

CERTIFICATION OF ENROLLMENT  
**ENGROSSED SUBSTITUTE SENATE BILL 5946**

63rd Legislature  
2013 2nd Special Session

Passed by the Senate June 28, 2013  
YEAS 46 NAYS 2

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**President of the Senate**

Passed by the House June 28, 2013  
YEAS 69 NAYS 23

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Hunter G. Goodman, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5946** as passed by the Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

35 **PART II**

36 **REQUIRING THE LEARNING ASSISTANCE PROGRAM TO BE EVIDENCE-BASED**

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

34 (g) Up to five percent of a district's learning assistance program  
35 allocation may be used for development of partnerships with community-  
36 based organizations, educational service districts, and other local  
37 agencies to deliver academic and nonacademic supports to participating

1 students who are significantly at risk of not being successful in  
2 school to reduce barriers to learning, increase student engagement, and  
3 enhance students' readiness to learn. The office of the superintendent  
4 of public instruction must approve any community-based organization or  
5 local agency before learning assistance funds may be expended.

6 (3) In addition to the state menu developed under section 106 of  
7 this act, the office of the superintendent of public instruction shall  
8 convene a panel of experts, including the Washington state institute  
9 for public policy, to develop additional state menus of best practices  
10 and strategies for use in the learning assistance program to assist  
11 struggling students at all grade levels in English language arts and  
12 mathematics and reduce disruptive behaviors in the classroom. The  
13 office of the superintendent of public instruction shall publish the  
14 state menus by July 1, 2015, and update the state menus by each July  
15 1st thereafter.

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

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

32 (c) Beginning in the 2016-17 school year, school districts may  
33 enter cooperative agreements with state agencies, local governments, or  
34 school districts for administrative or operational costs needed to  
35 provide services in accordance with the state menus developed under  
36 this section and section 106 of this act.

37 (5) School districts are encouraged to implement best practices and

1 strategies from the state menus developed under this section and  
2 section 106 of this act before the use is required.

3 NEW SECTION. **Sec. 204.** A new section is added to chapter 28A.165  
4 RCW to read as follows:

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

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

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

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

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

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

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

26 (~~Each school district with an approved program is eligible for~~  
27 ~~state funds provided for the learning assistance program.~~) The funds  
28 for the learning assistance program shall be appropriated (~~for the~~  
29 ~~learning assistance program~~) in accordance with RCW 28A.150.260 and  
30 the omnibus appropriations act. The distribution formula is for school  
31 district allocation purposes only, but funds appropriated for the  
32 learning assistance program must be expended for the purposes of RCW  
33 28A.165.005 through 28A.165.065 and section 106 of this act.

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

1 To ensure that school districts are meeting the requirements of  
2 ((an approved program)) this chapter, the superintendent of public  
3 instruction shall monitor ((such)) learning assistance programs no less  
4 than once every four years. ((Individual student records shall be  
5 maintained at the school district.)) The primary purpose of program  
6 monitoring is to evaluate the effectiveness of a district's allocation  
7 and expenditure of resources and monitor school district fidelity in  
8 implementing best practices. The office of the superintendent of  
9 public instruction may provide technical assistance to school districts  
10 to improve the effectiveness of a learning assistance program.

11 **PART III**  
12 **STUDENT DISCIPLINE**

13 NEW SECTION. Sec. 301. A new section is added to chapter 28A.600  
14 RCW to read as follows:

15 (1) The office of the superintendent of public instruction shall  
16 convene a discipline task force to develop standard definitions for  
17 causes of student disciplinary actions taken at the discretion of the  
18 school district. The task force must also develop data collection  
19 standards for disciplinary actions that are discretionary and for  
20 disciplinary actions that result in the exclusion of a student from  
21 school. The data collection standards must include data about  
22 education services provided while a student is subject to a  
23 disciplinary action, the status of petitions for readmission to the  
24 school district when a student has been excluded from school, credit  
25 retrieval during a period of exclusion, and school dropout as a result  
26 of disciplinary action.

27 (2) The discipline task force shall include representatives from  
28 the K-12 data governance group, the educational opportunity gap  
29 oversight and accountability committee, the state ethnic commissions,  
30 the governor's office of Indian affairs, the office of the education  
31 ombudsman, school districts, and other education and advocacy  
32 organizations.

33 (3) The office of the superintendent of public instruction and the  
34 K-12 data governance group shall revise the statewide student data  
35 system to incorporate the student discipline data collection standards

1 recommended by the discipline task force, and begin collecting data  
2 based on the revised standards in the 2015-16 school year.

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

5 (1) The superintendent of public instruction shall adopt and  
6 distribute to all school districts lawful and reasonable rules  
7 prescribing the substantive and procedural due process guarantees of  
8 pupils in the common schools. Such rules shall authorize a school  
9 district to use informal due process procedures in connection with the  
10 short-term suspension of students to the extent constitutionally  
11 permissible: PROVIDED, That the superintendent of public instruction  
12 deems the interest of students to be adequately protected. When a  
13 student suspension or expulsion is appealed, the rules shall authorize  
14 a school district to impose the suspension or expulsion temporarily  
15 after an initial hearing for no more than ten consecutive school days  
16 or until the appeal is decided, whichever is earlier. Any days that  
17 the student is temporarily suspended or expelled before the appeal is  
18 decided shall be applied to the term of the student suspension or  
19 expulsion and shall not limit or extend the term of the student  
20 suspension or expulsion. An expulsion or suspension of a student may  
21 not be for an indefinite period of time.

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

24 (3) Emergency expulsions must end or be converted to another form  
25 of corrective action within ten school days from the date of the  
26 emergency removal from school. Notice and due process rights must be  
27 provided when an emergency expulsion is converted to another form of  
28 corrective action.

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

31 (1) The rules adopted pursuant to RCW 28A.600.010 shall be  
32 interpreted to ensure that the optimum learning atmosphere of the  
33 classroom is maintained, and that the highest consideration is given to  
34 the judgment of qualified certificated educators regarding conditions  
35 necessary to maintain the optimum learning atmosphere.

1 (2) Any student who creates a disruption of the educational process  
2 in violation of the building disciplinary standards while under a  
3 teacher's immediate supervision may be excluded by the teacher from his  
4 or her individual classroom and instructional or activity area for all  
5 or any portion of the balance of the school day, or up to the following  
6 two days, or until the principal or designee and teacher have  
7 conferred, whichever occurs first. Except in emergency circumstances,  
8 the teacher first must attempt one or more alternative forms of  
9 corrective action. In no event without the consent of the teacher may  
10 an excluded student return to the class during the balance of that  
11 class or activity period or up to the following two days, or until the  
12 principal or his or her designee and the teacher have conferred.

13 (3) In order to preserve a beneficial learning environment for all  
14 students and to maintain good order and discipline in each classroom,  
15 every school district board of directors shall provide that written  
16 procedures are developed for administering discipline at each school  
17 within the district. Such procedures shall be developed with the  
18 participation of parents and the community, and shall provide that the  
19 teacher, principal or designee, and other authorities designated by the  
20 board of directors, make every reasonable attempt to involve the parent  
21 or guardian and the student in the resolution of student discipline  
22 problems. Such procedures shall provide that students may be excluded  
23 from their individual classes or activities for periods of time in  
24 excess of that provided in subsection (2) of this section if such  
25 students have repeatedly disrupted the learning of other students. The  
26 procedures must be consistent with the rules of the superintendent of  
27 public instruction and must provide for early involvement of parents in  
28 attempts to improve the student's behavior.

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

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

36 ((+a)) (i) Engages in two or more violations within a three-year  
37 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,  
38 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

1        (~~(b)~~) (ii) Engages in one or more of the offenses listed in RCW  
2 13.04.155.

3        (b) The principal shall communicate the disciplinary action taken  
4 by the principal to the school personnel who referred the student to  
5 the principal for disciplinary action.

6        (6) Any corrective action involving a suspension or expulsion from  
7 school for more than ten days must have an end date of not more than  
8 one calendar year from the time of corrective action. Districts shall  
9 make reasonable efforts to assist students and parents in returning to  
10 an educational setting prior to and no later than the end date of the  
11 corrective action. Where warranted based on public health or safety,  
12 a school may petition the superintendent of the school district,  
13 pursuant to policies and procedures adopted by the office of the  
14 superintendent of public instruction, for authorization to exceed the  
15 one calendar year limitation provided in this subsection. The  
16 superintendent of public instruction shall adopt rules outlining the  
17 limited circumstances in which a school may petition to exceed the one  
18 calendar year limitation, including safeguards to ensure that the  
19 school district has made every effort to plan for the student's return  
20 to school. School districts shall report to the office of the  
21 superintendent of public instruction the number of petitions made to  
22 the school board and the number of petitions granted on an annual  
23 basis.

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

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

33        The state of Washington excludes tens of thousands of students from  
34 school each year due to out-of-school suspensions and expulsions. Out-  
35 of-school suspensions and expulsions contribute to poor academic  
36 achievement, lower graduation rates, and higher dropout rates. It is  
37 the intent of the legislature to minimize the use of out-of-school

1 suspension and expulsion and its impact on student achievement by  
2 reducing the number of days that students are excluded from school due  
3 to disciplinary action. Student behavior should not result in the loss  
4 of educational opportunity in the public school system.

5 School districts are encouraged to find alternatives to suspension  
6 including reducing the length of a student's suspension conditioned by  
7 the commencement of counseling or other treatment services. Consistent  
8 with current law, the conditioning of a student's suspension does not  
9 obligate the school district to pay for the counseling or other  
10 treatment services except for those stipulated and agreed to by the  
11 district at the inception of the suspension.

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

14 (1) School district boards of directors shall adopt policies that  
15 restore discipline to the classroom. Such policies must provide for at  
16 least the following: Allowing each teacher to take disciplinary action  
17 to correct a student who disrupts normal classroom activities, abuses  
18 or insults a teacher as prohibited by RCW 28A.635.010, willfully  
19 disobeys a teacher, uses abusive or foul language directed at a school  
20 district employee, school volunteer, or another student, violates  
21 school rules, or who interferes with an orderly education process.  
22 Disciplinary action may include but is not limited to: Oral or written  
23 reprimands; written notification to parents of disruptive behavior, a  
24 copy of which must be provided to the principal.

25 (2) A student committing an offense under chapter 9A.36, 9A.40,  
26 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,  
27 shall not be assigned to that teacher's classroom for the duration of  
28 the student's attendance at that school or any other school where the  
29 teacher is assigned.

30 (3) A student who commits an offense under chapter 9A.36, 9A.40,  
31 9A.46, or 9A.48 RCW, when directed toward another student, may be  
32 removed from the classroom of the victim for the duration of the  
33 student's attendance at that school or any other school where the  
34 victim is enrolled. A student who commits an offense under one of the  
35 chapters enumerated in this section against a student or another school  
36 employee, may be expelled or suspended.



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

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

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

15 (1)(a) The superintendent of public instruction shall adopt rules  
16 establishing a standard definition of student absence from school. In  
17 adopting the definition, the superintendent shall review current  
18 practices in Washington school districts, definitions used in other  
19 states, and any national standards or definitions used by the national  
20 center for education statistics or other national groups. The  
21 superintendent shall also consult with the building bridges work group  
22 established under RCW 28A.175.075.

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

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

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

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

1        (ii) Disaggregated and cross-tabulated as established under RCW  
2 28A.300.042.

3        (c) School districts must collect and submit student attendance  
4 data and student discipline data for high school students through the  
5 comprehensive education and data research system for purposes of the  
6 PASS program under RCW 28A.175.130 beginning in the 2012-13 school  
7 year.

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

10        (1) All student data-related reports required of the superintendent  
11 of public instruction in this title must be disaggregated by at least  
12 the following subgroups of students: White, Black, Hispanic, American  
13 Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low  
14 income, transitional bilingual, migrant, special education, and  
15 students covered by section 504 of the federal rehabilitation act of  
16 1973, as amended (29 U.S.C. Sec. 794).

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

21        (a) Gender;

22        (b) Foster care;

23        (c) Homeless, if known;

24        (d) School district;

25        (e) School;

26        (f) Grade level;

27        (g) Behavior infraction code, including:

28        (i) Bullying;

29        (ii) Tobacco;

30        (iii) Alcohol;

31        (iv) Illicit drug;

32        (v) Fighting without major injury;

33        (vi) Violence without major injury;

34        (vii) Violence with major injury;

35        (viii) Possession of a weapon; and

36        (ix) Other behavior resulting from a short-term or long-term

1 suspension, expulsion, or interim alternative education setting  
2 intervention;

- 3 (h) Intervention applied, including:
- 4 (i) Short-term suspension;
- 5 (ii) Long-term suspension;
- 6 (iii) Emergency expulsion;
- 7 (iv) Expulsion;
- 8 (v) Interim alternative education settings;
- 9 (vi) No intervention applied; and
- 10 (vii) Other intervention applied that is not described in this  
11 subsection (2)(h);

- 12 (i) Number of days a student is suspended or expelled, to be  
13 counted in half or full days; and
- 14 (j) Any other categories added at a future date by the data  
15 governance group.

16 (3) All student data-related reports required of the superintendent  
17 of public instruction regarding student suspensions and expulsions as  
18 required in RCW 28A.300.046 are subject to cross-tabulation at a  
19 minimum by the following:

- 20 (a) School and district;
- 21 (b) Race, low income, special education, transitional bilingual,  
22 migrant, foster care, homeless, students covered by section 504 of the  
23 federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794),  
24 and categories to be added in the future;
- 25 (c) Behavior infraction code; and
- 26 (d) Intervention applied.

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

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

36 (2) In developing a reengagement plan, school districts should  
37 consider shortening the length of time that the student is suspended or

1 expelled, other forms of corrective action, and supportive  
2 interventions that aid in the student's academic success and keep the  
3 student engaged and on track to graduate. School districts must create  
4 a reengagement plan tailored to the student's individual circumstances,  
5 including consideration of the incident that led to the student's long-  
6 term suspension or expulsion. The plan should aid the student in  
7 taking the necessary steps to remedy the situation that led to the  
8 student's suspension or expulsion.

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

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

16 **PART IV**  
17 **EDUCATOR SUPPORT PROGRAM**

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

20 (1) The educator support program is established to provide  
21 professional development and mentor support for beginning educators and  
22 educators on probation under RCW 28A.405.100, to be composed of the  
23 beginning educator support team for beginning educators and continuous  
24 improvement coaching for educators on probation, as provided in this  
25 section.

26 (2)(a) Subject to funds appropriated for this specific purpose, the  
27 office of the superintendent of public instruction shall allocate funds  
28 for the beginning educator support team on a competitive basis to  
29 individual school districts or consortia of districts. School  
30 districts are encouraged to include educational service districts in  
31 creating regional consortia. In allocating funds, the office of the  
32 superintendent of public instruction shall give priority to school  
33 districts with low-performing schools identified under RCW 28A.657.020  
34 as being challenged schools in need of improvement. A portion of the

1 appropriated funds may be used for program coordination and provision  
2 of statewide or regional professional development through the office of  
3 the superintendent of public instruction.

4 (b) A beginning educator support team must include the following  
5 components:

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

8 (ii) Assignment of a trained and qualified mentor for the first  
9 three years for beginning educators, with intensive support in the  
10 first year and decreasing support over the following years depending on  
11 the needs of the beginning educator;

12 (iii) Professional development for beginning educators that is  
13 designed to meet their unique needs for supplemental training and skill  
14 development;

15 (iv) Professional development for mentors;

16 (v) Release time for mentors and their designated educators to work  
17 together, as well as time for educators to observe accomplished peers;  
18 and

19 (vi) A program evaluation using a standard evaluation tool provided  
20 from the office of the superintendent of public instruction that  
21 measures increased knowledge, skills, and positive impact on student  
22 learning for program participants.

23 (3) Subject to funds separately appropriated for this specific  
24 purpose, the beginning educator support team components under  
25 subsection (2) of this section may be provided for continuous  
26 improvement coaching to support educators on probation under RCW  
27 28A.405.100.

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

30 It shall be the responsibility of each educational service district  
31 board to establish a center for the improvement of teaching. The  
32 center shall administer, coordinate, and act as fiscal agent for such  
33 programs related to the recruitment and training of certificated and  
34 classified K-12 education personnel as may be delegated to the center  
35 by the superintendent of public instruction under RCW 28A.310.470. To  
36 assist in these activities, each educational service district board  
37 shall establish an improvement of teaching coordinating council to

1 include, at a minimum, representatives as specified in RCW 28A.415.040.  
2 An existing in-service training task force, established pursuant to RCW  
3 28A.415.040, may serve as the improvement of teaching coordinating  
4 council. The educational service district board shall ensure  
5 coordination of programs established pursuant to RCW 28A.415.030,  
6 28A.410.060, and (~~28A.415.250~~) section 401 of this act.

7 The educational service district board may arrange each year for  
8 the holding of one or more teachers' institutes and/or workshops for  
9 professional staff preparation and in-service training in such manner  
10 and at such time as the board believes will be of benefit to the  
11 teachers and other professional staff of school districts within the  
12 educational service district and shall comply with rules of the  
13 professional educator standards board pursuant to RCW 28A.410.060 or  
14 the superintendent of public instruction (~~pursuant to RCW~~  
15 ~~28A.415.250~~). The board may provide such additional means of teacher  
16 and other professional staff preparation and in-service training as it  
17 may deem necessary or appropriate and there shall be a proper charge  
18 against the educational service district general expense fund when  
19 approved by the educational service district board.

20 Educational service district boards of contiguous educational  
21 service districts, by mutual arrangements, may hold joint institutes  
22 and/or workshops, the expenses to be shared in proportion to the  
23 numbers of certificated personnel as shown by the last annual reports  
24 of the educational service districts holding such joint institutes or  
25 workshops.

26 In local school districts employing more than one hundred teachers  
27 and other professional staff, the school district superintendent may  
28 hold a teachers' institute of one or more days in such district, said  
29 institute when so held by the school district superintendent to be in  
30 all respects governed by the provisions of this title and rules  
31 relating to teachers' institutes held by educational service district  
32 superintendents.

33 **PART V**

34 **ALTERNATIVE LEARNING EXPERIENCES**

35 **Sec. 501.** 2011 1st sp.s. c 34 s 1 (uncodified) is amended to read  
36 as follows:

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

8 (2) The legislature finds ample evidence of the need to examine and  
9 reconsider policies under which alternative learning that occurs  
10 outside the classroom using an individual student learning plan may be  
11 considered equivalent to full-time attendance in school, including for  
12 funding purposes. Previous legislative studies have raised questions  
13 about financial practices and accountability in alternative learning  
14 experience ((~~programs~~)) courses. Since 2005, there has been  
15 significant enrollment growth in alternative learning experience online  
16 ((~~programs~~)) courses, with evidence of unexpected financial impact when  
17 large numbers of nonresident students enroll in ((~~programs~~)) courses.  
18 Based on this evidence, there is a rational basis on which to conclude  
19 that there are different costs associated with providing ((~~a program~~))  
20 courses not primarily based on full-time, daily contact between  
21 teachers and students and not primarily occurring on-site in a  
22 classroom.

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

27 **Sec. 502.** RCW 28A.150.325 and 2011 1st sp.s. c 34 s 2 are each  
28 amended to read as follows:

29 (1) ((~~For purposes of this chapter,~~)) The definitions in this  
30 subsection apply throughout this chapter unless the context clearly  
31 requires otherwise.

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

36 ((~~(a)~~)) (i) Provided in whole or in part independently from a

1 regular classroom setting or schedule, but may include some components  
2 of direct instruction;

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

6 ~~((e))~~ (iii) Provided in accordance with a written student  
7 learning plan that is implemented pursuant to the school district's  
8 policy and rules adopted by the superintendent of public instruction  
9 for alternative learning experiences.

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

12 (c) "Instructional contact time" means instructional time with a  
13 certificated teacher. Instructional contact time must be for the  
14 purposes of actual instruction, review of assignments, testing,  
15 evaluation of student progress, or other learning activities or  
16 requirements identified in the student's written student learning plan.  
17 Instructional contact time must be related to an alternative learning  
18 experience course identified in the student's written student learning  
19 plan. Instructional contact time may occur in a group setting between  
20 the teacher and multiple students and may be delivered either in-person  
21 or remotely using technology.

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

24 (e) "Remote course" means an alternative learning experience course  
25 that is not an online course where the student has in-person  
26 instructional contact time for less than twenty percent of the total  
27 weekly time for the course. No minimum in-person instructional contact  
28 time is required.

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

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

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

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



1       ~~(b) Parent partnership programs that include significant~~  
2 ~~participation and partnership by parents and families in the design and~~  
3 ~~implementation of a student's learning experience; and~~

4       ~~(c) Contract based learning programs))~~ School districts may claim  
5 state funding under section 503 of this act, to the extent otherwise  
6 allowed by state law including the provisions of RCW 28A.250.060, for  
7 students enrolled in remote, site-based, or online alternative learning  
8 experience courses. High school courses must meet district or state  
9 graduation requirements and be offered for high school credit.

10       (3) School districts that offer alternative learning experience  
11 ~~((programs))~~ courses may not provide any compensation, reimbursement,  
12 gift, reward, or gratuity to any parents, guardians, or students for  
13 participation in the courses. School district employees are prohibited  
14 from receiving any compensation or payment as an incentive to increase  
15 student enrollment of out-of-district students in ~~((an))~~ alternative  
16 learning experience ~~((program))~~ courses. This prohibition includes,  
17 but is not limited to, providing funds to parents, guardians, or  
18 students for the purchase of educational materials, supplies,  
19 experiences, services, or technological equipment. A district may  
20 purchase educational materials, equipment, or other nonconsumable  
21 supplies for students' use in alternative learning experience  
22 ~~((programs))~~ courses if the purchase is consistent with the district's  
23 approved curriculum, conforms to applicable laws and rules, and is made  
24 in the same manner as such purchases are made for students in the  
25 district's regular instructional program. Items so purchased remain  
26 the property of the school district upon program completion. School  
27 districts may not purchase or contract for instructional or  
28 cocurricular experiences and services that are included in an  
29 alternative learning experience written student learning plan,  
30 including but not limited to lessons, trips, and other activities,  
31 unless substantially similar experiences and services are available to  
32 students enrolled in the district's regular instructional program.  
33 School districts that purchase or contract for such experiences and  
34 services for students enrolled in an alternative learning experience  
35 ~~((program))~~ course must submit an annual report to the office of the  
36 superintendent of public instruction detailing the costs and purposes  
37 of the expenditures. These requirements extend to contracted providers  
38 of alternative learning experience ~~((programs))~~ courses, and each

1 district shall be responsible for monitoring the compliance of its  
2 providers with these requirements. However, nothing in this  
3 (~~section~~) subsection shall prohibit school districts from contracting  
4 with school district employees to provide services or experiences to  
5 students, or from contracting with online providers approved by the  
6 office of the superintendent of public instruction pursuant to chapter  
7 28A.250 RCW.

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

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

14 (a) Report annually to the superintendent of public instruction  
15 regarding the course types and offerings, and number of students  
16 participating in each;

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

19 (c) Beginning in the 2013-14 school year and continuing through the  
20 2016-17 school year, pay costs associated with a biennial measure of  
21 student outcomes and financial audit of the district's alternative  
22 learning experience courses by the office of the state auditor.

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

27 (6) School districts must assess the educational progress of  
28 enrolled students at least annually, using, for full-time students, the  
29 state assessment for the student's grade level and using any other  
30 annual assessments required by the school district. Part-time students  
31 must also be assessed at least annually. However, part-time students  
32 who are either receiving home-based instruction under chapter 28A.200  
33 RCW or who are enrolled in an approved private school under chapter  
34 28A.195 RCW are not required to participate in the assessments required  
35 under chapter 28A.655 RCW. The rules must address how students who  
36 reside outside the geographic service area of the school district are  
37 to be assessed.

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

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

7 (b) Rules adopted for weekly direct personal contact requirements  
8 and monthly progress evaluation must be flexible and reflect the needs  
9 of the student and the student's individual learning plan rather than  
10 specifying an amount of time. In addition, the rules must reduce  
11 documentation requirements, particularly for students making  
12 satisfactory progress, based on the unique aspects of the alternative  
13 learning experience course types defined in this section and taking  
14 into consideration the technical and system capabilities associated  
15 with the different course types.

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

20 NEW SECTION. Sec. 503. The superintendent of public instruction  
21 shall separately calculate and allocate moneys appropriated under RCW  
22 28A.150.260 to school districts for each full-time equivalent student  
23 enrolled in an alternative learning experience course. The calculation  
24 shall be based on the estimated statewide annual average allocation per  
25 full-time equivalent student in grades nine through twelve in general  
26 education, excluding small high school enhancements, and including  
27 applicable rules and provisions of the omnibus appropriations act.

28 **Sec. 504.** RCW 28A.250.010 and 2011 1st sp.s. c 34 s 5 are each  
29 amended to read as follows:

30 The definitions in this section apply throughout this chapter  
31 unless the context clearly requires otherwise.

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

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

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

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

7 (b) "Multidistrict online provider" does not include a school  
8 district online learning program in which fewer than ten percent of the  
9 students enrolled in the program are from other districts under the  
10 interdistrict student transfer provisions of RCW 28A.225.225.  
11 "Multidistrict online provider" also does not include regional online  
12 learning programs that are jointly developed and implemented by two or  
13 more school districts or an educational service district through an  
14 interdistrict cooperative program agreement that addresses, at minimum,  
15 how the districts share student full-time equivalency for state basic  
16 education funding purposes and how categorical education programs,  
17 including special education, are provided to eligible students.

18 (2)(a) "Online course" means a course or grade-level coursework  
19 where:

20 (i) More than half of the course content is delivered  
21 electronically using the internet or other computer-based methods;  
22 ~~((and))~~

23 (ii) More than half of the teaching is conducted from a remote  
24 location through an online course learning management system or other  
25 online or electronic tools;

26 (iii) A certificated teacher has the primary responsibility for the  
27 student's instructional interaction. Instructional interaction between  
28 the teacher and the student includes, but is not limited to, direct  
29 instruction, review of assignments, assessment, testing, progress  
30 monitoring, and educational facilitation; and

31 (iv) Students have access to the teacher synchronously,  
32 asynchronously, or both.

33 (b) "Online school program" means a school program that(~~(+~~

34 ~~(i) Offers courses or grade-level coursework that is delivered~~  
35 ~~primarily electronically using the internet or other computer-based~~  
36 ~~methods;~~

37 ~~(ii) Offers courses or grade-level coursework that is taught by a~~

1 ~~teacher primarily from a remote location using online or other~~  
2 ~~electronic tools. Students enrolled in an online program may have~~  
3 ~~access to the teacher synchronously, asynchronously, or both;~~

4 ~~(iii)) offers a sequential set of online courses or grade-level~~  
5 ~~coursework that may be taken in a single school term or throughout the~~  
6 ~~school year in a manner that could provide a full-time basic education~~  
7 ~~program if so desired by the student. Students may enroll in the~~  
8 ~~program as part-time or full-time students(;~~ and

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

11 (c) An online course or online school program may be delivered to  
12 students at school as part of the regularly scheduled school day. An  
13 online course or online school program also may be delivered to  
14 students, in whole or in part, independently from a regular classroom  
15 schedule, but such courses or programs must comply with RCW  
16 ~~((28A.150.262))~~ 28A.150.325 (as recodified by this act) and associated  
17 rules adopted by the superintendent of public instruction to qualify  
18 for state basic education funding.

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

22 **Sec. 505.** RCW 28A.250.020 and 2011 1st sp.s. c 34 s 6 are each  
23 amended to read as follows:

24 (1) The superintendent of public instruction, in collaboration with  
25 the state board of education, shall develop and implement approval  
26 criteria and a process for approving online providers; a process for  
27 monitoring and if necessary rescinding the approval of courses or  
28 programs offered by an online provider; and an appeals process. The  
29 criteria and processes for multidistrict online providers shall be  
30 adopted by rule by December 1, 2009.

31 (2) When developing the approval criteria, the superintendent of  
32 public instruction shall require that providers offering online courses  
33 or programs have accreditation, or are candidates for accreditation,  
34 through the Northwest accreditation commission or another national,  
35 regional, or state accreditation program listed by the office of the  
36 superintendent of public instruction ~~((after consultation with the~~  
37 ~~Washington coalition for online learning))~~. In addition to other

1 criteria, the approval criteria shall include the degree of alignment  
2 with state academic standards and require that all teachers be  
3 certificated in accordance with Washington state law. When reviewing  
4 online providers that offer high school courses, the superintendent of  
5 public instruction shall assure that the courses offered by the  
6 provider are eligible for high school credit. However, final decisions  
7 regarding whether credit meets the school district's graduation  
8 requirements shall remain the responsibility of the school districts.

9 (3) Initial approval of online providers by the superintendent of  
10 public instruction shall be for four years. The superintendent of  
11 public instruction shall develop a process for the renewal of approvals  
12 and for rescinding approvals based on noncompliance with approval  
13 requirements. Any multidistrict online provider that was approved by  
14 the digital learning commons or accredited by the Northwest association  
15 of accredited schools before July 26, 2009, and that meets the teacher  
16 certification requirements of subsection (2) of this section, is exempt  
17 from the initial approval process under this section until August 31,  
18 2012, but must comply with the process for renewal of approvals and  
19 must comply with approval requirements.

20 (4) The superintendent of public instruction shall make the first  
21 round of decisions regarding approval of multidistrict online providers  
22 by April 1, 2010. The first round of decisions regarding approval of  
23 online providers that are not multidistrict online providers shall be  
24 made by April 1, 2013. Thereafter, the superintendent of public  
25 instruction shall make annual approval decisions no later than November  
26 1st of each year.

27 (5) The superintendent of public instruction shall establish an  
28 online learning advisory committee within existing resources that shall  
29 provide advice to the superintendent regarding the approval criteria,  
30 major components of the web site, the model school district policy,  
31 model agreements, and other related matters. The committee shall  
32 include a representative of each of the following groups: Private and  
33 public online providers, parents of online students, accreditation  
34 organizations, educational service districts, school principals,  
35 teachers, school administrators, school board members, institutions of  
36 higher education, and other individuals as determined by the  
37 superintendent. Members of the advisory committee shall be selected by

1 the superintendent based on nominations from statewide organizations,  
2 shall serve three-year terms, and may be reappointed. The  
3 superintendent shall select the chair of the committee.

4 **Sec. 506.** RCW 28A.250.050 and 2011 1st sp.s. c 34 s 11 are each  
5 amended to read as follows:

6 (1) By August 31, 2010, all school district boards of directors  
7 shall develop policies and procedures regarding student access to  
8 online courses and online learning programs. The policies and  
9 procedures shall include but not be limited to: Student eligibility  
10 criteria; the types of online courses available to students through the  
11 school district; the methods districts will use to support student  
12 success, which may include a local advisor; when the school district  
13 will and will not pay course fees and other costs; the granting of high  
14 school credit; and a process for students and parents or guardians to  
15 formally acknowledge any course taken for which no credit is given.  
16 The policies and procedures shall take effect beginning with the 2010-  
17 11 school year. School districts shall submit their policies to the  
18 superintendent of public instruction by September 15, 2010. By  
19 December 1, 2010, the superintendent of public instruction shall  
20 summarize the school district policies regarding student access to  
21 online courses and submit a report to the legislature.

22 (2) School districts must award credit and grades for online high  
23 school courses successfully completed by a student that meet the school  
24 district's graduation requirements and are provided by an approved  
25 online provider.

26 (3) School districts shall provide students with information  
27 regarding online courses that are available through the school  
28 district. The information shall include the types of information  
29 described in subsection (1) of this section.

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

34 **Sec. 507.** RCW 28A.250.060 and 2011 1st sp.s. c 34 s 8 are each  
35 amended to read as follows:

36 (1) Beginning with the 2011-12 school year, school districts may

1 claim state funding under (~~RCW 28A.150.260~~) section 503 of this act,  
2 to the extent otherwise allowed by state law, for students enrolled in  
3 online courses or programs only if the online courses or programs are:

4 (a) Offered by a multidistrict online provider approved under RCW  
5 28A.250.020 by the superintendent of public instruction;

6 (b) Offered by a school district online learning program if the  
7 program serves students who reside within the geographic boundaries of  
8 the school district, including school district programs in which fewer  
9 than ten percent of the program's students reside outside the school  
10 district's geographic boundaries; or

11 (c) Offered by a regional online learning program where courses are  
12 jointly developed and offered by two or more school districts or an  
13 educational service district through an interdistrict cooperative  
14 program agreement.

15 (2) Beginning with the 2013-14 school year, school districts may  
16 claim state funding under (~~RCW 28A.150.260~~) section 503 of this act,  
17 to the extent otherwise allowed by state law, for students enrolled in  
18 online courses or programs only if the online courses or programs are  
19 offered by an online provider approved under RCW 28A.250.020 by the  
20 superintendent of public instruction.

21 (3) Criteria shall be established by the superintendent of public  
22 instruction to allow online courses that have not been approved by the  
23 superintendent of public instruction to be eligible for state funding  
24 if the course is in a subject matter in which no courses have been  
25 approved and, if it is a high school course, the course meets  
26 Washington high school graduation requirements.

27 **Sec. 508.** RCW 28A.250.070 and 2009 c 542 s 8 are each amended to  
28 read as follows:

29 Nothing in this chapter is intended to diminish the rights of  
30 students to attend a nonresident school district in accordance with RCW  
31 28A.225.220 through 28A.225.230 for the purposes of enrolling in online  
32 courses or online school programs. The office of online learning under  
33 RCW 28A.250.030 shall develop a standard form, which must be used by  
34 all school districts, for releasing a student to a nonresident school  
35 district for the purposes of enrolling in an online course or online  
36 school program.



1        NEW SECTION.    **Sec. 509.**    A new section is added to chapter 28A.250  
2    RCW to read as follows:

3        An online school program may request a waiver from the office of  
4    the superintendent of public instruction to administer one or more  
5    sections of the statewide student assessment for grades three through  
6    eight for some or all students enrolled in the program on alternate  
7    days or on an alternate schedule, as long as the administration is  
8    within the testing period established by the office.    The office may  
9    deny a request for a waiver if the online school program's proposal  
10   does not maintain adequate test security or would reduce the  
11   reliability of the assessment results by providing an inequitable  
12   advantage for some students.

13        **Sec. 510.**    RCW 28A.225.220 and 1995 c 335 s 602 and 1995 c 52 s 2  
14    are each reenacted and amended to read as follows:

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

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

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

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

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

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

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

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

36        (5) For the purpose of helping a district assess the quality of its  
37    education program, a resident school district may request an optional

1 exit interview or questionnaire with the parents or guardians of a  
2 child transferring to another district. No parent or guardian may be  
3 forced to attend such an interview or complete the questionnaire.

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

11 **Sec. 511.** RCW 28A.225.225 and 2013 c 192 s 2 are each amended to  
12 read as follows:

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

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

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

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

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

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

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

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

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

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

7        (4) Except as provided in subsection (1) of this section, all  
8 districts accepting applications from nonresident students or from  
9 students receiving home-based instruction for admission to the  
10 district's schools shall consider equally all applications received.  
11 Each school district shall adopt a policy establishing rational, fair,  
12 and equitable standards for acceptance and rejection of applications by  
13 June 30, 1990. The policy may include rejection of a nonresident  
14 student if:

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

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

20        (c) Accepting of the nonresident student would conflict with RCW  
21 28A.340.080; or

22        (d) The student has been expelled or suspended from a public school  
23 for more than ten consecutive days. Any policy allowing for  
24 readmission of expelled or suspended students under this subsection  
25 (4)(d) must apply uniformly to both resident and nonresident  
26 applicants.

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

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

35        **Sec. 512.** RCW 28A.150.100 and 2011 1st sp.s. c 34 s 10 are each  
36 amended to read as follows:

37        (1) For the purposes of this section and RCW 28A.150.410 and

1 28A.400.200, "basic education certificated instructional staff" means  
2 all full-time equivalent classroom teachers, teacher librarians,  
3 guidance counselors, certificated student health services staff, and  
4 other certificated instructional staff in the following programs as  
5 defined for statewide school district accounting purposes: Basic  
6 education, secondary vocational education, general instructional  
7 support, and general supportive services.

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

15 **Sec. 513.** RCW 28A.525.162 and 2012 c 244 s 2 are each amended to  
16 read as follows:

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

20 (2) No allotment shall be made to a school district until such  
21 district has provided local funds equal to or greater than the  
22 difference between the total approved project cost and the amount of  
23 state funding assistance to the district for financing the project  
24 computed pursuant to RCW 28A.525.166, with the following exceptions:

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

31 (b) No such local funds shall be required as a condition to the  
32 allotment of funds from the state for the purpose of making major or  
33 minor structural changes to existing school facilities in order to  
34 bring such facilities into compliance with the barrier free access  
35 requirements of section 504 of the federal rehabilitation act of 1973  
36 (29 U.S.C. Sec. 706) and rules implementing the act.

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

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

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

14 (ii) The enrollment of nonhigh school districts shall be increased  
15 by the number of students residing within the district who are enrolled  
16 in a serving high school district so designated by the nonhigh school  
17 district under RCW 28A.540.110, including only students who are  
18 enrolled in grade levels not offered by the nonhigh school district;  
19 and

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

22 (b) In the case of construction or modernization of high school  
23 facilities in districts serving students from nonhigh school districts,  
24 the adjusted valuation per pupil shall be computed using the combined  
25 adjusted valuations and enrollments of each district, each weighted by  
26 the percentage of the district's resident high school students served  
27 by the high school district;

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

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

34 (4) In lieu of the exclusion in subsection (3)(d) of this section,  
35 a district may submit an alternative calculation for excluding students  
36 enrolled in alternative learning experience (~~(programs)~~) courses. The  
37 alternative calculation must show the student headcount use of district  
38 classroom facilities on a regular basis for a regular duration by out-

1 of-district alternative learning experience ((program)) students  
2 subtracted by the headcount of in-district alternative learning  
3 experience ((program)) students not using district classroom facilities  
4 on a regular basis for a reasonable duration. The alternative  
5 calculation must be submitted in a form approved by the office of the  
6 superintendent of public instruction. The office of the superintendent  
7 of public instruction must develop rules to define "regular basis" and  
8 "reasonable duration."

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

14 (6) For the purposes of this section, "preschool students with  
15 disabilities" means children of preschool age who have developmental  
16 disabilities who are entitled to services under RCW 28A.155.010 through  
17 28A.155.100 and are not included in the kindergarten enrollment count  
18 of the district.

19 **Sec. 514.** RCW 28A.525.166 and 2012 c 244 s 3 are each amended to  
20 read as follows:

21 Allocations to school districts of state funds provided by RCW  
22 28A.525.162 through 28A.525.180 shall be made by the superintendent of  
23 public instruction and the amount of state funding assistance to a  
24 school district in financing a school plant project shall be determined  
25 in the following manner:

26 (1) The boards of directors of the districts shall determine the  
27 total cost of the proposed project, which cost may include the cost of  
28 acquiring and preparing the site, the cost of constructing the building  
29 or of acquiring a building and preparing the same for school use, the  
30 cost of necessary equipment, taxes chargeable to the project, necessary  
31 architects' fees, and a reasonable amount for contingencies and for  
32 other necessary incidental expenses: PROVIDED, That the total cost of  
33 the project shall be subject to review and approval by the  
34 superintendent.

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

1 The ratio of the school district's adjusted valuation per pupil  
 2 divided by the ratio of the total state adjusted valuation per pupil  
 3 shall be subtracted from three, and then the result of the foregoing  
 4 shall be divided by three plus (the ratio of the school district's  
 5 adjusted valuation per pupil divided by the ratio of the total state  
 6 adjusted valuation per pupil).

7

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

13

14 PROVIDED, That in the event the state funding assistance percentage to  
 15 any school district based on the above formula is less than twenty  
 16 percent and such school district is otherwise eligible for state  
 17 funding assistance under RCW 28A.525.162 through 28A.525.180, the  
 18 superintendent may establish for such district a state funding  
 19 assistance percentage not in excess of twenty percent of the approved  
 20 cost of the project, if the superintendent finds that such additional  
 21 assistance is necessary to provide minimum facilities for housing the  
 22 pupils of the district.

23 (3) In addition to the computed state funding assistance percentage  
 24 developed in subsection (2) of this section, a school district shall be  
 25 entitled to additional percentage points determined by the average  
 26 percentage of growth for the past three years. One percent shall be  
 27 added to the computed state funding assistance percentage for each  
 28 percent of growth, with a maximum of twenty percent.

29 (4) In computing the state funding assistance percentage in  
 30 subsection (2) of this section and adjusting the percentage under  
 31 subsection (3) of this section, students residing outside the school  
 32 district who are enrolled in alternative learning experience  
 33 (~~(programs)~~) courses under RCW 28A.150.325 (as recodified by this act)  
 34 shall be excluded from the count of total pupils. In lieu of the  
 35 exclusion in this subsection, a district may submit an alternative  
 36 calculation for excluding students enrolled in alternative learning  
 37 experience (~~(programs)~~) courses. The alternative calculation must show  
 38 the student headcount use of district classroom facilities on a regular

1 basis for a reasonable duration by out-of-district alternative learning  
2 experience ((program)) students subtracted by the headcount of in-  
3 district alternative learning experience ((program)) students not using  
4 district classroom facilities on a regular basis for a reasonable  
5 duration. The alternative calculation must be submitted in a form  
6 approved by the office of the superintendent of public instruction.  
7 The office of the superintendent of public instruction must develop  
8 rules to define "regular basis" and "reasonable duration."

9 (5) The approved cost of the project determined in the manner  
10 prescribed in this section multiplied by the state funding assistance  
11 percentage derived as provided for in this section shall be the amount  
12 of state funding assistance to the district for the financing of the  
13 project: PROVIDED, That need therefor has been established to the  
14 satisfaction of the superintendent: PROVIDED, FURTHER, That additional  
15 state funding assistance may be allowed if it is found by the  
16 superintendent, considering policy recommendations from the school  
17 facilities citizen advisory panel that such assistance is necessary in  
18 order to meet (a) a school housing emergency resulting from the  
19 destruction of a school building by fire, the condemnation of a school  
20 building by properly constituted authorities, a sudden excessive and  
21 clearly foreseeable future increase in school population, or other  
22 conditions similarly emergent in nature; or (b) a special school  
23 housing burden resulting from projects of statewide significance or  
24 imposed by virtue of the admission of nonresident students into  
25 educational programs established, maintained and operated in conformity  
26 with the requirements of law; or (c) a deficiency in the capital funds  
27 of the district resulting from financing, subsequent to April 1, 1969,  
28 and without benefit of the state funding assistance provided by prior  
29 state assistance programs, the construction of a needed school building  
30 project or projects approved in conformity with the requirements of  
31 such programs, after having first applied for and been denied state  
32 funding assistance because of the inadequacy of state funds available  
33 for the purpose, or (d) a condition created by the fact that an  
34 excessive number of students live in state owned housing, or (e) a need  
35 for the construction of a school building to provide for improved  
36 school district organization or racial balance, or (f) conditions  
37 similar to those defined under (a), (b), (c), (d), and (e) of this  
38 subsection, creating a like emergency.



1        NEW SECTION.    **Sec. 515.**    (1) The office of financial management  
2 shall conduct a study, in consultation with, at minimum, one  
3 representative each from school districts that administer remote, site-  
4 based, and online alternative learning experience courses; the office  
5 of the superintendent of public instruction; the Washington state  
6 institute for public policy; individuals with expertise in outcome-  
7 based public school funding models; a Washington state nonprofit  
8 organization with expertise in alternative learning education; and the  
9 legislative evaluation and accountability program committee.

10        (2) The purpose of the study is to create a proposal for  
11 efficiently and sustainably funding alternative learning experience  
12 courses and to recommend steps to increase the focus on educational  
13 outcomes. The study may recommend the funding method established in  
14 section 503 of this act or another method of funding. The study shall  
15 review alternative learning funding models used in other states and  
16 consider the advantages and disadvantages of applying state policies,  
17 including funding policies, differentially depending on the type of  
18 alternative learning experience course. The study should also include  
19 but not be limited to, recommendations for establishing baseline data  
20 regarding alternative learning experience student proficiency and  
21 achievement in relation to students in a comparable demographic,  
22 identifying outcome targets and methods to measure progress toward  
23 targets, identifying methods to ensure ongoing evaluation of outcomes  
24 that account for the student demographics being served, and improving  
25 alternative learning experience accountability.

26        (3) The office of financial management shall report its findings  
27 from the study to the quality education council by November 1, 2013.  
28 The quality education council shall review the findings and make  
29 recommendations to the education and fiscal committees of the  
30 legislature by December 15, 2013.

31        NEW SECTION.    **Sec. 516.**    RCW 28A.150.262 (Defining full-time  
32 equivalent student--Students receiving instruction through alternative  
33 learning experience online programs--Requirements) and 2011 1st sp.s.  
34 c 34 s 3, 2009 c 542 s 9, & 2005 c 356 s 2 are each repealed.

35        NEW SECTION.    **Sec. 517.**    (1) RCW 28A.150.325 is recodified as a

1 section in chapter 28A.--- RCW (the new chapter created in section 518  
2 of this act).

3 (2) 2011 1st sp.s. c 34 s 1 is codified as a section in chapter  
4 28A.--- RCW (the new chapter created in section 518 of this act).

5 NEW SECTION. **Sec. 518.** Sections 501 and 503 of this act  
6 constitute a new chapter in Title 28A RCW.

7 **PART VI**  
8 **MISCELLANEOUS**

9 NEW SECTION. **Sec. 601.** The following acts or parts of acts are  
10 each repealed:

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

13 (2) RCW 28A.165.045 (Plan approval process) and 2009 c 556 s 2 &  
14 2004 c 20 s 5;

15 (3) RCW 28A.415.250 (Teacher assistance program--Provision for  
16 mentor teachers) and 2009 c 539 s 5, 1993 c 336 s 401, 1991 c 116 s 19,  
17 1990 c 33 s 403, 1987 c 507 s 1, & 1985 c 399 s 1; and

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

20 NEW SECTION. **Sec. 602.** Section 503 of this act is necessary for  
21 the immediate preservation of the public peace, health, or safety, or  
22 support of the state government and its existing public institutions,  
23 and takes effect immediately.

24 NEW SECTION. **Sec. 603.** If any provision of this act or its  
25 application to any person or circumstance is held invalid, the  
26 remainder of the act or the application of the provision to other  
27 persons or circumstances is not affected.

--- END ---