
SENATE BILL 5594

State of Washington

67th Legislature

2022 Regular Session

By Senators Short, Wellman, Hasegawa, Padden, and Wagoner

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1 AN ACT Relating to public school instruction in awareness of bone
2 marrow donation; amending RCW 28A.710.040 and 28A.715.020; adding a
3 new section to chapter 28A.230 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature recognizes that it has
6 previously found that every three minutes an American child or adult
7 is diagnosed with a potentially fatal blood disease. For many of
8 these individuals, bone marrow transplantation is the only chance for
9 survival. The legislature finds that 70 percent of patients do not
10 have a fully matched donor in their family and rely on a registry to
11 find an unrelated donor. The legislature further finds that 40 to 71
12 percent of individuals with diverse heritage never find a bone marrow
13 match. The ultimate key to survivability lies in increasing the
14 number of bone marrow donors across all ethnicities, which will
15 increase the potential for a suitable match.

16 (2) It is the intent of the legislature to continue to increase
17 awareness of bone marrow donation by requiring school districts,
18 charter schools, and state-tribal compact schools to offer
19 instruction on this topic to high school students in at least one
20 health class necessary for graduation. The legislature also intends

1 for this instruction to be optional for elementary and middle school
2 students.

3 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.230
4 RCW to read as follows:

5 (1) Each school district that serves students in any of grades
6 nine through 12 must offer instruction in awareness of bone marrow
7 donation to students as provided in this section. Beginning with the
8 2022-23 school year, instruction in awareness of bone marrow donation
9 must be included in at least one health class necessary for
10 graduation.

11 (2)(a) Instruction in awareness of bone marrow donation under
12 this section must be an instructional program provided by the
13 national marrow donor program or other relevant nationally recognized
14 organization.

15 (b) The office of the superintendent of public instruction must
16 post on its website a link to the instructional program described in
17 this subsection (2).

18 (3) Each school district that serves students in any of grades
19 kindergarten through eight may offer instruction in awareness of bone
20 marrow donation to students. The instruction described in subsection
21 (2) of this section may be adapted to be age appropriate.

22 (4) School districts may offer the instruction in awareness of
23 bone marrow donation directly or arrange for the instruction to be
24 provided by available community-based providers. The instruction is
25 not required to be provided by certificated instructional staff.

26 **Sec. 3.** RCW 28A.710.040 and 2018 c 75 s 9 are each amended to
27 read as follows:

28 (1) A charter school must operate according to the terms of its
29 charter contract and the provisions of this chapter.

30 (2) A charter school must:

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

36 (b) Provide a program of basic education, that meets the goals in
37 RCW 28A.150.210, including instruction in the essential academic

1 learning requirements, and participate in the statewide student
2 assessment system as developed under RCW 28A.655.070;

3 (c) Provide instruction in awareness of bone marrow donation that
4 satisfies the requirements of section 2 of this act;

5 (d) Comply with the screening and intervention requirements under
6 RCW 28A.320.260;

7 (~~(d)~~) (e) Employ certificated instructional staff as required
8 in RCW 28A.410.025. Charter schools, however, may hire
9 noncertificated instructional staff of unusual competence and in
10 exceptional cases as specified in RCW 28A.150.203(7);

11 (~~(e)~~) (f) Comply with the employee record check requirements in
12 RCW 28A.400.303;

13 (~~(f)~~) (g) Adhere to generally accepted accounting principles
14 and be subject to financial examinations and audits as determined by
15 the state auditor, including annual audits for legal and fiscal
16 compliance;

17 (~~(g)~~) (h) Comply with the annual performance report under RCW
18 28A.655.110;

19 (~~(h)~~) (i) Be subject to the performance improvement goals
20 adopted by the state board of education under RCW 28A.305.130;

21 (~~(i)~~) (j) Comply with the open public meetings act in chapter
22 42.30 RCW and public records requirements in chapter 42.56 RCW; and

23 (~~(j)~~) (k) Be subject to and comply with legislation enacted
24 after December 6, 2012, that governs the operation and management of
25 charter schools.

26 (3) Charter public schools must comply with all state statutes
27 and rules made applicable to the charter school in the school's
28 charter contract, and are subject to the specific state statutes and
29 rules identified in subsection (2) of this section. For the purpose
30 of allowing flexibility to innovate in areas such as scheduling,
31 personnel, funding, and educational programs to improve student
32 outcomes and academic achievement, charter schools are not subject
33 to, and are exempt from, all other state statutes and rules
34 applicable to school districts and school district boards of
35 directors. Except as provided otherwise by this chapter or a charter
36 contract, charter schools are exempt from all school district
37 policies.

38 (4) A charter school may not engage in any sectarian practices in
39 its educational program, admissions or employment policies, or
40 operations.

1 (5) Charter schools are subject to the supervision of the
2 superintendent of public instruction and the state board of
3 education, including accountability measures, to the same extent as
4 other public schools, except as otherwise provided in this chapter.

5 **Sec. 4.** RCW 28A.715.020 and 2013 c 242 s 3 are each amended to
6 read as follows:

7 (1) A school that is the subject of a state-tribal education
8 compact must operate according to the terms of its compact executed
9 in accordance with RCW 28A.715.010.

10 (2) Schools that are the subjects of state-tribal education
11 compacts are exempt from all state statutes and rules applicable to
12 school districts and school district boards of directors, except
13 those statutes and rules made applicable under this chapter and in
14 the state-tribal education compact executed under RCW 28A.715.010.

15 (3) Each school that is the subject of a state-tribal education
16 compact must:

17 (a) Provide a curriculum and conduct an educational program that
18 satisfies the requirements of RCW 28A.150.200 through 28A.150.240 and
19 28A.230.010 through 28A.230.195;

20 (b) Provide instruction in awareness of bone marrow donation that
21 satisfies the requirements of section 2 of this act;

22 (c) Employ certificated instructional staff as required in RCW
23 28A.410.010, however such schools may hire noncertificated
24 instructional staff of unusual competence and in exceptional cases as
25 specified in RCW 28A.150.203(7);

26 ~~((e))~~ (d) Comply with the employee record check requirements in
27 RCW 28A.400.303 and the mandatory termination and notification
28 provisions of RCW 28A.400.320, 28A.400.330, 28A.405.470, and
29 28A.405.475;

30 ~~((d))~~ (e) Comply with nondiscrimination laws;

31 ~~((e))~~ (f) Adhere to generally accepted accounting principles
32 and be subject to financial examinations and audits as determined by
33 the state auditor, including annual audits for legal and fiscal
34 compliance; and

35 ~~((f))~~ (g) Be subject to and comply with legislation enacted
36 after July 28, 2013, governing the operation and management of
37 schools that are the subject of a state-tribal education compact.

1 (4) No such school may engage in any sectarian practices in its
2 educational program, admissions or employment policies, or
3 operations.

4 (5) Nothing in this chapter may limit or restrict any enrollment
5 or school choice options otherwise available under (~~Title 28A RCW~~)
6 this title.

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