
26 read as follows:

27 Beginning with the 2015-16 academic year, any community or  
28 technical college that offers an apprenticeship program or  
29 certificate program for paraeducators must provide candidates the  
30 opportunity to earn transferable course credits within the program.  
31 The programs must also incorporate the standards for cultural  
32 competence, including multicultural education and principles of  
33 language acquisition, developed by the professional educator  
34 standards board under RCW 28A.410.270. Subject to the availability of  
35 amounts specifically appropriated for this specific purpose, the  
36 programs must also include core knowledge and skill competencies in:  
37 Supporting instructional opportunities, demonstrating professional  
38 and ethical practices, supporting a positive and safe learning

1 environment, and communicating effectively and participating in the  
2 team process.

3 NEW SECTION. Sec. 1307. (1) Subject to the availability of  
4 amounts appropriated for this specific purpose, the Washington state  
5 institute for public policy shall conduct a study on the  
6 effectiveness of paraeducators in improving student outcomes in  
7 Washington state. The study shall examine variation in the use of  
8 paraeducators across schools and districts and analyze whether and  
9 the extent that any differences in students' academic progress can be  
10 attributed to the use of paraeducators. The office of the  
11 superintendent of public instruction and the education data center  
12 shall provide the data necessary to conduct the analysis. The study  
13 must also include a review of the national research literature on the  
14 effectiveness of paraeducators in improving student outcomes.

15 (2) The institute shall submit a final report to the relevant  
16 committees of the legislature by December 15, 2017.

17 **PART XIV**  
18 **TECHNICAL AMENDMENTS TO ALIGN STATUTES WITH THE PER PUPIL FUNDING**  
19 **DISTRIBUTION MODEL**

20 **Sec. 1401.** RCW 28A.150.250 and 2009 c 548 s 105 are each amended  
21 to read as follows:

22 (1) From those funds made available by the legislature for the  
23 current use of the common schools, the superintendent of public  
24 instruction shall distribute annually as provided in ((RCW  
25 28A.510.250)) section 102 of this act to each school district of the  
26 state operating a basic education instructional program approved by  
27 the state board of education an amount ((~~based on the formulas~~  
28 ~~provided in RCW 28A.150.260, 28A.150.390, and 28A.150.392~~)) which,  
29 when combined with an appropriate portion of such locally available  
30 revenues, other than receipts from federal forest revenues  
31 distributed to school districts pursuant to RCW 28A.520.010 and  
32 28A.520.020, as the superintendent of public instruction may deem  
33 appropriate for consideration in computing state equalization  
34 support, ((~~excluding excess property tax~~)) and including the required  
35 amount from the state-required local effort levies under RCW  
36 84.52.065 but excluding revenue from local school district excess  
37 levies under RCW 84.52.0531, will constitute a basic education

1 allocation in dollars for each annual average full-time equivalent  
2 student enrolled.

3 (2) The instructional program of basic education shall be  
4 considered to be fully funded by those amounts of dollars  
5 appropriated by the legislature (~~(pursuant to RCW 28A.150.260,~~  
6 ~~28A.150.390, and 28A.150.392)~~) in accordance with section 102 of this  
7 act to fund those program requirements identified in RCW 28A.150.220  
8 (~~(in accordance with the formula provided in RCW 28A.150.260 and~~  
9 ~~those amounts of dollars appropriated by the legislature to fund the~~  
10 ~~salary requirements of RCW 28A.150.410)), transportation and  
11 transportation services to and from school for eligible students as  
12 provided under RCW 28A.160.170, and the salaries of staff providing  
13 the program of basic education under RCW 28A.400.200.~~

14 (3) If a school district's basic education program fails to meet  
15 the basic education requirements enumerated in RCW (~~(28A.150.260~~  
16 ~~and)~~) 28A.150.220, the state board of education shall require the  
17 superintendent of public instruction to withhold state funds in whole  
18 or in part for the basic education allocation until program  
19 compliance is assured. However, the state board of education may  
20 waive this requirement in the event of substantial lack of classroom  
21 space.

22 **Sec. 1402.** RCW 28A.150.280 and 1993 c 111 s 1 are each amended  
23 to read as follows:

24 (~~(Costs of acquisition of approved transportation equipment~~  
25 ~~purchased prior to September 1, 1982, shall be reimbursed up to one~~  
26 ~~hundred percent of the cost to be reimbursed over the anticipated~~  
27 ~~life of the vehicle, as determined by the state superintendent:~~  
28 ~~PROVIDED, That)) Commencing with the 1980-81 school year, state  
29 reimbursement for costs of acquisition of approved transportation  
30 equipment shall be at one hundred percent or as close thereto as  
31 reasonably possible and included in the funding under section 102 of  
32 this act: PROVIDED ((FURTHER)), That reimbursements for the  
33 acquisition of approved transportation equipment received by school  
34 districts shall be placed in the transportation vehicle fund for the  
35 current or future purchase of approved transportation equipment and  
36 for major transportation equipment repairs consistent with rules and  
37 regulations authorized in RCW 28A.160.130.~~

1       **Sec. 1403.** RCW 28A.150.290 and 1992 c 141 s 504 are each amended  
2 to read as follows:

3       (1) The superintendent of public instruction shall have the power  
4 and duty to make such rules (~~(and regulations)~~) as are necessary for  
5 the proper administration of this chapter and RCW (~~(28A.160.150~~  
6 ~~through 28A.160.220)~~) 28A.160.170, 28A.300.170, and 28A.500.010 not  
7 inconsistent with the provisions thereof, and in addition to require  
8 such reports as may be necessary to carry out his or her duties under  
9 this chapter and RCW (~~(28A.160.150 through 28A.160.220)~~) 28A.160.170,  
10 28A.300.170, and 28A.500.010.

11       (2) The superintendent of public instruction shall have the  
12 authority to make rules and regulations which establish the terms and  
13 conditions for allowing school districts to receive state basic  
14 education moneys as provided in (~~(RCW 28A.150.250)~~) section 102 of  
15 this act when said districts are unable to fulfill for one or more  
16 schools as officially scheduled the requirement of a full school year  
17 of one hundred eighty days or the annual average total instructional  
18 hour offering imposed by RCW 28A.150.220 and (~~(28A.150.260)~~) section  
19 102 of this act due to one or more of the following conditions:

20       (a) An unforeseen natural event, including, but not necessarily  
21 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or  
22 volcanic eruption that has the direct or indirect effect of rendering  
23 one or more school district facilities unsafe, unhealthy,  
24 inaccessible, or inoperable; and

25       (b) An unforeseen mechanical failure or an unforeseen action or  
26 inaction by one or more persons, including negligence and threats,  
27 that (i) is beyond the control of both a school district board of  
28 directors and its employees and (ii) has the direct or indirect  
29 effect of rendering one or more school district facilities unsafe,  
30 unhealthy, inaccessible, or inoperable. Such actions, inactions or  
31 mechanical failures may include, but are not necessarily limited to,  
32 arson, vandalism, riots, insurrections, bomb threats, bombings,  
33 delays in the scheduled completion of construction projects, and the  
34 discontinuance or disruption of utilities such as heating, lighting  
35 and water: PROVIDED, That an unforeseen action or inaction shall not  
36 include any labor dispute between a school district board of  
37 directors and any employee of the school district.

38       A condition is foreseeable for the purposes of this subsection to  
39 the extent a reasonably prudent person would have anticipated prior  
40 to August first of the preceding school year that the condition

1 probably would occur during the ensuing school year because of the  
2 occurrence of an event or a circumstance which existed during such  
3 preceding school year or a prior school year. A board of directors of  
4 a school district is deemed for the purposes of this subsection to  
5 have knowledge of events and circumstances which are a matter of  
6 common knowledge within the school district and of those events and  
7 circumstances which can be discovered upon prudent inquiry or  
8 inspection.

9 (3) The superintendent of public instruction shall make every  
10 effort to reduce the amount of paperwork required in administration  
11 of this chapter and RCW ((~~28A.160.150 through 28A.160.220~~))  
12 28A.160.170, 28A.300.170, and 28A.500.010; to simplify the  
13 application, monitoring and evaluation processes used; to eliminate  
14 all duplicative requests for information from local school districts;  
15 and to make every effort to integrate and standardize information  
16 requests for other state education acts and federal aid to education  
17 acts administered by the superintendent of public instruction so as  
18 to reduce paperwork requirements and duplicative information  
19 requests.

20 **Sec. 1404.** RCW 28A.150.310 and 2002 c 291 s 2 are each amended  
21 to read as follows:

22 Basic and nonbasic education funding(~~(, including applicable~~  
23 ~~vocational entitlements and special education program money,~~))  
24 generated under this chapter and under state appropriations acts  
25 shall be allocated directly to the military department for a national  
26 guard youth challenge program for students earning high school  
27 graduation credit under RCW ((~~28A.305.170~~)) 28A.300.165. Funding  
28 shall be provided based on statewide average rates ((~~for basic~~  
29 ~~education, special education, categorical, and block grant programs~~))  
30 as determined by the office of the superintendent of public  
31 instruction. The monthly full-time equivalent enrollment reported for  
32 students enrolled in the national guard youth challenge program shall  
33 be based on one full-time equivalent for every one hundred student  
34 hours of scheduled instruction eligible for high school graduation  
35 credit. The office of the superintendent of public instruction, in  
36 consultation with the military department, shall adopt such rules as  
37 are necessary to implement this section.

1       **Sec. 1405.** RCW 28A.150.315 and 2012 c 51 s 1 are each amended to  
2 read as follows:

3       (1) ~~((Beginning with the 2007-08 school year, funding for~~  
4 ~~voluntary all-day kindergarten programs shall be phased in beginning~~  
5 ~~with schools with the highest poverty levels, defined as those~~  
6 ~~schools with the highest percentages of students qualifying for free~~  
7 ~~and reduced-price lunch support in the prior school year. During the~~  
8 ~~2011-2013 biennium, funding shall continue to be phased in each year~~  
9 ~~until full statewide implementation of all-day kindergarten is~~  
10 ~~achieved in the 2017-18 school year. Once a school receives funding~~  
11 ~~for the all-day kindergarten program, that school shall remain~~  
12 ~~eligible for funding in subsequent school years regardless of changes~~  
13 ~~in the school's percentage of students eligible for free and reduced-~~  
14 ~~price lunches as long as other program requirements are fulfilled.~~  
15 ~~Additionally,))~~ Schools ~~((receiving))~~ providing an all-day  
16 kindergarten program ~~((support shall agree to the following~~  
17 ~~conditions))~~ must:

18       (a) Provide at least a one thousand-hour instructional program;

19       (b) Provide a curriculum that offers a rich, varied set of  
20 experiences that assist students in:

21       (i) Developing initial skills in the academic areas of reading,  
22 mathematics, and writing;

23       (ii) Developing a variety of communication skills;

24       (iii) Providing experiences in science, social studies, arts,  
25 health and physical education, and a world language other than  
26 English;

27       (iv) Acquiring large and small motor skills;

28       (v) Acquiring social and emotional skills including successful  
29 participation in learning activities as an individual and as part of  
30 a group; and

31       (vi) Learning through hands-on experiences;

32       (c) Establish learning environments that are developmentally  
33 appropriate and promote creativity;

34       (d) Demonstrate strong connections and communication with early  
35 learning community providers; and

36       (e) Participate in kindergarten program readiness activities with  
37 early learning providers and parents.

38       (2)(a) It is the intent of the legislature that administration of  
39 the Washington kindergarten inventory of developing skills as  
40 required in this subsection (2) and RCW 28A.655.080 replace



1 administration of other assessments being required by school  
2 districts or that other assessments only be administered if they seek  
3 to obtain information not covered by the Washington kindergarten  
4 inventory of developing skills.

5 (b) In addition to the requirements in subsection (1) of this  
6 section and to the extent funds are available, beginning with the  
7 2011-12 school year on a voluntary basis, schools must identify the  
8 skills, knowledge, and characteristics of kindergarten students at  
9 the beginning of the school year in order to support social-  
10 emotional, physical, and cognitive growth and development of  
11 individual children; support early learning provider and parent  
12 involvement; and inform instruction. Kindergarten teachers shall  
13 administer the Washington kindergarten inventory of developing  
14 skills, as directed by the superintendent of public instruction in  
15 consultation with the department of early learning and in  
16 collaboration with the nongovernmental private-public partnership  
17 designated in RCW 43.215.070, and report the results to the  
18 superintendent. The superintendent shall share the results with the  
19 director of the department of early learning.

20 (c) School districts shall provide an opportunity for parents and  
21 guardians to excuse their children from participation in the  
22 Washington kindergarten inventory of developing skills.

23 (3) Subject to funds appropriated for this purpose, the  
24 superintendent of public instruction shall designate one or more  
25 school districts to serve as resources and examples of best practices  
26 in designing and operating a high-quality all-day kindergarten  
27 program. Designated school districts shall serve as lighthouse  
28 programs and provide technical assistance to other school districts  
29 in the initial stages of implementing an all-day kindergarten  
30 program. Examples of topics addressed by the technical assistance  
31 include strategic planning, developing the instructional program and  
32 curriculum, working with early learning providers to identify  
33 students and communicate with parents, and developing kindergarten  
34 program readiness activities.

35 **Sec. 1406.** RCW 28A.150.350 and 1990 c 33 s 112 are each amended  
36 to read as follows:

37 (1) For purposes of this section, the following definitions shall  
38 apply:

1 (a) "Private school student" shall mean any student enrolled full  
2 time in a private school;

3 (b) "School" shall mean any primary, secondary or vocational  
4 school;

5 (c) "School funding authority" shall mean any nonfederal  
6 governmental authority which provides moneys to common schools;

7 (d) "Part time student" shall mean and include: Any student  
8 enrolled in a course of instruction in a private school and taking  
9 courses at and/or receiving ancillary services offered by any public  
10 school not available in such private school; or any student who is  
11 not enrolled in a private school and is receiving home-based  
12 instruction under RCW 28A.225.010 which instruction includes taking  
13 courses at or receiving ancillary services from the local school  
14 district or both; or any student involved in any work training  
15 program and taking courses in any public school, which work training  
16 program is approved by the school board of the district in which such  
17 school is located.

18 (2) The board of directors of any school district is authorized  
19 and, in the same manner as for other public school students, shall  
20 permit the enrollment of and provide ancillary services for part time  
21 students: PROVIDED, That this section shall only apply to part time  
22 students who would be otherwise eligible for full time enrollment in  
23 the school district.

24 (3) The superintendent of public instruction shall recognize the  
25 costs to each school district occasioned by enrollment of and/or  
26 ancillary services provided for part time students authorized by  
27 subsection (2) of this section and shall include such costs in the  
28 distribution of funds to school districts pursuant to ((RCW  
29 ~~28A.150.260~~)) section 102 of this act. Each school district shall be  
30 reimbursed for the costs or a portion thereof, occasioned by  
31 attendance of and/or ancillary services provided for part time  
32 students on a part time basis, by the superintendent of public  
33 instruction, according to law.

34 (4) Each school funding authority shall recognize the costs  
35 occasioned to each school district by enrollment of and ancillary  
36 services provided for part time students authorized by subsection (2)  
37 of this section, and shall include said costs in funding the  
38 activities of said school districts.

1 (5) The superintendent of public instruction is authorized to  
2 adopt rules (~~and regulations~~) to carry out the purposes of (~~RCW~~  
3 ~~28A.150.260 and 28A.150.350~~) this section.

4 **Sec. 1407.** RCW 28A.150.360 and 1995 c 335 s 101 are each amended  
5 to read as follows:

6 In the event of an unforeseen emergency, in the nature of either  
7 an unavoidable cost to a district or unexpected variation in  
8 anticipated revenues to a district, the state superintendent is  
9 authorized, for not to exceed two years, to make such an adjustment  
10 in the allocation of funds as is consistent with the intent of this  
11 chapter, RCW (~~28A.160.150 through 28A.160.210~~) 28A.160.170,  
12 28A.300.170, and 28A.500.010 in providing an equal educational  
13 opportunity for the children of such district or districts.

14 **Sec. 1408.** RCW 28A.150.400 and 1990 c 33 s 117 are each amended  
15 to read as follows:

16 State and county funds which may become due and apportionable to  
17 school districts shall be apportioned in such a manner that any  
18 apportionment factors used shall utilize data and statistics derived  
19 in the school year that such funds are paid: PROVIDED, That the  
20 superintendent of public instruction may make necessary  
21 administrative provision for the use of estimates, and corresponding  
22 adjustments to the extent necessary: PROVIDED FURTHER, That as to  
23 those revenues used in determining the amount of state funds to be  
24 apportioned to school districts pursuant to (~~RCW 28A.150.250~~)  
25 section 102 of this act, any apportionment factors shall utilize data  
26 and statistics derived in an annual period established pursuant to  
27 rules (~~and regulations~~) promulgated by the superintendent of public  
28 instruction in cooperation with the department of revenue.

29 **Sec. 1409.** RCW 28A.160.130 and 2009 c 564 s 919 are each amended  
30 to read as follows:

31 (1) There is created a fund on deposit with each county treasurer  
32 for each school district of the county, which shall be known as the  
33 transportation vehicle fund. Money to be deposited into the  
34 transportation vehicle fund shall include, but is not limited to, the  
35 following:

36 (a) The balance of accounts held in the general fund of each  
37 school district for the purchase of approved transportation equipment

1 and for major transportation equipment repairs (~~under RCW~~  
2 ~~28A.150.280. The amount transferred shall be the balance of the~~  
3 ~~account as of September 1, 1982~~));

4 (b) Reimbursement payments provided for in RCW 28A.160.200 except  
5 those provided under RCW 28A.160.200(3) that are necessary for  
6 contracted payments to private carriers;

7 (c) Earnings from transportation vehicle fund investments as  
8 authorized in RCW 28A.320.300; and

9 (d) The district's share of the proceeds from the sale of  
10 transportation vehicles, as determined by the superintendent of  
11 public instruction.

12 (2) Funds in the transportation vehicle fund may be used for the  
13 following purposes:

14 (a) Purchase of pupil transportation vehicles pursuant to RCW  
15 28A.160.200 (~~and 28A.150.280~~));

16 (b) Payment of conditional sales contracts as authorized in RCW  
17 28A.335.200 or payment of obligations authorized in RCW 28A.530.080,  
18 entered into or issued for the purpose of pupil transportation  
19 vehicles;

20 (c) Major repairs to pupil transportation vehicles(~~+~~

21 ~~(d) For the 2009-2011 biennium, a school district that is wholly~~  
22 ~~contained on an island and has a student enrollment greater than two~~  
23 ~~hundred fifty students and fewer than five hundred and fifty students~~  
24 ~~may transfer from the transportation vehicle fund to the school~~  
25 ~~district's general fund such amounts as necessary for instructional~~  
26 ~~costs)).~~

27 (3) The superintendent of public instruction shall adopt rules  
28 which shall establish the standards, conditions, and procedures  
29 governing the establishment and use of the transportation vehicle  
30 fund. The rules shall not permit the transfer of funds from the  
31 transportation vehicle fund to any other fund of the district(~~+~~  
32 ~~except as provided under subsection (2)(d) of this section~~)).

33 **Sec. 1410.** RCW 28A.160.170 and 2009 c 548 s 306 are each amended  
34 to read as follows:

35 (1) Each district shall submit three times each year to the  
36 superintendent of public instruction during October, February, and  
37 May of each year a report containing the (~~following~~+

38 ~~(1)(a) The~~) number of eligible students transported to and from  
39 school as provided for in (~~RCW 28A.160.150~~) subsection (3) of this

1 section, along with identification of stop locations and school  
2 locations, and ~~((b))~~ the number of miles driven for pupil  
3 transportation services ~~((as authorized in RCW 28A.160.150))~~ to and  
4 from school the previous school year~~((; and))~~.

5 (2) Other operational data and descriptions as required by the  
6 superintendent to determine allocation requirements for each  
7 district. The superintendent shall require that districts separate  
8 the costs of operating the program for the transportation of eligible  
9 students to and from school as defined ~~((by RCW 28A.160.160(3))~~) in  
10 subsection (3) of this section from non-to-and-from-school pupil  
11 transportation costs in the annual financial statement. The cost,  
12 quantity, and type of all fuel purchased by school districts for use  
13 in to-and-from-school transportation shall be included in the annual  
14 financial statement.

15 (3) For the purposes of this section, "to and from school" means  
16 the transportation of students for the following purposes:

17 (a) Transportation to and from route stops and schools;

18 (b) Transportation to and from schools pursuant to an  
19 interdistrict agreement pursuant to RCW 28A.335.160 but does not  
20 include transportation to and from schools for field trips;

21 (c) Transportation of students between schools and learning  
22 centers for instruction specifically required by statute;

23 (d) Transportation of students with disabilities to and from  
24 schools and agencies for special education services; and

25 (e) Academic extended day transportation for the instructional  
26 program of basic education under RCW 28A.150.220.

27 (4) Each district shall submit the information required in this  
28 section on a timely basis as a condition of the continuing receipt of  
29 school transportation moneys.

30 **Sec. 1411.** RCW 28A.165.055 and 2013 2nd sp.s. c 18 s 205 are  
31 each amended to read as follows:

32 The funds for the learning assistance program shall be  
33 appropriated in accordance with RCW 28A.150.260 and the omnibus  
34 appropriations act. The distribution formula is for school district  
35 allocation purposes only~~((, but funds appropriated for the learning~~  
36 ~~assistance program must be expended for the purposes of RCW~~  
37 ~~28A.165.005 through 28A.165.065 and 28A.655.235))~~.

1       **Sec. 1412.** RCW 28A.185.010 and 2009 c 548 s 707 are each amended  
2 to read as follows:

3       Pursuant to rules adopted by the superintendent of public  
4 instruction for the administration of this chapter, the  
5 superintendent of public instruction shall carry out a program for  
6 highly capable students. Such program may include conducting,  
7 coordinating and aiding in research (including pilot programs),  
8 disseminating information to local school districts, providing  
9 statewide staff development, and allocating to school districts  
10 supplementary funds for additional costs of district programs, as  
11 provided by (~~RCW 28A.150.260~~) section 102 of this act.

12       **Sec. 1413.** RCW 28A.185.020 and 2009 c 548 s 708 are each amended  
13 to read as follows:

14       (1) The legislature finds that, for highly capable students,  
15 access to accelerated learning and enhanced instruction is access to  
16 a basic education. There are multiple definitions of highly capable,  
17 from intellectual to academic to artistic. The research literature  
18 strongly supports using multiple criteria to identify highly capable  
19 students, and therefore, the legislature does not intend to prescribe  
20 a single method. (~~Instead,~~) The legislature intends to allocate  
21 funding based on two and three hundred fourteen one-thousandths  
22 percent of each school district's population (~~and~~) multiplied by  
23 the highly capable supplemental per pupil guarantee in section 102 of  
24 this act. This language authorizes school districts to identify  
25 through the use of multiple, objective criteria those students most  
26 highly capable and eligible to receive accelerated learning and  
27 enhanced instruction in the program offered by the district. Access  
28 to accelerated learning and enhanced instruction through the program  
29 for highly capable students does not constitute an individual  
30 entitlement for any particular student.

31       (2) Supplementary funds provided by the state for the program for  
32 highly capable students under RCW 28A.150.260 shall be categorical  
33 funding to provide services to highly capable students as determined  
34 by a school district under RCW 28A.185.030.

35       **Sec. 1414.** RCW 28A.340.040 and 1990 c 33 s 369 are each amended  
36 to read as follows:

37       (~~(1)~~) School districts participating in a cooperative project  
38 pursuant to RCW 28A.340.030 may adopt identical (~~salary schedules~~)

1 salaries for the staff of the project following compliance with  
2 chapter 41.59 RCW(~~(: PROVIDED, That if the districts participating in~~  
3 ~~a cooperative project adopt identical salary schedules, the~~  
4 ~~participating districts shall be considered a single school district~~  
5 ~~for purposes of establishing compliance with the salary limitations~~  
6 ~~of RCW 28A.400.200(3) but not for the purposes of allocation of state~~  
7 ~~funds.~~

8 ~~(2) For purposes of computing fringe benefit contributions for~~  
9 ~~purposes of establishing compliance with RCW 28A.400.200(3)(b), the~~  
10 ~~districts participating in a cooperative project pursuant to RCW~~  
11 ~~28A.340.030 may use the greater of: (a) The highest amount provided~~  
12 ~~in the 1986-87 school year by a district participating in the~~  
13 ~~cooperative project; or (b) the amount authorized for such purposes~~  
14 ~~in the state operating appropriations act in effect at the time)).~~

15 **Sec. 1415.** RCW 28A.232.020 and 2013 2nd sp.s. c 18 s 503 are  
16 each amended to read as follows:

17 The superintendent of public instruction shall separately  
18 calculate and allocate moneys appropriated under ((RCW 28A.150.260))  
19 section 102 of this act to school districts for each full-time  
20 equivalent student enrolled in an alternative learning experience  
21 course. The calculation shall be based on the estimated statewide  
22 annual average allocation per full-time equivalent student in grades  
23 nine through twelve in general education, excluding small high school  
24 enhancements, and including applicable rules and provisions of the  
25 omnibus appropriations act.

26 **Sec. 1416.** RCW 28A.400.220 and 1989 c 11 s 5 are each amended to  
27 read as follows:

28 (1) ((No)) School district boards of directors or administrators  
29 ~~((may)) shall not:~~

30 (a) Increase an employee's salary using school district excess  
31 levy funds for the provision of services that are a part of the basic  
32 education program required by Article IX, section 1 of the state  
33 Constitution;

34 (b) Increase an employee's salary or compensation to include a  
35 payment in lieu of providing a fringe benefit; or

36 ~~((b))~~ (c) Allow any payment to an employee which is partially  
37 or fully conditioned on the termination or retirement of the  
38 employee, except as provided in subsection (2) of this section.

1 (2) A school district board of directors may compensate an  
2 employee for termination of the employee's contract in accordance  
3 with the termination provisions of the contract. If no such  
4 provisions exist the compensation must be reasonable based on the  
5 proportion of the uncompleted contract. Compensation received under  
6 this subsection shall not be included for the purposes of computing a  
7 retirement allowance under any public retirement system in this  
8 state.

9 ~~((3) Provisions of any contract in force on March 27, 1982,  
10 which conflict with the requirements of this section shall continue  
11 in effect until contract expiration. After expiration, any new  
12 contract including any renewal, extension, amendment or modification  
13 of an existing contract executed between the parties shall be  
14 consistent with this section.))~~

15 **Sec. 1417.** RCW 28A.400.240 and 2001 c 266 s 1 are each amended  
16 to read as follows:

17 In addition to any other powers and duties, any school district  
18 or educational service district may contract with any classified or  
19 certificated employee to defer a portion of that employee's income,  
20 which deferred portion shall in no event exceed the appropriate  
21 internal revenue service exclusion allowance for such plans, and  
22 shall subsequently with the consent of the employee, deposit or  
23 invest in a credit union, savings and loan association, bank, mutual  
24 savings bank, or purchase life insurance, shares of an investment  
25 company, or a fixed and/or variable annuity contract, for the purpose  
26 of funding a deferred compensation program for the employee, from any  
27 life underwriter or registered representative duly licensed by this  
28 state who represents an insurance company or an investment company  
29 licensed to contract business in this state. In no event shall the  
30 total investments or payments, and the employee's nondeferred income  
31 for any year exceed the total annual salary, or compensation (~~under~~  
32 ~~the existing salary schedule~~) or classification plan applicable to  
33 such employee in such year. Any income deferred under such a plan  
34 shall continue to be included as regular compensation, for the  
35 purpose of computing the retirement and pension benefits earned by  
36 any employee, but any sum so deducted shall not be included in the  
37 computation of any taxes withheld on behalf of any such employee.



1       **Sec. 1418.** RCW 28A.400.250 and 2010 c 41 s 1 are each amended to  
2 read as follows:

3       (1) The board of directors of any school district, the Washington  
4 state teachers' retirement system, the superintendent of public  
5 instruction, and educational service district superintendents are  
6 authorized to provide and pay for tax deferred annuities or regulated  
7 company stock held in a custodial account for their respective  
8 employees in lieu of a portion of salary or wages as authorized under  
9 the provisions of 26 U.S.C. section 403(b), as amended by Public Law  
10 87-370, 75 Stat. 796, as now or hereafter amended. As of the  
11 effective date of this section, school districts are not authorized  
12 to make, and must not make, employer contributions to plans  
13 authorized by this section. The superintendent of public instruction  
14 and educational service district superintendents, if eligible, may  
15 also be provided with such options.

16       (2) At the request of at least five employees, the employees'  
17 employer shall arrange for the:

18       (a) Purchase of tax deferred annuity contracts which meet the  
19 requirements of 26 U.S.C. section 403(b), as now or hereafter  
20 amended, for the employees from any company the employees may choose  
21 that is authorized to do business in this state through a Washington-  
22 licensed insurance agent that the employees may select; or

23       (b) Payment to a custodial account for investment in the stock of  
24 a regulated investment company as defined in 26 U.S.C. section  
25 403(b)(7)(c).

26       (3) Payroll deductions shall be made in accordance with the  
27 arrangements for the purpose of paying the entire premium due and to  
28 become due under the contracts. Employees' rights under the annuity  
29 contract are nonforfeitable except for the failure to pay premiums.

30       (4) The board of directors of any school district, the Washington  
31 state teachers' retirement system, the superintendent of public  
32 instruction, and educational service district superintendents shall  
33 not restrict, except as provided in this section, employees' right to  
34 select the tax deferred annuity of their choice, the regulated  
35 company stock held in a custodial account, or the agent, broker, or  
36 company licensed by the state of Washington through which the tax  
37 deferred annuity or regulated company stock is placed or purchased,  
38 and shall not place limitations on the time or place that the  
39 employees make the selection.

1 (5) The board of directors of any school district, the Washington  
2 state teachers' retirement system, the superintendent of public  
3 instruction, and educational service district superintendents may  
4 each adopt rules regulating the sale of tax deferred annuities or  
5 regulated company stock held in a custodial account which: (a)  
6 Prohibit solicitation of employees for the purposes of selling tax  
7 deferred annuities or regulated company stock held in a custodial  
8 account on school premises during normal school hours; (b) only  
9 permit the solicitation of tax deferred annuities or regulated  
10 company stock held in a custodial account by agents, brokers, and  
11 companies licensed by the state of Washington; and (c) require  
12 participating companies to execute reasonable agreements protecting  
13 the respective employers from any liability attendant to procuring  
14 tax deferred annuities or regulated company stock held in a custodial  
15 account.

16 **Sec. 1419.** RCW 28A.625.110 and 1990 c 33 s 519 are each amended  
17 to read as follows:

18 The board of directors of the school district shall make the  
19 final determination as to whether an employee suggestion award will  
20 be made and shall determine the nature and extent of the award. The  
21 award shall not be a regular or supplemental compensation program for  
22 all employees and the suggestion must, in fact, result in actual  
23 savings greater than the award amount. Any moneys which may be  
24 awarded to an employee as part of an employee suggestion program  
25 shall not be considered salary or compensation for the purposes of  
26 (~~RCW 28A.400.200 or~~) chapter 41.40 RCW.

27 **Sec. 1420.** RCW 28A.625.150 and 1990 c 33 s 520 are each amended  
28 to read as follows:

29 The board of directors of any school district may establish a  
30 commendable employee service and recognition award program for  
31 certificated and classified school employees. The program shall be  
32 designed to recognize exemplary service, special achievements, or  
33 outstanding contributions by an individual in the performance of his  
34 or her duties as an employee of the school district. The board of  
35 directors of the school district shall determine the extent and type  
36 of any nonmonetary award. The value of any nonmonetary award shall  
37 not be deemed salary or compensation for the purposes of (~~RCW~~  
38 ~~28A.400.200 or~~) chapter 41.32 RCW.

1       **Sec. 1421.** RCW 28A.710.220 and 2016 c 241 s 122 are each amended  
2 to read as follows:

3       (1) Charter schools must report student enrollment in the same  
4 manner, and based on the same definitions of enrolled students and  
5 annual average full-time equivalent enrollment, as other public  
6 schools. Charter schools must comply with applicable reporting  
7 requirements to receive state or federal funding that is distributed  
8 based on student characteristics.

9       (2) In accordance with appropriations made under RCW 28A.710.270  
10 and 28A.710.280, the superintendent of public instruction shall  
11 distribute state funding to charter schools using the per pupil  
12 distribution model under section 102 of this act and according to the  
13 schedule established in RCW 28A.510.250.

14       (3) Amounts distributed to a charter school under RCW 28A.710.280  
15 in the school's first year of operation must be based on the  
16 projections of first-year student enrollment established in the  
17 charter contract. The office of the superintendent of public  
18 instruction must reconcile the amounts distributed in the first year  
19 of operation to the amounts that would have been distributed based on  
20 actual student enrollment and make adjustments to the charter  
21 school's distributions over the course of the second year of  
22 operation.

23       (4) Any moneys received by a charter school from any source and  
24 remaining in the school's accounts at the end of a budget year must  
25 remain in the school's accounts for use by the school during  
26 subsequent budget years.

27       **Sec. 1422.** RCW 28A.710.240 and 2016 c 241 s 124 are each amended  
28 to read as follows:

29       If a school district uses years of service when determining  
30 salaries for certificated instructional staff in the basic education  
31 program, then years of service in a charter school by certificated  
32 instructional staff shall be included in the years of service  
33 calculation ((for purposes of the statewide salary allocation  
34 schedule under RCW 28A.150.410)). This section does not require a  
35 charter school to pay a particular salary to its staff while the  
36 staff is employed by the charter school.

37       **Sec. 1423.** RCW 28A.715.040 and 2013 c 242 s 5 are each amended  
38 to read as follows:

1 (1) A school that is the subject of a state-tribal education  
2 compact must report student enrollment. Reporting must be done in the  
3 same manner and use the same definitions of enrolled students and  
4 annual average full-time equivalent enrollment as is required of  
5 school districts. The reporting requirements in this subsection are  
6 required for a school to receive state or federal funding that is  
7 allocated based on student characteristics.

8 (2) Funding for a school that is the subject of a state-tribal  
9 education compact shall be apportioned by the superintendent of  
10 public instruction using the per pupil distribution model under  
11 section 102 of this act and according to the schedule established  
12 under RCW 28A.510.250(~~(, including general apportionment, special~~  
13 ~~education, categorical, and other nonbasic education moneys.~~  
14 ~~Allocations for certificated instructional staff must be based on the~~  
15 ~~average staff mix ratio of the school, as calculated by the~~  
16 ~~superintendent of public instruction using the statewide salary~~  
17 ~~allocation schedule and related documents, conditions, and~~  
18 ~~limitations established by the omnibus appropriations act.~~  
19 ~~Allocations for classified staff and certificated administrative~~  
20 ~~staff must be based on the salary allocations of the school district~~  
21 ~~in which the school is located, subject to conditions and limitations~~  
22 ~~established by the omnibus appropriations act. Nothing in this~~  
23 ~~section requires a school that is the subject of a state-tribal~~  
24 ~~education compact to use the statewide salary allocation schedule)).~~  
25 Such a school is eligible to apply for state grants on the same basis  
26 as a school district.

27 (3) Any moneys received by a school that is the subject of a  
28 state-tribal education compact from any source that remain in the  
29 school's accounts at the end of any budget year must remain in the  
30 school's accounts for use by the school during subsequent budget  
31 years.

## 32 PART XV

### 33 TECHNICAL AMENDMENTS TO ALIGN STATUTES WITH RECOGNIZING AND REWARDING 34 SCHOOL DISTRICTS THAT MEET THE MEASURES OF SUCCESS

35 NEW SECTION. **Sec. 1501.** A new section is added to chapter  
36 28A.150 RCW to read as follows:

37 APPLICATION OF CHAPTER—GENERAL PROVISIONS. Schools and school  
38 districts that are recognized by the state board of education as

1 being on pace in accordance with section 804 of this act or having  
2 met the performance targets listed in RCW 28A.150.550 (as recodified  
3 by this act), that measure school district success in improving  
4 educational outcomes for all students, are subject to the  
5 requirements of this chapter and related rules only to the extent  
6 required under section 804 of this act.

7 NEW SECTION. **Sec. 1502.** A new section is added to chapter  
8 28A.155 RCW to read as follows:

9 APPLICATION OF CHAPTER—SPECIAL EDUCATION. Schools and school  
10 districts that are recognized by the state board of education as  
11 being on pace in accordance with section 804 of this act or having  
12 met the performance targets listed in RCW 28A.150.550 (as recodified  
13 by this act), that measure school district success in improving  
14 educational outcomes for all students, are subject to the  
15 requirements of this chapter and related rules only to the extent  
16 required under section 804 of this act.

17 NEW SECTION. **Sec. 1503.** A new section is added to chapter  
18 28A.160 RCW to read as follows:

19 APPLICATION OF CHAPTER—STUDENT TRANSPORTATION. Schools and school  
20 districts that are recognized by the state board of education as  
21 being on pace in accordance with section 804 of this act or having  
22 met the performance targets listed in RCW 28A.150.550 (as recodified  
23 by this act), that measure school district success in improving  
24 educational outcomes for all students, are subject to the  
25 requirements of this chapter and related rules only to the extent  
26 required under section 804 of this act.

27 NEW SECTION. **Sec. 1504.** A new section is added to chapter  
28 28A.165 RCW to read as follows:

29 APPLICATION OF CHAPTER—LEARNING ASSISTANCE PROGRAM. Schools and  
30 school districts that are recognized by the state board of education  
31 as being on pace in accordance with section 804 of this act or having  
32 met the performance targets listed in RCW 28A.150.550 (as recodified  
33 by this act), that measure school district success in improving  
34 educational outcomes for all students, are subject to the  
35 requirements of this chapter and related rules only to the extent  
36 required under section 804 of this act.

1        NEW SECTION.    **Sec. 1505.**    A new section is added to chapter  
2 28A.170 RCW to read as follows:

3        APPLICATION OF CHAPTER—SUBSTANCE ABUSE AWARENESS PROGRAM. Schools  
4 and school districts that are recognized by the state board of  
5 education as being on pace in accordance with section 804 of this act  
6 or having met the performance targets listed in RCW 28A.150.550 (as  
7 recodified by this act), that measure school district success in  
8 improving educational outcomes for all students, are subject to the  
9 requirements of this chapter and related rules only to the extent  
10 required under section 804 of this act.

11       NEW SECTION.    **Sec. 1506.**    A new section is added to chapter  
12 28A.175 RCW to read as follows:

13       APPLICATION OF CHAPTER—DROPOUT PREVENTION, INTERVENTION, AND  
14 RETRIEVAL SYSTEM. Schools and school districts that are recognized by  
15 the state board of education as being on pace in accordance with  
16 section 804 of this act or having met the performance targets listed  
17 in RCW 28A.150.550 (as recodified by this act), that measure school  
18 district success in improving educational outcomes for all students,  
19 are subject to the requirements of this chapter and related rules  
20 only to the extent required under section 804 of this act.

21       NEW SECTION.    **Sec. 1507.**    A new section is added to chapter  
22 28A.180 RCW to read as follows:

23       APPLICATION OF CHAPTER—TRANSITIONAL BILINGUAL INSTRUCTION  
24 PROGRAM. Schools and school districts that are recognized by the  
25 state board of education as being on pace in accordance with section  
26 804 of this act or having met the performance targets listed in RCW  
27 28A.150.550 (as recodified by this act), that measure school district  
28 success in improving educational outcomes for all students, are  
29 subject to the requirements of this chapter and related rules only to  
30 the extent required under section 804 of this act.

31       NEW SECTION.    **Sec. 1508.**    A new section is added to chapter  
32 28A.185 RCW to read as follows:

33       APPLICATION OF CHAPTER—HIGHLY CAPABLE STUDENTS. Schools and  
34 school districts that are recognized by the state board of education  
35 as being on pace in accordance with section 804 of this act or having  
36 met the performance targets listed in RCW 28A.150.550 (as recodified

1 by this act), that measure school district success in improving  
2 educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1509.** A new section is added to chapter  
6 28A.188 RCW to read as follows:

7 APPLICATION OF CHAPTER—SCIENCE, TECHNOLOGY, ENGINEERING, AND  
8 MATHEMATICS (STEM) EDUCATION. Schools and school districts that are  
9 recognized by the state board of education as being on pace in  
10 accordance with section 804 of this act or having met the performance  
11 targets listed in RCW 28A.150.550 (as recodified by this act), that  
12 measure school district success in improving educational outcomes for  
13 all students, are subject to the requirements of this chapter and  
14 related rules only to the extent required under section 804 of this  
15 act.

16 NEW SECTION. **Sec. 1510.** A new section is added to chapter  
17 28A.190 RCW to read as follows:

18 APPLICATION OF CHAPTER—RESIDENTIAL EDUCATION PROGRAMS. Schools  
19 and school districts that are recognized by the state board of  
20 education as being on pace in accordance with section 804 of this act  
21 or having met the performance targets listed in RCW 28A.150.550 (as  
22 recodified by this act), that measure school district success in  
23 improving educational outcomes for all students, are subject to the  
24 requirements of this chapter and related rules only to the extent  
25 required under section 804 of this act.

26 NEW SECTION. **Sec. 1511.** A new section is added to chapter  
27 28A.193 RCW to read as follows:

28 APPLICATION OF CHAPTER—EDUCATION PROGRAMS FOR JUVENILE INMATES.  
29 Schools and school districts that are recognized by the state board  
30 of education as being on pace in accordance with section 804 of this  
31 act or having met the performance targets listed in RCW 28A.150.550  
32 (as recodified by this act), that measure school district success in  
33 improving educational outcomes for all students, are subject to the  
34 requirements of this chapter and related rules only to the extent  
35 required under section 804 of this act.

1        NEW SECTION.    **Sec. 1512.**    A new section is added to chapter  
2 28A.194 RCW to read as follows:

3        APPLICATION OF CHAPTER—EDUCATION PROGRAMS FOR JUVENILES IN ADULT  
4 JAILS. Schools and school districts that are recognized by the state  
5 board of education as being on pace in accordance with section 804 of  
6 this act or having met the performance targets listed in RCW  
7 28A.150.550 (as recodified by this act), that measure school district  
8 success in improving educational outcomes for all students, are  
9 subject to the requirements of this chapter and related rules only to  
10 the extent required under section 804 of this act.

11       NEW SECTION.    **Sec. 1513.**    A new section is added to chapter  
12 28A.205 RCW to read as follows:

13       APPLICATION OF CHAPTER—EDUCATION CENTERS. Schools and school  
14 districts that are recognized by the state board of education as  
15 being on pace in accordance with section 804 of this act or having  
16 met the performance targets listed in RCW 28A.150.550 (as recodified  
17 by this act), that measure school district success in improving  
18 educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.    **Sec. 1514.**    A new section is added to chapter  
22 28A.210 RCW to read as follows:

23       APPLICATION OF CHAPTER—HEALTH—SCREENING AND REQUIREMENTS.  
24 Schools and school districts that are recognized by the state board  
25 of education as being on pace in accordance with section 804 of this  
26 act or having met the performance targets listed in RCW 28A.150.550  
27 (as recodified by this act), that measure school district success in  
28 improving educational outcomes for all students, are subject to the  
29 requirements of this chapter and related rules only to the extent  
30 required under section 804 of this act.

31       NEW SECTION.    **Sec. 1515.**    A new section is added to chapter  
32 28A.215 RCW to read as follows:

33       APPLICATION OF CHAPTER—EARLY CHILDHOOD, PRESCHOOLS, AND BEFORE-  
34 AND-AFTER SCHOOL CARE. Schools and school districts that are  
35 recognized by the state board of education as being on pace in  
36 accordance with section 804 of this act or having met the performance



1 targets listed in RCW 28A.150.550 (as recodified by this act), that  
2 measure school district success in improving educational outcomes for  
3 all students, are subject to the requirements of this chapter and  
4 related rules only to the extent required under section 804 of this  
5 act.

6 NEW SECTION. **Sec. 1516.** A new section is added to chapter  
7 28A.220 RCW to read as follows:

8 APPLICATION OF CHAPTER—TRAFFIC SAFETY. Schools and school  
9 districts that are recognized by the state board of education as  
10 being on pace in accordance with section 804 of this act or having  
11 met the performance targets listed in RCW 28A.150.550 (as recodified  
12 by this act), that measure school district success in improving  
13 educational outcomes for all students, are subject to the  
14 requirements of this chapter and related rules only to the extent  
15 required under section 804 of this act.

16 NEW SECTION. **Sec. 1517.** A new section is added to chapter  
17 28A.225 RCW to read as follows:

18 APPLICATION OF CHAPTER—COMPULSORY SCHOOL ATTENDANCE AND  
19 ADMISSION. Schools and school districts that are recognized by the  
20 state board of education as being on pace in accordance with section  
21 804 of this act or having met the performance targets listed in RCW  
22 28A.150.550 (as recodified by this act), that measure school district  
23 success in improving educational outcomes for all students, are  
24 subject to the requirements of this chapter and related rules only to  
25 the extent required under section 804 of this act.

26 NEW SECTION. **Sec. 1518.** A new section is added to chapter  
27 28A.230 RCW to read as follows:

28 APPLICATION OF CHAPTER—COMPULSORY COURSEWORK AND ACTIVITIES.  
29 Schools and school districts that are recognized by the state board  
30 of education as being on pace in accordance with section 804 of this  
31 act or having met the performance targets listed in RCW 28A.150.550  
32 (as recodified by this act), that measure school district success in  
33 improving educational outcomes for all students, are subject to the  
34 requirements of this chapter and related rules only to the extent  
35 required under section 804 of this act.

1        NEW SECTION.     **Sec. 1519.**     A new section is added to chapter  
2 28A.232 RCW to read as follows:

3        APPLICATION OF CHAPTER—ALTERNATIVE LEARNING EXPERIENCE COURSES.  
4 Schools and school districts that are recognized by the state board  
5 of education as being on pace in accordance with section 804 of this  
6 act or having met the performance targets listed in RCW 28A.150.550  
7 (as recodified by this act), that measure school district success in  
8 improving educational outcomes for all students, are subject to the  
9 requirements of this chapter and related rules only to the extent  
10 required under section 804 of this act.

11       NEW SECTION.     **Sec. 1520.**     A new section is added to chapter  
12 28A.235 RCW to read as follows:

13       APPLICATION OF CHAPTER—FOOD SERVICES. Schools and school  
14 districts that are recognized by the state board of education as  
15 being on pace in accordance with section 804 of this act or having  
16 met the performance targets listed in RCW 28A.150.550 (as recodified  
17 by this act), that measure school district success in improving  
18 educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.     **Sec. 1521.**     A new section is added to chapter  
22 28A.245 RCW to read as follows:

23       APPLICATION OF CHAPTER—SKILL CENTERS. Schools and school  
24 districts that are recognized by the state board of education as  
25 being on pace in accordance with section 804 of this act or having  
26 met the performance targets listed in RCW 28A.150.550 (as recodified  
27 by this act), that measure school district success in improving  
28 educational outcomes for all students, are subject to the  
29 requirements of this chapter and related rules only to the extent  
30 required under section 804 of this act.

31       NEW SECTION.     **Sec. 1522.**     A new section is added to chapter  
32 28A.250 RCW to read as follows:

33       APPLICATION OF CHAPTER—ONLINE LEARNING. Schools and school  
34 districts that are recognized by the state board of education as  
35 being on pace in accordance with section 804 of this act or having  
36 met the performance targets listed in RCW 28A.150.550 (as recodified

1 by this act), that measure school district success in improving  
2 educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1523.** A new section is added to chapter  
6 28A.300 RCW to read as follows:

7 APPLICATION OF CHAPTER—SUPERINTENDENT OF PUBLIC INSTRUCTION.  
8 Schools and school districts that are recognized by the state board  
9 of education as being on pace in accordance with section 804 of this  
10 act or having met the performance targets listed in RCW 28A.150.550  
11 (as recodified by this act), that measure school district success in  
12 improving educational outcomes for all students, are subject to the  
13 requirements of this chapter and related rules only to the extent  
14 required under section 804 of this act.

15 NEW SECTION. **Sec. 1524.** A new section is added to chapter  
16 28A.305 RCW to read as follows:

17 APPLICATION OF CHAPTER—STATE BOARD OF EDUCATION. Schools and  
18 school districts that are recognized by the state board of education  
19 as being on pace in accordance with section 804 of this act or having  
20 met the performance targets listed in RCW 28A.150.550 (as recodified  
21 by this act), that measure school district success in improving  
22 educational outcomes for all students, are subject to the  
23 requirements of this chapter and related rules only to the extent  
24 required under section 804 of this act.

25 NEW SECTION. **Sec. 1525.** A new section is added to chapter  
26 28A.310 RCW to read as follows:

27 APPLICATION OF CHAPTER—EDUCATIONAL SERVICE DISTRICTS. Schools and  
28 school districts that are recognized by the state board of education  
29 as being on pace in accordance with section 804 of this act or having  
30 met the performance targets listed in RCW 28A.150.550 (as recodified  
31 by this act), that measure school district success in improving  
32 educational outcomes for all students, are subject to the  
33 requirements of this chapter and related rules only to the extent  
34 required under section 804 of this act.

1        NEW SECTION.    **Sec. 1526.**    A new section is added to chapter  
2 28A.315 RCW to read as follows:

3        APPLICATION OF CHAPTER—ORGANIZATION AND REORGANIZATION OF SCHOOL  
4 DISTRICTS. Schools and school districts that are recognized by the  
5 state board of education as being on pace in accordance with section  
6 804 of this act or having met the performance targets listed in RCW  
7 28A.150.550 (as recodified by this act), that measure school district  
8 success in improving educational outcomes for all students, are  
9 subject to the requirements of this chapter and related rules only to  
10 the extent required under section 804 of this act.

11       NEW SECTION.    **Sec. 1527.**    A new section is added to chapter  
12 28A.320 RCW to read as follows:

13       APPLICATION OF CHAPTER—PROVISIONS APPLICABLE TO ALL DISTRICTS.  
14 Schools and school districts that are recognized by the state board  
15 of education as being on pace in accordance with section 804 of this  
16 act or having met the performance targets listed in RCW 28A.150.550  
17 (as recodified by this act), that measure school district success in  
18 improving educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.    **Sec. 1528.**    A new section is added to chapter  
22 28A.323 RCW to read as follows:

23       APPLICATION OF CHAPTER—JOINT SCHOOL DISTRICTS—SCHOOL DISTRICTS  
24 IN TWO OR MORE EDUCATIONAL SERVICE DISTRICTS. Schools and school  
25 districts that are recognized by the state board of education as  
26 being on pace in accordance with section 804 of this act or having  
27 met the performance targets listed in RCW 28A.150.550 (as recodified  
28 by this act), that measure school district success in improving  
29 educational outcomes for all students, are subject to the  
30 requirements of this chapter and related rules only to the extent  
31 required under section 804 of this act.

32       NEW SECTION.    **Sec. 1529.**    A new section is added to chapter  
33 28A.325 RCW to read as follows:

34       APPLICATION OF CHAPTER—ASSOCIATED STUDENT BODIES. Schools and  
35 school districts that are recognized by the state board of education  
36 as being on pace in accordance with section 804 of this act or having

1 met the performance targets listed in RCW 28A.150.550 (as recodified  
2 by this act), that measure school district success in improving  
3 educational outcomes for all students, are subject to the  
4 requirements of this chapter and related rules only to the extent  
5 required under section 804 of this act.

6 NEW SECTION. **Sec. 1530.** A new section is added to chapter  
7 28A.330 RCW to read as follows:

8 APPLICATION OF CHAPTER—PROVISIONS APPLICABLE TO SCHOOL DISTRICTS.  
9 Schools and school districts that are recognized by the state board  
10 of education as being on pace in accordance with section 804 of this  
11 act or having met the performance targets listed in RCW 28A.150.550  
12 (as recodified by this act), that measure school district success in  
13 improving educational outcomes for all students, are subject to the  
14 requirements of this chapter and related rules only to the extent  
15 required under section 804 of this act.

16 NEW SECTION. **Sec. 1531.** A new section is added to chapter  
17 28A.335 RCW to read as follows:

18 APPLICATION OF CHAPTER—SCHOOL DISTRICTS' PROPERTY. Schools and  
19 school districts that are recognized by the state board of education  
20 as being on pace in accordance with section 804 of this act or having  
21 met the performance targets listed in RCW 28A.150.550 (as recodified  
22 by this act), that measure school district success in improving  
23 educational outcomes for all students, are subject to the  
24 requirements of this chapter and related rules only to the extent  
25 required under section 804 of this act.

26 NEW SECTION. **Sec. 1532.** A new section is added to chapter  
27 28A.340 RCW to read as follows:

28 APPLICATION OF CHAPTER—SMALL HIGH SCHOOL COOPERATIVE PROJECTS.  
29 Schools and school districts that are recognized by the state board  
30 of education as being on pace in accordance with section 804 of this  
31 act or having met the performance targets listed in RCW 28A.150.550  
32 (as recodified by this act), that measure school district success in  
33 improving educational outcomes for all students, are subject to the  
34 requirements of this chapter and related rules only to the extent  
35 required under section 804 of this act.

1        NEW SECTION.     **Sec. 1533.**     A new section is added to chapter  
2 28A.343 RCW to read as follows:

3        APPLICATION OF CHAPTER—SCHOOL DIRECTOR DISTRICTS. Schools and  
4 school districts that are recognized by the state board of education  
5 as being on pace in accordance with section 804 of this act or having  
6 met the performance targets listed in RCW 28A.150.550 (as recodified  
7 by this act), that measure school district success in improving  
8 educational outcomes for all students, are subject to the  
9 requirements of this chapter and related rules only to the extent  
10 required under section 804 of this act.

11       NEW SECTION.     **Sec. 1534.**     A new section is added to chapter  
12 28A.345 RCW to read as follows:

13       APPLICATION OF CHAPTER—WASHINGTON STATE SCHOOL DIRECTORS'  
14 ASSOCIATION. Schools and school districts that are recognized by the  
15 state board of education as being on pace in accordance with section  
16 804 of this act or having met the performance targets listed in RCW  
17 28A.150.550 (as recodified by this act), that measure school district  
18 success in improving educational outcomes for all students, are  
19 subject to the requirements of this chapter and related rules only to  
20 the extent required under section 804 of this act.

21       NEW SECTION.     **Sec. 1535.**     A new section is added to chapter  
22 28A.400 RCW to read as follows:

23       APPLICATION OF CHAPTER—EMPLOYEES. Schools and school districts  
24 that are recognized by the state board of education as being on pace  
25 in accordance with section 804 of this act or having met the  
26 performance targets listed in RCW 28A.150.550 (as recodified by this  
27 act), that measure school district success in improving educational  
28 outcomes for all students, are subject to the requirements of this  
29 chapter and related rules only to the extent required under section  
30 804 of this act.

31       NEW SECTION.     **Sec. 1536.**     A new section is added to chapter  
32 28A.405 RCW to read as follows:

33       APPLICATION OF CHAPTER—CERTIFICATED EMPLOYEES. Schools and school  
34 districts that are recognized by the state board of education as  
35 being on pace in accordance with section 804 of this act or having  
36 met the performance targets listed in RCW 28A.150.550 (as recodified

1 by this act), that measure school district success in improving  
2 educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1537.** A new section is added to chapter  
6 28A.410 RCW to read as follows:

7 APPLICATION OF CHAPTER—CERTIFICATION. Schools and school  
8 districts that are recognized by the state board of education as  
9 being on pace in accordance with section 804 of this act or having  
10 met the performance targets listed in RCW 28A.150.550 (as recodified  
11 by this act), that measure school district success in improving  
12 educational outcomes for all students, are subject to the  
13 requirements of this chapter and related rules only to the extent  
14 required under section 804 of this act.

15 NEW SECTION. **Sec. 1538.** A new section is added to chapter  
16 28A.415 RCW to read as follows:

17 APPLICATION OF CHAPTER—INSTITUTES, WORKSHOPS, AND TRAINING.  
18 Schools and school districts that are recognized by the state board  
19 of education as being on pace in accordance with section 804 of this  
20 act or having met the performance targets listed in RCW 28A.150.550  
21 (as recodified by this act), that measure school district success in  
22 improving educational outcomes for all students, are subject to the  
23 requirements of this chapter and related rules only to the extent  
24 required under section 804 of this act.

25 NEW SECTION. **Sec. 1539.** A new section is added to chapter  
26 28A.505 RCW to read as follows:

27 APPLICATION OF CHAPTER—SCHOOL DISTRICTS' BUDGETS. Schools and  
28 school districts that are recognized by the state board of education  
29 as being on pace in accordance with section 804 of this act or having  
30 met the performance targets listed in RCW 28A.150.550 (as recodified  
31 by this act), that measure school district success in improving  
32 educational outcomes for all students, are subject to the  
33 requirements of this chapter and related rules only to the extent  
34 required under section 804 of this act.

1        NEW SECTION.     **Sec. 1540.**     A new section is added to chapter  
2 28A.510 RCW to read as follows:

3        APPLICATION OF CHAPTER—APPORTIONMENT TO DISTRICT—DISTRICT  
4 ACCOUNTING. Schools and school districts that are recognized by the  
5 state board of education as being on pace in accordance with section  
6 804 of this act or having met the performance targets listed in RCW  
7 28A.150.550 (as recodified by this act), that measure school district  
8 success in improving educational outcomes for all students, are  
9 subject to the requirements of this chapter and related rules only to  
10 the extent required under section 804 of this act.

11       NEW SECTION.     **Sec. 1541.**     A new section is added to chapter  
12 28A.515 RCW to read as follows:

13       APPLICATION OF CHAPTER—COMMON SCHOOL CONSTRUCTION FUND. Schools  
14 and school districts that are recognized by the state board of  
15 education as being on pace in accordance with section 804 of this act  
16 or having met the performance targets listed in RCW 28A.150.550 (as  
17 recodified by this act), that measure school district success in  
18 improving educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.     **Sec. 1542.**     A new section is added to chapter  
22 28A.520 RCW to read as follows:

23       APPLICATION OF CHAPTER—FOREST RESERVE FUNDS DISTRIBUTION. Schools  
24 and school districts that are recognized by the state board of  
25 education as being on pace in accordance with section 804 of this act  
26 or having met the performance targets listed in RCW 28A.150.550 (as  
27 recodified by this act), that measure school district success in  
28 improving educational outcomes for all students, are subject to the  
29 requirements of this chapter and related rules only to the extent  
30 required under section 804 of this act.

31       NEW SECTION.     **Sec. 1543.**     A new section is added to chapter  
32 28A.525 RCW to read as follows:

33       APPLICATION OF CHAPTER—BOND ISSUES. Schools and school districts  
34 that are recognized by the state board of education as being on pace  
35 in accordance with section 804 of this act or having met the  
36 performance targets listed in RCW 28A.150.550 (as recodified by this



1 act), that measure school district success in improving educational  
2 outcomes for all students, are subject to the requirements of this  
3 chapter and related rules only to the extent required under section  
4 804 of this act.

5 NEW SECTION. **Sec. 1544.** A new section is added to chapter  
6 28A.527 RCW to read as follows:

7 APPLICATION OF CHAPTER—SCHOOL FACILITIES—2008 BOND ISSUE.  
8 Schools and school districts that are recognized by the state board  
9 of education as being on pace in accordance with section 804 of this  
10 act or having met the performance targets listed in RCW 28A.150.550  
11 (as recodified by this act), that measure school district success in  
12 improving educational outcomes for all students, are subject to the  
13 requirements of this chapter and related rules only to the extent  
14 required under section 804 of this act.

15 NEW SECTION. **Sec. 1545.** A new section is added to chapter  
16 28A.530 RCW to read as follows:

17 APPLICATION OF CHAPTER—DISTRICT BONDS FOR LAND, BUILDINGS, AND  
18 EQUIPMENT. Schools and school districts that are recognized by the  
19 state board of education as being on pace in accordance with section  
20 804 of this act or having met the performance targets listed in RCW  
21 28A.150.550 (as recodified by this act), that measure school district  
22 success in improving educational outcomes for all students, are  
23 subject to the requirements of this chapter and related rules only to  
24 the extent required under section 804 of this act.

25 NEW SECTION. **Sec. 1546.** A new section is added to chapter  
26 28A.535 RCW to read as follows:

27 APPLICATION OF CHAPTER—VALIDATING INDEBTEDNESS. Schools and  
28 school districts that are recognized by the state board of education  
29 as being on pace in accordance with section 804 of this act or having  
30 met the performance targets listed in RCW 28A.150.550 (as recodified  
31 by this act), that measure school district success in improving  
32 educational outcomes for all students, are subject to the  
33 requirements of this chapter and related rules only to the extent  
34 required under section 804 of this act.

1        NEW SECTION.     **Sec. 1547.**     A new section is added to chapter  
2 28A.540 RCW to read as follows:

3        APPLICATION OF CHAPTER—CAPITAL FUND AID BY NONHIGH SCHOOL  
4 DISTRICTS. Schools and school districts that are recognized by the  
5 state board of education as being on pace in accordance with section  
6 804 of this act or having met the performance targets listed in RCW  
7 28A.150.550 (as recodified by this act), that measure school district  
8 success in improving educational outcomes for all students, are  
9 subject to the requirements of this chapter and related rules only to  
10 the extent required under section 804 of this act.

11       NEW SECTION.     **Sec. 1548.**     A new section is added to chapter  
12 28A.545 RCW to read as follows:

13       APPLICATION OF CHAPTER—PAYMENT TO HIGH SCHOOL DISTRICTS. Schools  
14 and school districts that are recognized by the state board of  
15 education as being on pace in accordance with section 804 of this act  
16 or having met the performance targets listed in RCW 28A.150.550 (as  
17 recodified by this act), that measure school district success in  
18 improving educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.     **Sec. 1549.**     A new section is added to chapter  
22 28A.600 RCW to read as follows:

23       APPLICATION OF CHAPTER—STUDENTS. Schools and school districts  
24 that are recognized by the state board of education as being on pace  
25 in accordance with section 804 of this act or having met the  
26 performance targets listed in RCW 28A.150.550 (as recodified by this  
27 act), that measure school district success in improving educational  
28 outcomes for all students, are subject to the requirements of this  
29 chapter and related rules only to the extent required under section  
30 804 of this act.

31       NEW SECTION.     **Sec. 1550.**     A new section is added to chapter  
32 28A.605 RCW to read as follows:

33       APPLICATION OF CHAPTER—PARENT ACCESS. Schools and school  
34 districts that are recognized by the state board of education as  
35 being on pace in accordance with section 804 of this act or having  
36 met the performance targets listed in RCW 28A.150.550 (as recodified

1 by this act), that measure school district success in improving  
2 educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1551.** A new section is added to chapter  
6 28A.620 RCW to read as follows:

7 APPLICATION OF CHAPTER—COMMUNITY EDUCATION PROGRAMS. Schools and  
8 school districts that are recognized by the state board of education  
9 as being on pace in accordance with section 804 of this act or having  
10 met the performance targets listed in RCW 28A.150.550 (as recodified  
11 by this act), that measure school district success in improving  
12 educational outcomes for all students, are subject to the  
13 requirements of this chapter and related rules only to the extent  
14 required under section 804 of this act.

15 NEW SECTION. **Sec. 1552.** A new section is added to chapter  
16 28A.623 RCW to read as follows:

17 APPLICATION OF CHAPTER—MEAL PROGRAMS. Schools and school  
18 districts that are recognized by the state board of education as  
19 being on pace in accordance with section 804 of this act or having  
20 met the performance targets listed in RCW 28A.150.550 (as recodified  
21 by this act), that measure school district success in improving  
22 educational outcomes for all students, are subject to the  
23 requirements of this chapter and related rules only to the extent  
24 required under section 804 of this act.

25 NEW SECTION. **Sec. 1553.** A new section is added to chapter  
26 28A.625 RCW to read as follows:

27 APPLICATION OF CHAPTER—AWARDS. Schools and school districts that  
28 are recognized by the state board of education as being on pace in  
29 accordance with section 804 of this act or having met the performance  
30 targets listed in RCW 28A.150.550 (as recodified by this act), that  
31 measure school district success in improving educational outcomes for  
32 all students, are subject to the requirements of this chapter and  
33 related rules only to the extent required under section 804 of this  
34 act.

1        NEW SECTION.    **Sec. 1554.**    A new section is added to chapter  
2 28A.630 RCW to read as follows:

3        APPLICATION OF CHAPTER—TEMPORARY PROVISIONS—SPECIAL PROJECTS.  
4 Schools and school districts that are recognized by the state board  
5 of education as being on pace in accordance with section 804 of this  
6 act or having met the performance targets listed in RCW 28A.150.550  
7 (as recodified by this act), that measure school district success in  
8 improving educational outcomes for all students, are subject to the  
9 requirements of this chapter and related rules only to the extent  
10 required under section 804 of this act.

11       NEW SECTION.    **Sec. 1555.**    A new section is added to chapter  
12 28A.635 RCW to read as follows:

13       APPLICATION OF CHAPTER—OFFENSES RELATING TO SCHOOL PROPERTY AND  
14 PERSONNEL. Schools and school districts that are recognized by the  
15 state board of education as being on pace in accordance with section  
16 804 of this act or having met the performance targets listed in RCW  
17 28A.150.550 (as recodified by this act), that measure school district  
18 success in improving educational outcomes for all students, are  
19 subject to the requirements of this chapter and related rules only to  
20 the extent required under section 804 of this act.

21       NEW SECTION.    **Sec. 1556.**    A new section is added to chapter  
22 28A.640 RCW to read as follows:

23       APPLICATION OF CHAPTER—SEXUAL EQUALITY. Schools and school  
24 districts that are recognized by the state board of education as  
25 being on pace in accordance with section 804 of this act or having  
26 met the performance targets listed in RCW 28A.150.550 (as recodified  
27 by this act), that measure school district success in improving  
28 educational outcomes for all students, are subject to the  
29 requirements of this chapter and related rules only to the extent  
30 required under section 804 of this act.

31       NEW SECTION.    **Sec. 1557.**    A new section is added to chapter  
32 28A.642 RCW to read as follows:

33       APPLICATION OF CHAPTER—DISCRIMINATION PROHIBITION. Schools and  
34 school districts that are recognized by the state board of education  
35 as being on pace in accordance with section 804 of this act or having  
36 met the performance targets listed in RCW 28A.150.550 (as recodified

1 by this act), that measure school district success in improving  
2 educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1558.** A new section is added to chapter  
6 28A.645 RCW to read as follows:

7 APPLICATION OF CHAPTER—APPEALS FROM BOARD. Schools and school  
8 districts that are recognized by the state board of education as  
9 being on pace in accordance with section 804 of this act or having  
10 met the performance targets listed in RCW 28A.150.550 (as recodified  
11 by this act), that measure school district success in improving  
12 educational outcomes for all students, are subject to the  
13 requirements of this chapter and related rules only to the extent  
14 required under section 804 of this act.

15 NEW SECTION. **Sec. 1559.** A new section is added to chapter  
16 28A.650 RCW to read as follows:

17 APPLICATION OF CHAPTER—EDUCATION TECHNOLOGY. Schools and school  
18 districts that are recognized by the state board of education as  
19 being on pace in accordance with section 804 of this act or having  
20 met the performance targets listed in RCW 28A.150.550 (as recodified  
21 by this act), that measure school district success in improving  
22 educational outcomes for all students, are subject to the  
23 requirements of this chapter and related rules only to the extent  
24 required under section 804 of this act.

25 NEW SECTION. **Sec. 1560.** A new section is added to chapter  
26 28A.655 RCW to read as follows:

27 APPLICATION OF CHAPTER—ACADEMIC ACHIEVEMENT AND ACCOUNTABILITY.  
28 Schools and school districts that are recognized by the state board  
29 of education as being on pace in accordance with section 804 of this  
30 act or having met the performance targets listed in RCW 28A.150.550  
31 (as recodified by this act), that measure school district success in  
32 improving educational outcomes for all students, are subject to the  
33 requirements of this chapter and related rules only to the extent  
34 required under section 804 of this act.

1        NEW SECTION.     **Sec. 1561.**     A new section is added to chapter  
2 28A.657 RCW to read as follows:

3        APPLICATION OF CHAPTER—ACCOUNTABILITY SYSTEM. Schools and school  
4 districts that are recognized by the state board of education as  
5 being on pace in accordance with section 804 of this act or having  
6 met the performance targets listed in RCW 28A.150.550 (as recodified  
7 by this act), that measure school district success in improving  
8 educational outcomes for all students, are subject to the  
9 requirements of this chapter and related rules only to the extent  
10 required under section 804 of this act.

11       NEW SECTION.     **Sec. 1562.**     A new section is added to chapter  
12 28A.660 RCW to read as follows:

13       APPLICATION OF CHAPTER—ALTERNATIVE ROUTE TEACHER CERTIFICATION.  
14 Schools and school districts that are recognized by the state board  
15 of education as being on pace in accordance with section 804 of this  
16 act or having met the performance targets listed in RCW 28A.150.550  
17 (as recodified by this act), that measure school district success in  
18 improving educational outcomes for all students, are subject to the  
19 requirements of this chapter and related rules only to the extent  
20 required under section 804 of this act.

21       NEW SECTION.     **Sec. 1563.**     A new section is added to chapter  
22 28A.690 RCW to read as follows:

23       APPLICATION OF CHAPTER—AGREEMENT ON QUALIFICATIONS OF PERSONNEL.  
24 Schools and school districts that are recognized by the state board  
25 of education as being on pace in accordance with section 804 of this  
26 act or having met the performance targets listed in RCW 28A.150.550  
27 (as recodified by this act), that measure school district success in  
28 improving educational outcomes for all students, are subject to the  
29 requirements of this chapter and related rules only to the extent  
30 required under section 804 of this act.

31       NEW SECTION.     **Sec. 1564.**     A new section is added to chapter  
32 28A.700 RCW to read as follows:

33       APPLICATION OF CHAPTER—SECONDARY CAREER AND TECHNICAL EDUCATION.  
34 Schools and school districts that are recognized by the state board  
35 of education as being on pace in accordance with section 804 of this  
36 act or having met the performance targets listed in RCW 28A.150.550

1 (as recodified by this act), that measure school district success in  
2 improving educational outcomes for all students, are subject to the  
3 requirements of this chapter and related rules only to the extent  
4 required under section 804 of this act.

5 NEW SECTION. **Sec. 1565.** A new section is added to chapter  
6 28A.705 RCW to read as follows:

7 APPLICATION OF CHAPTER—INTERSTATE COMPACT ON EDUCATIONAL  
8 OPPORTUNITY FOR MILITARY CHILDREN. Schools and school districts that  
9 are recognized by the state board of education as being on pace in  
10 accordance with section 804 of this act or having met the performance  
11 targets listed in RCW 28A.150.550 (as recodified by this act), that  
12 measure school district success in improving educational outcomes for  
13 all students, are subject to the requirements of this chapter and  
14 related rules only to the extent required under section 804 of this  
15 act.

16 NEW SECTION. **Sec. 1566.** A new section is added to chapter  
17 28A.715 RCW to read as follows:

18 APPLICATION OF CHAPTER—STATE-TRIBAL EDUCATION COMPACTS AUTHORITY.  
19 Schools and school districts that are recognized by the state board  
20 of education as being on pace in accordance with section 804 of this  
21 act or having met the performance targets listed in RCW 28A.150.550  
22 (as recodified by this act), that measure school district success in  
23 improving educational outcomes for all students, are subject to the  
24 requirements of this chapter and related rules only to the extent  
25 required under section 804 of this act.

26 **PART XVI**

27 **EDUCATION SECTOR EXCELLENCE ASSESSMENT FRAMEWORK**

28 NEW SECTION. **Sec. 1601.** The legislature finds that educational  
29 entities, such as school districts, educational service districts,  
30 and state-level education agencies, can benefit from adopting a  
31 common performance assessment standard. The legislature further finds  
32 that the most efficient and effective standardized performance  
33 assessment is the education sector excellence assessment framework  
34 developed by the national institutes of standards and technology,  
35 United States department of commerce. As a result, the legislature  
36 intends to have school districts, educational service districts, and

1 educational state agencies implement the education sector excellence  
2 assessment framework over the next three years.

3 NEW SECTION. **Sec. 1602.** A new section is added to chapter  
4 28A.320 RCW to read as follows:

5 (1) Beginning in the 2018-19 school year, the office of the  
6 superintendent of public instruction shall select ten school  
7 districts with at least five thousand students or more to pilot  
8 implementation of the education sector excellence assessment  
9 framework developed by the national institutes of standards and  
10 technology, United States department of commerce. Each school  
11 district shall receive a ten thousand dollar grant for the purpose of  
12 implementing the education sector excellence assessment framework,  
13 including contracting with a trained national or state examiner to  
14 assess the operational performance of the school district using the  
15 education sector excellence assessment framework.

16 (2) The office of the superintendent of public instruction shall  
17 develop a phased-in schedule whereby all school districts with at  
18 least five thousand students or more have implemented the education  
19 sector excellence assessment framework by the 2020-21 school year.  
20 The schedule developed by the office of the superintendent of public  
21 instruction must phase in all applicable school districts in order to  
22 ensure availability of trained national or state excellence  
23 assessment examiners. Each school district shall receive a ten  
24 thousand dollar grant at the start of the school year for which the  
25 district was selected to implement the education sector excellence  
26 assessment framework.

27 (3) School districts that have implemented the education sector  
28 excellence assessment framework shall contract with a trained  
29 examiner every three years with the goal of achieving within nine  
30 years a score of seventy percent or higher on the scoring guidelines  
31 published by the national institutes of standards and technology,  
32 United States department of commerce.

33 (4) Beginning in the 2019-20 school year, each school district  
34 that has implemented the education sector excellence assessment  
35 framework shall report the results to the office of the  
36 superintendent of public instruction. The school district must  
37 include in its report a summary of the results of each operational  
38 performance assessment. School districts shall continue to implement



1 the education sector excellence assessment framework and report the  
2 results every three years.

3 NEW SECTION. **Sec. 1603.** A new section is added to chapter  
4 28A.300 RCW to read as follows:

5 The office of the superintendent of public instruction shall:

6 (1) Develop a standardized manner for school districts to report  
7 the results of the implementation of the education sector excellence  
8 assessment framework as required under section 1602 of this act; and

9 (2) Analyze the school district reports to identify processes to  
10 streamline or eliminate in order to improve the school district  
11 results. The analysis must be shared with the school districts and  
12 take into consideration information obtained through any operational  
13 performance assessments conducted in previous years as required in  
14 section 1602 of this act.

15 NEW SECTION. **Sec. 1604.** A new section is added to chapter  
16 28A.310 RCW to read as follows:

17 (1) By December 1, 2019, all educational service districts must  
18 implement the education sector excellence assessment framework  
19 published by the national institutes of standards and technology,  
20 United States department of commerce.

21 (2) Each educational service district must contract with a  
22 trained national or state excellence assessment examiner within a  
23 year of implementation, and every three years thereafter, with the  
24 goal of reaching a score of seventy percent or higher based on the  
25 scoring guidelines published by the national institutes of standards  
26 and technology, United States department of commerce, within a nine-  
27 year period.

28 NEW SECTION. **Sec. 1605.** A new section is added to chapter  
29 28A.300 RCW to read as follows:

30 (1) By December 1, 2019, the office of the superintendent of  
31 public instruction must implement the education sector excellence  
32 assessment framework published by the national institutes of  
33 standards and technology, United States department of commerce.

34 (2) The office of the superintendent of public instruction must  
35 contract with a trained national or state excellence assessment  
36 examiner within a year of implementation, and every three years  
37 thereafter, with the goal of reaching a score of seventy percent or

1 higher based on the scoring guidelines published by the national  
2 institutes of standards and technology, United States department of  
3 commerce, within a nine-year period.

4 NEW SECTION. **Sec. 1606.** A new section is added to chapter  
5 28A.305 RCW to read as follows:

6 (1) By December 1, 2019, the state board of education must  
7 implement the education sector excellence assessment framework  
8 published by the national institutes of standards and technology,  
9 United States department of commerce.

10 (2) The state board of education must contract with a trained  
11 national or state excellence assessment examiner within a year of  
12 implementation, and every three years thereafter, with the goal of  
13 reaching a score of seventy percent or higher based on the scoring  
14 guidelines published by the national institutes of standards and  
15 technology, United States department of commerce, within a nine-year  
16 period.

17 NEW SECTION. **Sec. 1607.** A new section is added to chapter  
18 28A.410 RCW to read as follows:

19 (1) By December 1, 2019, the professional educator standards  
20 board must implement the education sector excellence assessment  
21 framework published by the national institutes of standards and  
22 technology, United States department of commerce.

23 (2) The professional educator standards board must contract with  
24 a trained national or state excellence assessment examiner within a  
25 year of implementation, and every three years thereafter, with the  
26 goal of reaching a score of seventy percent or higher based on the  
27 scoring guidelines published by the national institutes of standards  
28 and technology, United States department of commerce, within a nine-  
29 year period.

30 NEW SECTION. **Sec. 1608.** A new section is added to chapter  
31 28A.345 RCW to read as follows:

32 (1) By December 1, 2019, the Washington state school directors'  
33 association must implement the education sector excellence assessment  
34 framework published by the national institutes of standards and  
35 technology, United States department of commerce.

36 (2) The Washington state school directors' association must  
37 contract with a trained national or state excellence assessment

1 examiner within a year of implementation, and every three years  
2 thereafter, with the goal of reaching a score of seventy percent or  
3 higher based on the scoring guidelines published by the national  
4 institutes of standards and technology, United States department of  
5 commerce, within a nine-year period.

6 NEW SECTION. **Sec. 1609.** A new section is added to chapter  
7 43.06B RCW to read as follows:

8 (1) By December 1, 2019, the office of the education ombuds must  
9 implement the education sector excellence assessment framework  
10 published by the national institutes of standards and technology,  
11 United States department of commerce.

12 (2) The office of the education ombuds must contract with a  
13 trained national or state excellence assessment examiner within a  
14 year of implementation, and every three years thereafter, with the  
15 goal of reaching a score of seventy percent or higher based on the  
16 scoring guidelines published by the national institutes of standards  
17 and technology, United States department of commerce, within a nine-  
18 year period.

19 **PART XVII**

20 **AUTHORITY TO REMOVE TEACHERS DETRIMENTAL TO STUDENT ACADEMIC**  
21 **PERFORMANCE**

22 **Sec. 1701.** RCW 28A.405.140 and 1993 c 336 s 403 are each amended  
23 to read as follows:

24 (1) After an evaluation conducted pursuant to RCW 28A.405.100,  
25 the principal or the evaluator may require the teacher to take in-  
26 service training provided by the district in the area of teaching  
27 skills needing improvement, and may require the teacher to have a  
28 mentor for purposes of achieving such improvement.

29 (2) Notwithstanding the provisions of RCW 28A.405.210,  
30 28A.405.220, 28A.405.300, 28A.405.310, and 28A.405.320, if, for three  
31 consecutive years or three nonconsecutive years within any five-year  
32 period, clear improvement is not demonstrated based on the in-service  
33 training and mentoring provided pursuant to subsection (1) of this  
34 section and after a finding that the lack of a teacher's progress in  
35 improving his or her teaching skills is detrimental to the academic  
36 performance of the teacher's students, the principal may initiate an  
37 action to dismiss the teacher. In the event the principal makes this

1 determination, the teacher shall be notified in writing. The  
2 notification must include a detailed explanation of the reasons for  
3 the principal making this determination.

4 (3) Within ten days of receiving notice pursuant to this section,  
5 every teacher receiving such notice, at his or her request, must be  
6 provided an opportunity to meet informally with the principal for the  
7 purpose of requesting that the principal reconsider his or her  
8 decision. At the meeting, the teacher must be given the opportunity  
9 to refute any facts upon which the principal's determination was  
10 made.

11 (4) Within ten days following the meeting with the teacher, the  
12 principal must either reinstate the teacher or must submit to the  
13 school district board of directors for consideration at its next  
14 regular meeting a written report recommending that the employment  
15 contract of the teacher be terminated. A copy of the report must be  
16 delivered to the teacher at least ten days before the scheduled  
17 meeting of the board of directors. At the board of directors'  
18 meeting, the teacher must be given the opportunity to present  
19 information and provide documentation refuting any facts upon which  
20 the principal's determination was made.

21 (5) The board of directors must notify the teacher in writing of  
22 its final decision within ten days following the meeting at which the  
23 principal's recommendation was considered. The decision of the board  
24 of directors to terminate the contract of a teacher pursuant to this  
25 section is final and not subject to appeal.

26 (6) All school district collective bargaining agreements signed,  
27 adopted, or renewed after the effective date of this section must  
28 include provisions consistent with this section.

29 **Sec. 1702.** RCW 28A.405.220 and 2016 c 85 s 2 are each amended to  
30 read as follows:

31 (1) Notwithstanding the provisions of RCW 28A.405.140 and  
32 28A.405.210, every person employed by a school district in a teaching  
33 or other nonsupervisory certificated position shall be subject to  
34 nonrenewal of employment contract as provided in this section during  
35 the first three years of employment by such district, unless: (a) The  
36 employee has previously completed at least two years of certificated  
37 employment in another school district in the state of Washington, in  
38 which case the employee shall be subject to nonrenewal of employment  
39 contract pursuant to this section during the first year of employment

1 with the new district; or (b) the employee has received an evaluation  
2 rating below level 2 on the four-level rating system established  
3 under RCW 28A.405.100 during the third year of employment, in which  
4 case the employee shall remain subject to the nonrenewal of the  
5 employment contract until the employee receives a level 2 rating; or  
6 (c) the school district superintendent may make a determination to  
7 remove an employee from provisional status if the employee has  
8 received one of the top two evaluation ratings during the second year  
9 of employment by the district. Employees as defined in this section  
10 shall hereinafter be referred to as "provisional employees."

11 (2) In the event the superintendent of the school district  
12 determines that the employment contract of any provisional employee  
13 should not be renewed by the district for the next ensuing term such  
14 provisional employee shall be notified thereof in writing on or  
15 before May 15th preceding the commencement of such school term, or if  
16 the omnibus appropriations act has not passed the legislature by the  
17 end of the regular legislative session for that year, then  
18 notification shall be no later than June 15th, which notification  
19 shall state the reason or reasons for such determination. Such notice  
20 shall be served upon the provisional employee personally, or by  
21 certified or registered mail, or by leaving a copy of the notice at  
22 the place of his or her usual abode with some person of suitable age  
23 and discretion then resident therein. The determination of the  
24 superintendent shall be subject to the evaluation requirements of RCW  
25 28A.405.100.

26 (3) Every such provisional employee so notified, at his or her  
27 request made in writing and filed with the superintendent of the  
28 district within ten days after receiving such notice, shall be given  
29 the opportunity to meet informally with the superintendent for the  
30 purpose of requesting the superintendent to reconsider his or her  
31 decision. Such meeting shall be held no later than ten days following  
32 the receipt of such request, and the provisional employee shall be  
33 given written notice of the date, time and place of meeting at least  
34 three days prior thereto. At such meeting the provisional employee  
35 shall be given the opportunity to refute any facts upon which the  
36 superintendent's determination was based and to make any argument in  
37 support of his or her request for reconsideration.

38 (4) Within ten days following the meeting with the provisional  
39 employee, the superintendent shall either reinstate the provisional  
40 employee or shall submit to the school district board of directors

1 for consideration at its next regular meeting a written report  
2 recommending that the employment contract of the provisional employee  
3 be nonrenewed and stating the reason or reasons therefor. A copy of  
4 such report shall be delivered to the provisional employee at least  
5 three days prior to the scheduled meeting of the board of directors.  
6 In taking action upon the recommendation of the superintendent, the  
7 board of directors shall consider any written communication which the  
8 provisional employee may file with the secretary of the board at any  
9 time prior to that meeting.

10 (5) The board of directors shall notify the provisional employee  
11 in writing of its final decision within ten days following the  
12 meeting at which the superintendent's recommendation was considered.  
13 The decision of the board of directors to nonrenew the contract of a  
14 provisional employee shall be final and not subject to appeal.

15 (6) This section applies to any person employed by a school  
16 district in a teaching or other nonsupervisory certificated position  
17 after June 25, 1976. This section provides the exclusive means for  
18 nonrenewing the employment contract of a provisional employee and no  
19 other provision of law shall be applicable thereto, including,  
20 without limitation, RCW 28A.405.210 and chapter 28A.645 RCW.

21 **PART XVIII**  
22 **REPEALERS**

23 NEW SECTION. **Sec. 1801.** The following acts or parts of acts are  
24 each repealed:

25 (1) RCW 28A.150.198 (Finding—Intent—2009 c 548) and 2009 c 548 s  
26 1;

27 (2) RCW 28A.150.261 (State funding to support instructional  
28 program of basic education—Schedule of increased allocations) and  
29 2015 3rd sp.s. c 38 s 2 & 2015 c 2 s 3;

30 (3) RCW 28A.160.150 (Student transportation allocation—Operating  
31 costs, determination and funding) and 2009 c 548 s 304, 1996 c 279 s  
32 1, 1990 c 33 s 141, 1983 1st ex.s. c 61 s 2, & 1981 c 265 s 1;

33 (4) RCW 28A.160.160 (Student transportation allocation—  
34 Definitions) and 2009 c 548 s 305, 1996 c 279 s 2, 1995 c 77 s 17,  
35 1990 c 33 s 142, 1983 1st ex.s. c 61 s 3, & 1981 c 265 s 2;

36 (5) RCW 28A.160.180 (Student transportation allocation  
37 determination—Report) and 2009 c 548 s 307, 1996 c 279 s 3, 1995 c 77

1 s 18, 1990 c 33 s 144, 1985 c 59 s 1, 1983 1st ex.s. c 61 s 5, 1982  
2 1st ex.s. c 24 s 2, & 1981 c 265 s 4;

3 (6) RCW 28A.160.190 (Student transportation allocation—Notice—  
4 Payment schedule) and 2009 c 548 s 308, 1990 c 33 s 145, 1985 c 59 s  
5 2, 1983 1st ex.s. c 61 s 6, 1982 1st ex.s. c 24 s 3, & 1981 c 265 s  
6 5;

7 (7) RCW 28A.160.191 (Student transportation allocation—Adequacy  
8 for certain districts—Adjustment) and 2009 c 548 s 309;

9 (8) RCW 28A.160.192 (Student transportation allocation—  
10 Distribution formula) and 2011 1st sp.s. c 27 s 3, 2010 c 236 s 8, &  
11 2009 c 548 s 311;

12 (9) RCW 28A.160.205 (School bus replacement incentive program—  
13 Rules) and 2007 c 348 s 101;

14 (10) RCW 28A.180.080 (Allocation of moneys for bilingual  
15 instruction program) and 2009 c 548 s 705, 1995 c 335 s 601, 1990 c  
16 33 s 167, & 1979 c 95 s 6;

17 (11) RCW 28A.300.173 (Prototypical funding model—District  
18 allocation of state resources—Public access on internet-based portal)  
19 and 2010 c 236 s 12;

20 (12) RCW 28A.300.2851 (School bullying and harassment—Work group)  
21 and 2013 c 23 s 51 & 2011 c 185 s 2;

22 (13) RCW 28A.400.201 (Enhanced salary allocation model for  
23 educator development and certification—Technical working group—  
24 Report and recommendation) and 2016 c 162 s 4, 2011 1st sp.s. c 43 s  
25 468, 2010 c 236 s 7, & 2009 c 548 s 601;

26 (14) RCW 28A.405.200 (Annual salary schedules as basis for  
27 salaries of certificated employees) and 1969 ex.s. c 283 s 1;

28 (15) RCW 28A.415.020 (Credit on salary schedule for approved in-  
29 service training, continuing education, and internship) and 2011 1st  
30 sp.s. c 18 s 5, 2007 c 319 s 3, 2006 c 263 s 808, 1995 c 284 s 2,  
31 1990 c 33 s 415, & 1987 c 519 s 1;

32 (16) RCW 28A.415.023 (Credit on salary schedule for approved in-  
33 service training, continuing education, or internship—Course content  
34 —Rules) and 2012 c 35 s 6 & 2011 1st sp.s. c 18 s 6;

35 (17) RCW 28A.415.024 (Credit on salary schedule—Accredited  
36 institutions—Verification—Penalty for submitting credits from  
37 unaccredited institutions) and 2006 c 263 s 809 & 2005 c 461 s 1;

38 (18) RCW 28A.415.025 (Internship clock hours—Rules) and 2006 c  
39 263 s 810 & 1995 c 284 s 3;

- 1 (19) 2015 c 2 s 1 (uncodified);
- 2 (20) 2015 c 2 s 4 (uncodified); and
- 3 (21) 2015 3rd sp.s. c 38 s 3 and 2015 c 2 s 5 (uncodified).

4 NEW SECTION. **Sec. 1802.** The following acts or parts of acts are  
5 each repealed, effective September 1, 2018:

6 (1) RCW 28A.150.260 (Allocation of state funding to support  
7 instructional program of basic education—Distribution formula—  
8 Prototypical schools—Enhancements and adjustments—Review and  
9 approval—Enrollment calculation) and 2015 c 2 s 2, 2014 c 217 s 206,  
10 2011 1st sp.s. c 27 s 2, (2011 1st sp.s. c 34 s 9 expired July 1,  
11 2013), 2010 c 236 s 2, 2009 c 548 s 106, 2006 c 263 s 322, 1997 c 13  
12 s 2, (1997 c 13 s 1 and 1995 c 77 s 2 expired September 1, 2000),  
13 1995 c 77 s 3, 1992 c 141 s 507, 1992 c 141 s 303, 1991 c 116 s 10,  
14 1990 c 33 s 108, 1987 1st ex.s. c 2 s 202, 1985 c 349 s 5, 1983 c 229  
15 s 1, 1979 ex.s. c 250 s 3, 1979 c 151 s 12, 1977 ex.s. c 359 s 5, &  
16 1969 ex.s. c 244 s 14;

17 (2) RCW 28A.400.205 (Cost-of-living increases for employees) and  
18 2013 2nd sp.s. c 5 s 1, 2011 1st sp.s. c 18 s 1, 2009 c 573 s 1, 2003  
19 1st sp.s. c 20 s 1, & 2001 c 4 s 2; and

20 (3) RCW 28A.400.206 (Cost-of-living increases—Duty of state) and  
21 2003 1st sp.s. c 20 s 2 & 2001 c 4 s 1.

22 **PART XIV**  
23 **DECODIFICATION**

24 NEW SECTION. **Sec. 1901.** RCW 28A.405.110 (Evaluations—  
25 Legislative findings) is decodified.

26 **PART XX**  
27 **RECODIFICATION**

28 NEW SECTION. **Sec. 2001.** (1) RCW 28A.150.230, 28A.150.300, and  
29 28A.150.305 are each recodified as sections in chapter 28A.320 RCW.

30 (2) RCW 28A.150.240 is recodified as a section in chapter 28A.405  
31 RCW.

32 (3) RCW 28A.150.550 is recodified as a section in chapter 28A.657  
33 RCW.



