# Chapter 28A.300 RCW
# SUPERINTENDENT OF PUBLIC INSTRUCTION

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**RCW 28A.300.010 Election—Term of office.** A superintendent of public instruction shall be elected by the qualified electors of the state, on the first Tuesday after the first Monday in November of the year in which state officers are elected, and shall hold his or her office for the term of four years, and until his or her successor is elected and qualified. [1990 c 33 § 250; 1969 ex.s. c 223 § 28A.03.010. Prior: 1909 c 97 p 231 § 1; RRS § 4521; prior: 1897 c 118 § 20; 1891 c 127 § 1; 1890 p 348 § 3; Code 1881 § 3154; 1873 p 419 § 1; 1861 p 55 § 1. Formerly RCW 28A.03.010, 28.03.010, 43.11.010.]

**RCW 28A.300.020 Assistant superintendents, deputy superintendent, assistants—Terms for exempt personnel.** The superintendent of public instruction may appoint assistant superintendents of public instruction, a deputy superintendent of public instruction, and may employ such other assistants and clerical help as are necessary to carry out the duties of the superintendent and the state board of education. However, the superintendent shall employ without undue delay the executive director of the state board of education and other state board of education office assistants and clerical help, appointed by the state board under RCW 28A.305.130, whose positions are allotted and funded in accordance with moneys appropriated exclusively for the operation of the state board of education. The rate of compensation and termination of any such executive director, state board office assistants, and clerical help

shall be subject to the prior consent of the state board of education. The assistant superintendents, deputy superintendent, and such other officers and employees as are exempted from the provisions of chapter 41.06 RCW, shall serve at the pleasure of the superintendent or at the pleasure of the superintendent and the state board of education as provided in this section. Expenditures by the superintendent of public instruction for direct and indirect support of the state board of education are valid operational expenditures by and in behalf of the office of the superintendent of public instruction. [2005 c 497 § 403; 1996 c 25 § 2; 1969 ex.s. c 223 § 28A.03.020. Prior: 1967 c 158 § 3; 1909 c 97 p 234 § 4; RRS § 4524; prior: 1905 c 56 § 1; 1903 c 104 § 10; 1897 c 118 § 23; 1890 p 351 § 5. Formerly RCW 28A.03.020, 28.03.020, 43.11.020.]

**Intent—Part headings not law—Effective date—2005 c 497:** See notes following RCW 28A.305.011.

**RCW 28A.300.030 Assistance of educational service district boards and superintendents—Scope.** The superintendent of public instruction, by rule or regulation, may require the assistance of educational service district boards and/or superintendents in the performance of any duty, authority, or power imposed upon or granted to the superintendent of public instruction by law or by the Constitution of the state of Washington, upon such terms and conditions as the superintendent of public instruction shall establish. Such authority to assist the superintendent of public instruction shall be limited to the service function of information collection and dissemination and the attestment to the accuracy and completeness of submitted information. [1975 1st ex.s. c 275 § 46; 1971 ex.s. c 282 § 29. Formerly RCW 28A.03.028.]

**Severability—1971 ex.s. c 282:** See note following RCW 28A.310.010.

**RCW 28A.300.035 Assistance of certificated or classified employee—Reimbursement for substitute.** If the superintendent of public instruction, the Washington professional educator standards board, or the state board of education, in carrying out their powers and duties under Title 28A RCW, request the service of any certificated or classified employee of a school district upon any committee formed for the purpose of furthering education within the state, or within any school district therein, and such service would result in a need for a school district to employ a substitute for such certificated or classified employee during such service, payment for such a substitute may be made by the superintendent of public instruction from funds appropriated by the legislature for the current use of the common schools and such payments shall be construed as amounts needed for state support to the common schools under RCW 28A.150.380. If such substitute is paid by the superintendent of public instruction, no deduction shall be made from the salary of the certificated or classified employee. In no event shall a school district deduct from the salary of a certificated or classified employee serving on such committee more than the amount paid the substitute employed by the district. [2017 c 17 § 1; 1994 c 113 § 1;

1990 c 33 § 147; 1973 1st ex.s. c 3 § 1. Formerly RCW 28A.160.220, 28A.41.180.]

**RCW 28A.300.039 Condensed compliance reports—Second-class districts.** Any compliance reporting requirements as a result of laws in this chapter that apply to second-class districts may be submitted in accordance with RCW 28A.330.250. [2011 c 45 § 19.]

**Conflict with federal requirements—2011 c 45:** See note following RCW 28A.330.250.

**RCW 28A.300.040 Powers and duties.** In addition to any other powers and duties as provided by law, the powers and duties of the superintendent of public instruction shall be:

(1) To have supervision over all matters pertaining to the public schools of the state;

(2) To report to the governor and the legislature such information and data as may be required for the management and improvement of the schools;

(3) To prepare and have printed such forms, registers, courses of study, rules for the government of the common schools, and such other material and books as may be necessary for the discharge of the duties of teachers and officials charged with the administration of the laws relating to the common schools, and to distribute the same to educational service district superintendents;

(4) To travel, without neglecting his or her other official duties as superintendent of public instruction, for the purpose of attending educational meetings or conventions, of visiting schools, and of consulting educational service district superintendents or other school officials;

(5) To prepare and from time to time to revise a manual of the Washington state common school code, copies of which shall be made available online and which shall be sold at approximate actual cost of publication and distribution per volume to public and nonpublic agencies or individuals, said manual to contain Titles 28A and 28C RCW, rules related to the common schools, and such other matter as the state superintendent or the state board of education shall determine;

(6) To file all papers, reports and public documents transmitted to the superintendent by the school officials of the several counties or districts of the state, each year separately. Copies of all papers filed in the superintendent's office, and the superintendent's official acts, may, or upon request, shall be certified by the superintendent and attested by the superintendent's official seal, and when so certified shall be evidence of the papers or acts so certified to;

(7) To require annually, on or before the 15th day of August, of the president, manager, or principal of every educational institution in this state, a report as required by the superintendent of public instruction; and it is the duty of every president, manager, or principal, to complete and return such forms within such time as the superintendent of public instruction shall direct;

(8) To keep in the superintendent's office a record of all teachers receiving certificates to teach in the common schools of this state;

(9) To issue certificates as provided by law;

(10) To keep in the superintendent's office at the capital of the state, all books and papers pertaining to the business of the superintendent's office, and to keep and preserve in the superintendent's office a complete record of statistics, as well as a record of the meetings of the state board of education;

(11) With the assistance of the office of the attorney general, to decide all points of law which may be submitted to the superintendent in writing by any educational service district superintendent, or that may be submitted to the superintendent by any other person, upon appeal from the decision of any educational service district superintendent; and the superintendent shall publish his or her rulings and decisions from time to time for the information of school officials and teachers; and the superintendent's decision shall be final unless set aside by a court of competent jurisdiction;

(12) To administer oaths and affirmations in the discharge of the superintendent's official duties;

(13) To deliver to his or her successor, at the expiration of the superintendent's term of office, all records, books, maps, documents and papers of whatever kind belonging to the superintendent's office or which may have been received by the superintendent's for the use of the superintendent's office;

(14) To administer family services and programs to promote the state's policy as provided in RCW 74.14A.025;

(15) To promote the adoption of school-based curricula and policies that provide quality, daily physical education for all students, and to encourage policies that provide all students with opportunities for physical activity outside of formal physical education classes;

(16) To perform all duties required by chapter 303, Laws of 2023 for the delivery and oversight of basic education services to justice-involved students under the age of 21 who are served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services or the department of corrections; and

(17) To perform such other duties as may be required by law. [2023 c 303 § 3; 2011 1st sp.s. c 43 § 302; 2009 c 556 § 10; 2006 c 263 § 104; 2005 c 360 § 6; 1999 c 348 § 6; 1992 c 198 § 6; 1991 c 116 § 2; 1990 c 33 § 251; 1982 c 160 § 2; 1981 c 249 § 1; 1977 c 75 § 17; 1975 1st ex.s. c 275 § 47; 1971 ex.s. c 100 § 1; 1969 ex.s. c 176 § 102; 1969 ex.s. c 223 § 28A.03.030. Prior: 1967 c 158 § 4; 1909 c 97 p 231 § 3; RRS § 4523; prior: 1907 c 240 § 1; 1903 c 104 § 9; 1901 c 177 § 5; 1901 c 41 § 1; 1899 c 142 § 4; 1897 c 118 § 22; 1891 c 127 §§ 1, 2; 1890 pp 348-351 §§ 3, 4; Code 1881 §§ 3155-3160; 1873 p 419 §§ 2-6; 1861 p 55 §§ 2, 3, 4. Formerly RCW 28A.03.030, 28.03.030, 43.11.030.]

**Findings—Intent—2023 c 303:** See note following RCW 28A.190.150.

**Effective date—Purpose—2011 1st sp.s. c 43:** See notes following RCW 43.19.003.

**Findings—Purpose—Part headings not law—2006 c 263:** See notes following RCW 28A.150.230.

**Findings—Intent—2005 c 360:** See note following RCW 36.70A.070.

**Intent—1999 c 348:** See note following RCW 28A.205.010.

**Severability—1982 c 160:** "If any provision of this amendatory act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1982 c 160 § 4.]

**Rights preserved—Severability—1969 ex.s. c 176:** See notes following RCW 28A.310.010.

**Studies—1969 ex.s. c 283:** "The superintendent of public instruction is directed to develop, prepare and make available information as follows:

(1) A budgetary study of the fiscal impact which would result from payment to substitute teachers, who are on a continuing basis of twelve or more days within any calendar month, at a rate of pay commensurate with their training and experience and at a per diem salary in proportion to the salary for which that teacher would be eligible as a full time teacher;

(2) A study showing the percentage of high school graduates who go on to an institution of higher education, including community colleges, the distribution of such students, and the percentage thereof which continue in higher education through the various grades or years thereof; and

(3) A study of the fiscal impact of establishing one hundred and eighty days as the base salary period for all contracts with certificated employees." [1969 ex.s. c 283 § 8.]

**Severability—1969 ex.s. c 283:** See note following RCW 28A.150.050.

**RCW 28A.300.0401 School district fiscal notes.** (1) The office of the superintendent of public instruction shall, where it is practicable to do so within available resources, prepare school district fiscal notes on proposed legislation that increases or decreases, or tends to increase or decrease, school district revenues or expenditures in a manner that uniquely affects school districts. Proposed legislation that uniquely affects school districts includes, but is not limited to, legislation that affects school districts' responsibilities as providers of educational services under this title, as employers under chapter 41.59 RCW, or as excess levy taxing authorities under RCW 84.52.053 and 84.52.0531, but excludes proposed legislation that affects school districts only in the same manner that it affects other units of local government.

(2) Where practicable, the school district fiscal note shall show the fiscal impact of the proposed legislation on each school district. Where it is not practicable to do so, the school district fiscal note shall show the effect of the legislation on a range of representative school districts. The fiscal note must set forth any assumptions that were used in selecting the representative districts, along with any other assumptions made about the fiscal impact.

(3) School district fiscal notes prepared under this section are subject to coordination by the office of financial management under RCW 43.88A.020 and are otherwise subject to the requirements and procedures of chapter 43.88A RCW. [2011 c 140 § 3.]

**RCW 28A.300.041 Statewide student assessment system—Redesign—Reports to the legislature.** (1) The legislature finds that a statewide student assessment system should improve and inform classroom instruction, support accountability, and provide useful information to all levels of the educational system, including students, parents, teachers, schools, school districts, and the state. The legislature intends to redesign the current statewide system, in accordance with the recommendations of the Washington assessment of student learning legislative work group, to:

(a) Include multiple assessment formats, including both formative and summative, as necessary to provide information to help improve instruction and inform accountability;

(b) Enable collection of data that allows both statewide and nationwide comparisons of student learning and achievement; and

(c) Be balanced so that the information used to make significant decisions that affect school accountability or student educational progress includes many data points and does not rely on solely the results of a single assessment.

(2) The legislature further finds that one component of the assessment system should be instructionally supportive formative assessments. The key design elements or characteristics of an instructionally supportive assessment must:

(a) Be aligned to state standards in areas that are being assessed;

(b) Measure student growth and competency at multiple points throughout the year in a manner that allows instructors to monitor student progress and have the necessary trend data with which to improve instruction;

(c) Provide rapid feedback;

(d) Link student growth with instructional elements in order to gauge the effectiveness of educators and curricula;

(e) Provide tests that are appropriate to the skill level of the student;

(f) Support instruction for students of all abilities, including highly capable students and students with learning disabilities;

(g) Be culturally, linguistically, and cognitively relevant, appropriate, and understandable to each student taking the assessment;

(h) Inform parents and draw parents into greater participation of the student's study plan;

(i) Provide a way to analyze the assessment results relative to characteristics of the student such as, but not limited to, English language learners, gender, ethnicity, poverty, age, and disabilities;

(j) Strive to be computer-based and adaptive; and

(k) Engage students in their learning.

(3) The legislature further finds that a second component of the assessment system should be a state-administered summative achievement assessment that can be used as a check on the educational system in order to guide state expectations for the instruction of children and satisfy legislative demands for accountability. The key design elements or characteristics of the state administered achievement assessment must:

(a) Be aligned to state standards in areas that are being assessed;

(b) Maintain and increase academic rigor;

(c) Measure student learning growth over years; and

(d) Strengthen curriculum.

(4) The legislature further finds that a third component of the assessment system should include classroom-based assessments, which may be formative, summative, or both. Depending on their use, classroom-based assessments should have the same design elements and characteristics described in this section for formative and summative assessments.

(5) The legislature further finds that to sustain a strong and viable assessment system, preservice and ongoing training should be provided for teachers and administrators on the effective use of different types of assessments.

(6) The legislature further finds that as the statewide data system is developed, data should be collected for all state-required statewide assessments to be used for accountability and to monitor overall student achievement.

(7) The superintendent of public instruction, in consultation with the state board of education, shall begin design and development of an overall assessment system that meets the principles and characteristics described in this section. In designing formative and summative assessments, the superintendent shall solicit bids for the use of computerized adaptive testing methodologies.

(8) Beginning December 1, 2009, and annually thereafter, the superintendent and state board shall jointly report to the legislature regarding the assessment system, including a cost analysis of any changes and costs to expand availability and use of instructionally supportive formative assessments. [2009 c 310 § 1.]

**RCW 28A.300.042 Collection and submittal of student-level data—Student data-related reports—Disaggregation of data by subgroups—Modification of statewide student data systems.** (1) The superintendent of public instruction must collect and school districts must submit all student-level data using the United States department of education 2007 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(a) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(b) Further disaggregation of countries of origin for Asian students;

(c) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(d) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(2) Beginning with the 2017-18 school year, school districts shall collect student-level data as provided in subsection (1) of this section for all newly enrolled students, including transfer students. When the students enroll in a different school within the district, school districts shall resurvey the newly enrolled students for whom subracial and subethnic categories were not previously collected. School districts may resurvey other students.

(3) All student data-related reports required of the superintendent of public instruction in this title must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific

Islander/Hawaiian Native, low income, highly capable, transitional bilingual, migrant, special education, and students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794).

(4) All student data-related reports prepared by the superintendent of public instruction regarding student suspensions and expulsions as required under this title are subject to disaggregation by subgroups including:

(a) Gender;

(b) Foster care;

(c) Homeless, if known;

(d) School district;

(e) School;

(f) Grade level;

(g) Behavior infraction code, including:

(i) Bullying;

(ii) Tobacco;

(iii) Alcohol;

(iv) Illicit drug;

(v) Fighting without major injury;

(vi) Violence without major injury;

(vii) Violence with major injury;

(viii) Possession of a weapon; and

(ix) Other behavior resulting from a short-term or long-term suspension, expulsion, or interim alternative education setting intervention;

(h) Intervention applied, including:

(i) Short-term suspension;

(ii) Long-term suspension;

(iii) Emergency removal;

(iv) Expulsion;

(v) Interim alternative education settings;

(vi) No intervention applied; and

(vii) Other intervention applied that is not described in this subsection (4)(h);

(i) Number of days a student is suspended or expelled, to be counted in half or full days; and

(j) Any other categories added at a future date by the data governance group.

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

(a) School and district;

(b) Race, low income, highly capable, special education, transitional bilingual, migrant, foster care, homeless, students covered by section 504 of the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec. 794), and categories to be added in the future;

(c) Behavior infraction code; and

(d) Intervention applied.

(6) The K-12 data governance group shall develop the data protocols and guidance for school districts in the collection of data as required under this section, and the office of the superintendent of public instruction shall modify the statewide student data system as needed. The office of the superintendent of public instruction shall also incorporate training for school staff on best practices for

collection of data under this section in other training or professional development related to data provided by the office. [2023 c 265 § 6; 2023 c 242 § 8; 2016 c 72 § 501; 2013 2nd sp.s. c 18 § 307; 2009 c 468 § 4.]

**Reviser's note:** This section was amended by 2023 c 242 § 8 and by 2023 c 265 § 6, each without reference to the other. Both amendments are incorporated in the publication of this section under RCW 1.12.025(2). For rule of construction, see RCW 1.12.025(1).

**Finding—Intent—2023 c 265:** See note following RCW 28A.185.020.

**Finding—Intent—2016 c 72:** See note following RCW 28A.600.015.

**Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18:** See note following RCW 28A.600.022.

**Findings—Intent—2009 c 468:** See note following RCW 28A.300.136.

**RCW 28A.300.045 Pupil tests and records—Rules.** The superintendent of public instruction shall adopt rules relating to pupil tests and records. [2006 c 263 § 704.]

**Findings—Purpose—Part headings not law—2006 c 263:** See notes following RCW 28A.150.230.

**RCW 28A.300.046 "Student absence from school"—Rules—Collection of attendance and discipline data.** (1)(a) The superintendent of public instruction shall adopt rules establishing a standard definition of student absence from school. By the beginning of the 2022-23 school year, the rules must categorize an absence for a mental health reason as an excused absence due to illness, health condition, or medical appointment.

(b) In developing the rules, the superintendent shall review current practices in Washington school districts, definitions used in other states, and any national standards or definitions used by the national center for education statistics or other national groups. Prior to filing notice of the rules under RCW 34.05.320, the superintendent shall consult with the graduation: a team effort partnership advisory committee established under RCW 28A.175.075 and a student advisory group with membership as described in (c) of this subsection.

(c) The superintendent shall develop and publish guidelines for public schools to implement the definition of student absence from school adopted under this section. The superintendent must consider including guidance for schools to integrate their responses to student excused absences for physical and mental health into their support systems for student well-being. In developing the guidelines, the superintendent shall consult with a student advisory group whose members are directly impacted by student absence rules and policies and who represent the diversity of the public school population, including diversity in gender identity, family income, race and ethnicity, and geography, among other characteristics. The advisory

group must also include a member of the legislative youth advisory council appointed by the lieutenant governor.

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

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

(b) Student suspension and expulsion data collected for the purposes of this subsection (2) must be:

(i) Made publicly available and easily accessible on the superintendent of public instruction's website; and

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

(c) School districts must collect and submit student attendance data and student discipline data for high school students through the comprehensive education and data research system for purposes of the PASS program under RCW 28A.175.130 beginning in the 2012-13 school year. [2022 c 31 § 2; 2013 2nd sp.s. c 18 § 306; 2011 c 288 § 10.]

**Finding—Intent—2022 c 31:** "After hearing from youth across the state of Washington, the legislature recognizes that students' mental health is a component of their physical health and that students' mental health can affect their ability to learn. The legislature finds that school districts are not consistently recognizing student absences for mental health reasons as excused absences. Therefore, the legislature intends to require that student absences for mental health reasons be categorized as excused absences." [2022 c 31 § 1.]

**Application—Enforcement of laws protecting health and safety—2013 2nd sp.s. c 18:** See note following RCW 28A.600.022.

**RCW 28A.300.050 Assistance to professional educator standards board for activities involving professional educator excellence.** The superintendent of public instruction shall provide technical assistance to the professional educator standards board in the conduct of the activities described in RCW 28A.410.040 and 28A.410.050. [2006 c 263 § 819; 1990 c 33 § 252; 1987 c 525 § 227. Formerly RCW 28A.03.375.]

**Findings—Purpose—Part headings not law—2006 c 263:** See notes following RCW 28A.150.230.

**Intent—Short title—1987 c 525 §§ 202-233:** See notes following RCW 28A.410.040.

**Severability—1987 c 525:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1987 c 525 § 305.]

**RCW 28A.300.060 Studies and adoption of classifications for school district budgets—Publication.** The superintendent of public instruction and the state auditor jointly, and in cooperation with the senate and house committees on education, shall conduct appropriate studies and adopt classifications or revised classifications under RCW 28A.505.100, defining what expenditures shall be charged to each budget class including administration. The studies and classifications shall be published in the form of a manual or revised manual, suitable for use by the governing bodies of school districts, by the superintendent of public instruction, and by the legislature. [1991 c 116 § 3; 1990 c 33 § 253; 1975-'76 2nd ex.s. c 118 § 23; 1975 1st ex.s. c 5 § 1. Formerly RCW 28A.03.350.]

**Severability—1975-'76 2nd ex.s. c 118:** See note following RCW 28A.505.010.

**RCW 28A.300.065 Classification and numbering system of school districts.** (1) The superintendent of public instruction is responsible for the classification and numbering system of school districts.

(2) Any school district in the state that has a student enrollment in its public schools of two thousand pupils or more, as shown by evidence acceptable to the educational service district superintendent and the superintendent of public instruction, is a school district of the first class. Any other school district is a school district of the second class.

(3) Whenever the educational service district superintendent finds that the classification of a school district should be changed, and upon the approval of the superintendent of public instruction, the educational service district superintendent shall make an order in conformity with his or her findings and alter the records of his or her office accordingly. Thereafter, the board of directors of the district shall organize in the manner provided by law for the organization of the board of a district of the class to which the district then belongs.

(4) Notwithstanding any other provision of chapter 43, Laws of 1975, the educational service district superintendent, with the concurrence of the superintendent of public instruction, may delay approval of a change in classification of any school district for a period not exceeding three years when, in fact, the student enrollment of the district within any such time period does not exceed ten percent, either in a decrease or increase thereof. [1999 c 315 § 202.]

**RCW 28A.300.070 Receipt of federal funds for school purposes—Superintendent of public instruction to administer.** The state of Washington and/or any school district is hereby authorized to receive federal funds made or hereafter made available by acts of congress for the assistance of school districts in providing physical facilities and/or maintenance and operation of schools, or for any other educational purpose, according to provisions of such acts, and the state superintendent of public instruction shall represent the state in the receipt and administration of such funds. [1969 ex.s. c 223 §

28A.02.100. Prior: 1943 c 220 § 4; Rem. Supp. 1943 § 5109-4. Formerly RCW 28A.02.100, 28.02.100.]

**RCW 28A.300.072 Transition to kindergarten program.** (1) The intent of the legislature is to continue and rename transitional kindergarten as the transition to kindergarten program and that the program be established in statute with the goal of assisting eligible children in need of additional preparation to be successful kindergarten students in the following school year. The transition to kindergarten program is not part of the state's statutory program of basic education under RCW 28A.150.200.

(2)(a) The office of the superintendent of public instruction shall administer the transition to kindergarten program and shall adopt rules under chapter 34.05 RCW for the administration of, the allocation of state funding for, and minimum standards and requirements for the transition to kindergarten program. Initial rules, which include expectations for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools transitioning existing programs to the new requirements established in this section must be adopted in time for the 2023-24 school year, and permanent rules must be adopted by the beginning of the 2024-25 school year.

(b) School districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools operating a transition to kindergarten program shall adopt policies regarding eligibility, recruitment, and enrollment for this program that, at a minimum, meet the requirements of subsection (3) of this section.

(3) The rules adopted under subsection (2) of this section must include, at a minimum, the following requirements for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools operating a transition to kindergarten program:

(a)(i) A limitation on program enrollment to eligible children. Eligible children include only those who:

(A) Have been determined to benefit from additional preparation for kindergarten; and

(B) Are at least four years old by August 31st of the school year they enroll in the transition to kindergarten program;

(ii) A requirement, as practicable, for school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools to prioritize families with the lowest incomes and children most in need for additional preparation to be successful in kindergarten when enrolling eligible children in a transition to kindergarten program;

(iii) Access to the transition to kindergarten program does not constitute an individual entitlement for any particular child.

(b) Except for children who have been excused from participation by their parents or legal guardians, a requirement that the Washington kindergarten inventory of developing skills as established by RCW 28A.655.080 be administered to all eligible children enrolled in a transition to kindergarten program at the beginning of the child's enrollment in the program and at least one more time during the school year.

(c) A requirement that all eligible children enrolled in a transition to kindergarten program be assigned a statewide student

identifier and that the transition to kindergarten program be considered a separate class or course for the purposes of data reporting requirements in RCW 28A.320.175.

(d) A requirement that a local child care and early learning needs assessment is conducted before beginning or expanding a transition to kindergarten program that considers the existing availability and affordability of early learning providers, such as the early childhood education and assistance programs, head start programs, and licensed child care centers and family home providers in the region. Data available through the regionalized data dashboard maintained by the department of children, youth, and families or any other appropriate sources may be used to inform the needs assessment required by this subsection.

(e)(i) A requirement that school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools adhere to guidelines, as developed by the office of the superintendent of public instruction, related to:

(A) Best practices for site readiness of facilities that are used for the program;

(B) Developmentally appropriate curricula designed to assist in maintaining high quality programs; and

(C) Professional development opportunities.

(ii) The office of the superintendent of public instruction must develop a process for conducting site visits of any school district, charter school as allowed by subsection (7) of this section, or state-tribal education compact school operating a transition to kindergarten program and provide feedback on elements listed in this subsection (3)(e).

(f) A prohibition on charging tuition or other fees to state-funded eligible children for enrollment in a transition to kindergarten program.

(g) A prohibition on establishing a policy of excluding an eligible child due only to the presence of a disability.

(4)(a) The office of the superintendent of public instruction, in collaboration with the department of children, youth, and families, shall develop statewide coordinated eligibility, recruitment, enrollment, and selection best practices and provide technical assistance to those implementing a transition to kindergarten program to support connections with local early learning providers.

(b) School districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools must consider the best practices developed under this subsection (4) when adopting the policies required under subsection (2)(b) of this section.

(5) Nothing in this section prohibits school districts, charter schools as allowed by subsection (7) of this section, and state-tribal education compact schools from blending or colocating a transition to kindergarten program with other early learning programs.

(6)(a) Funding for the transition to kindergarten program must be based on the following:

(i) The distribution formula established under RCW 28A.150.260 (4)(a), (5), (6), (8), and (10)(a) and (b), calculated using the actual number of annual average full-time equivalent eligible children enrolled in the program. A transition to kindergarten child must be counted as a kindergarten student for purposes of the funding calculations referenced in this subsection, but must be reported separately.

(ii) The distribution formula developed in RCW 28A.160.150 through 28A.160.192, calculated using reported ridership for eligible children enrolled in the program.

(b) Funding provided for the transition to kindergarten program is not part of the state's statutory program of basic education under RCW 28A.150.200 and must be expended only for the support of operating a transition to kindergarten program.

(7) Charter schools authorized under RCW 28A.710.080(2) are immediately permitted to operate a transition to kindergarten program under this section. Beginning with the 2025-26 school year, any charter school authorized under RCW 28A.710.080 (1) or (2) is permitted to operate a transition to kindergarten program under this section. [2023 c 420 § 1.]

**RCW 28A.300.080 Vocational agriculture education——Intent.** The legislature recognizes that agriculture is the most basic and singularly important industry in the state, that agriculture is of central importance to the welfare and economic stability of the state, and that the maintenance of this vital industry requires a continued source of trained and qualified individuals who qualify for employment in agriculture and agribusiness. The legislature declares that it is within the best interests of the people and state of Washington that a comprehensive vocational education program in agriculture be maintained in the state's secondary school system. [1983 1st ex.s. c 34 § 1. Formerly RCW 28A.03.415.]

**RCW 28A.300.090 Vocational agriculture education——Service area established——Duties.** (1) A vocational agriculture education service area within the office of the superintendent of public instruction shall be established. Adequate staffing of individuals trained or experienced in the field of vocational agriculture shall be provided for the vocational agriculture education service area for coordination of the state program and to provide assistance to local school districts for the coordination of the activities of student agricultural organizations and associations.

(2) The vocational agriculture education service area shall:

(a) Assess needs in vocational agriculture education, assist local school districts in establishing vocational agriculture programs, review local school district applications for approval of vocational agriculture programs, evaluate existing programs, plan research and studies for the improvement of curriculum materials for specialty areas of vocational agriculture. Standards and criteria developed under this subsection shall satisfy the mandates of federally-assisted vocational education;

(b) Develop in-service programs for teachers and administrators of vocational agriculture, review application for vocational agriculture teacher certification, and assist in teacher recruitment and placement in vocational agriculture programs;

(c) Serve as a liaison with the Future Farmers of America, representatives of business, industry, and appropriate public agencies, and institutions of higher education in order to disseminate information, promote improvement of vocational agriculture programs, and assist in the development of adult and continuing education programs in vocational agriculture; and

(d) Establish an advisory task force committee of agriculturists, who represent the diverse areas of the agricultural industry in Washington, which shall make annual recommendations including, but not limited to, the development of curriculum, staffing, strategies for the purpose of establishing a source of trained and qualified individuals in agriculture, and strategies for articulating the state program in vocational agriculture education, including youth leadership throughout the state school system. [1983 1st ex.s. c 34 § 2. Formerly RCW 28A.03.417.]

**RCW 28A.300.100 Vocational agriculture education—Superintendent to adopt rules.** The superintendent of public instruction, pursuant to chapter 34.05 RCW, shall adopt such rules as are necessary to carry out the provisions of RCW 28A.300.090. [1990 c 33 § 254; 1983 1st ex.s. c 34 § 3. Formerly RCW 28A.03.419.]

**RCW 28A.300.105 Office of Native education—Duties—Report.** (1) To the extent funds are available, an Indian education division, to be known as the office of Native education, is created within the office of the superintendent of public instruction. The superintendent shall appoint an individual to be responsible for the office of Native education.

(2) To the extent state funds are available, with additional support of federal and local funds where authorized by law, the office of Native education shall:

(a) Provide assistance to school districts in meeting the educational needs of American Indian and Alaska Native students;

(b) Facilitate the development and implementation of curricula and instructional materials in native languages, culture and history, and the concept of tribal sovereignty pursuant to RCW 28A.320.170;

(c) Provide assistance to districts in the acquisition of funding to develop curricula and instructional materials in conjunction with native language practitioners and tribal elders;

(d) Coordinate technical assistance for public schools that serve American Indian and Alaska Native students;

(e) Seek funds to develop, in conjunction with the Washington state native American education advisory committee, and implement the following support services for the purposes of both increasing the number of American Indian and Alaska Native teachers and principals and providing continued professional development for educational assistants, teachers, and principals serving American Indian and Alaska Native students:

(i) Recruitment and retention;

(ii) Academic transition programs;

(iii) Academic financial support;

(iv) Teacher preparation;

(v) Teacher induction; and

(vi) Professional development;

(f) Facilitate the inclusion of native language programs in school districts' curricula;

(g) Work with all relevant agencies and committees to highlight the need for accurate, useful data that is appropriately disaggregated to provide a more accurate picture regarding American Indian and Alaska Native students; and

(h) Report to the governor, the legislature, and the governor's office of Indian affairs on an annual basis, beginning in December 2012, regarding the state of Indian education and the implementation of all state laws regarding Indian education, specifically noting system successes and accomplishments, deficiencies, and needs. [2011 c 270 § 2.]

**Findings——2011 c 270:** "The legislature finds:

(1) Leadership, technical assistance, and advocacy is important to promoting the academic success of all students, particularly including American Indian and Alaska Native students;

(2) American Indian and Alaska Native students make up two and one-half percent of the total student population in the state and twenty-five percent or more of the student population in fifty-seven schools across the state;

(3) The annual dropout rate for American Indian and Alaska Native students has hovered around ten or eleven percent over the past three school years and, while the on-time graduation rate for these students has improved between the 2006-07 and 2008-09 school years, it is still only fifty-two and seven-tenths percent; and

(4) Despite the passage of House Bill No. 1495 in 2005, with its goal of educating citizens of the state about tribal history, culture, treaty rights, contemporary tribal and state government institutions and relations, and the contribution of American Indians and Alaska Natives to the state, that goal has yet to be achieved in many schools." [2011 c 270 § 1.]

**RCW 28A.300.106 Native education public-private partnership account.** The Native education public-private partnership account is created in the custody of the state treasurer. The purpose of the account is to support the activities of the office of Native education within the office of the superintendent of public instruction under RCW 28A.300.105. Receipts from any appropriations made by the legislature for the purposes of RCW 28A.300.105, federal funds, gifts or grants from the private sector or foundations, and other sources must be deposited into the account. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2011 c 270 § 3.]

**Findings——2011 c 270:** See note following RCW 28A.300.105.

**RCW 28A.300.108 Tribal consultation training and schedule.** (1) The legislature recognizes that federal law requires some school districts to consult with federally recognized tribes on issues affecting American Indian and Alaska Native students. Under the federal every student succeeds act, this consultation requirement is intended to "ensure timely and meaningful consultation on issues affecting American Indian and Alaska Native students." The legislature acknowledges that many school district staff have not had the opportunity to learn how to engage in meaningful consultation as required by the federal law and recognizes that additional training opportunities for school directors and school district staff are

needed. The legislature finds that ensuring the federal consultation requirements are implemented in a meaningful way will contribute towards helping create a more inclusive educational environment that supports long-term success for all native students.

(2)(a) The office of the superintendent of public instruction, the office of Native education in conjunction with the Washington state Native American education advisory committee, and the Washington state school directors' association shall collaborate, at a minimum, with the tribal leaders congress on education, and any other affected federally recognized tribes that express interest in participating, to develop a tribal consultation training and schedule for purposes of assisting school district board directors and staff in understanding how to engage in the consultation process required under Title VI of the federal every student succeeds act (P.L. 114-95, 20 U.S.C. Sec. 10001 et seq., 20 U.S.C. 6301 et seq.).

(b) The tribal consultation training and schedule created under this section shall be offered by the office of Native education in the office of the superintendent of public instruction.

(c) The tribal consultation training and schedule must be developed and finalized by January 1, 2023.

(d) The tribal consultation training must incorporate, at a minimum, the following issues:

(i) Identification of native students, including federal identification guidelines for American Indian and Alaska Native students;

(ii) Data sharing from school districts to federally recognized tribes; and

(iii) Implementation of the tribal history, culture, and government curriculum under RCW 28A.320.170.

(e) The training must be made available to all school district directors and educational service district board members, and it is encouraged that the training also be included in onboarding training for all new school district directors and educational service district board members.

(3)(a) Beginning September 1, 2024, school board members, superintendents, and any other staff at school districts that are required to perform tribal consultation under Title VI of the federal every student succeeds act (P.L. 114-95, 20 U.S.C. Sec. 1001 et seq., 20 U.S.C. 6301 et seq.) must take and certify completion of the tribal consultation training created under this section.

(b) All individuals required to take the tribal consultation training under this section must, at a minimum, renew the certification of completion of the training every three years.

(4) The office of the superintendent of public instruction shall adopt rules to implement this section. [2022 c 9 § 1.]

**RCW 28A.300.112 Ethnic studies materials and resources.** (1) By September 1, 2021, the office of the superintendent of public instruction shall identify and make available ethnic studies materials and resources for use in grades kindergarten through twelve. The materials and resources must be designed to prepare students to be global citizens in a global society with an appreciation for the contributions of multiple cultures. The materials and resources must be posted on the office of the superintendent of public instruction's website.

(2)(a) Public schools with students in grades seven through twelve are encouraged to offer an ethnic studies course that incorporates the materials and resources identified under subsection (1) of this section.

(b) Public schools with students in grades kindergarten through six are encouraged to incorporate the materials and resources identified under subsection (1) of this section. [2020 c 59 § 2; 2019 c 279 § 3.]

**Intent——2019 c 279:** "The legislature intends that nothing in this act supersedes the use of the Since Time Immemorial: Tribal sovereignty in Washington state curriculum, developed as required under RCW 28A.320.170(1)(b)." [2019 c 279 § 5.]

**Intent——2019 c 279:** See note following RCW 28A.655.300.

**RCW 28A.300.115 Holocaust instruction——Preparation and availability of instructional materials.** (1) Every public middle school, junior high school, and high school is strongly encouraged to include in its curriculum instruction on the events of the period in modern world history known as the Holocaust, the systemic, German state-sponsored persecution and murder of Jews and other innocent victims by the Nazi regime and its collaborators between the years 1933 and 1945. The instruction may also include other examples of genocide and crimes against humanity. The studying of this material is intended to: Examine the ramifications of prejudice, racism, and intolerance; prepare students to be responsible citizens in a pluralistic democracy; and be a reaffirmation of the commitment of free peoples never again to permit such occurrences.

(2) The office of the superintendent of public instruction, in collaboration with an expert Washington nonprofit organization that teaches the lessons of the Holocaust, must:

(a) Develop best practices and guidelines for high quality instruction under this section; and

(b) Encourage and support middle school, junior high school, and high school teachers in implementing these best practices and guidelines.

(3) Beginning September 1, 2020, middle schools, junior high schools, and high schools that offer instruction as described in subsection (1) of this section must follow the best practices and guidelines developed under subsection (2) of this section.

(4) The office of the superintendent of public instruction must electronically publish the best practices and guidelines developed under this section on an annual basis. [2019 c 85 § 1; 1992 c 24 § 1.]

**RCW 28A.300.116 Holocaust instruction——Teacher training.** Subject to the availability of amounts appropriated for this specific purpose, and in order to broaden the reach of the instruction to public school students, the office of the superintendent of public instruction must work with an expert Washington nonprofit organization that teaches the lessons of the Holocaust, to support and train Washington middle school, junior high school, and high school teachers who teach in subjects relevant to the topic, in instructing the

lessons of the Holocaust and other acts of genocide using the best practices and guidelines for the high quality instruction developed under RCW 28A.300.115. [2019 c 85 § 2.]

**RCW 28A.300.118 College credit program information—Notification to schools and parents.** (1) Beginning with the 2000-01 school year, the superintendent of public instruction shall notify senior high schools and any other public school that includes ninth grade of the names and contact information of public and private entities offering programs leading to college credit, including information about online advanced placement classes, if the superintendent has knowledge of such entities and if the cost of reporting these entities is minimal.

(2) Beginning with the 2000-01 school year, each senior high school and any other public school that includes ninth grade shall publish annually and deliver to each parent with children enrolled in ninth through twelfth grades, information concerning the entrance requirements and the availability of programs in the local area that lead to college credit, including classes such as advanced placement, running start, tech-prep, skill centers, college in the high school, and international baccalaureate programs. The information may be included with other information the school regularly mails to parents. In addition, each senior high school and any other public school that includes ninth grade shall enclose information of the names and contact information of other public or private entities offering such programs, including online advanced placement programs, to its ninth through twelfth grade students if the school has knowledge of such entities. [2000 c 126 § 1.]

**RCW 28A.300.119 Online learning programs for college credit—Information.** (1) The office of the superintendent of public instruction shall compile information about online learning programs for high school students to earn college credit and place the information on its website. Examples of information to be compiled and placed on the website include links to purveyors of online learning programs, comparisons among various types of programs regarding costs or awarding of credit, advantages and disadvantages of online learning programs, and other general assistance and guidance for students, teachers, and counselors in selecting and considering online learning programs. The office shall use the expertise of the digital learning commons and WashingtonOnline to provide assistance and suggest resources.

(2) High schools shall ensure that teachers and counselors have information about online learning programs for high school students to earn college credit and are able to assist parents and students in accessing the information. High schools shall ensure that parents and students have opportunities to learn about online learning programs under this section.

(3) For the purposes of this section, online learning programs for high school students to earn college credit include such programs as the running start program under RCW 28A.600.300 through 28A.600.400, advanced placement courses authorized by the college board, the digital learning commons, University of Washington extension, WashingtonOnline, and other programs and providers that meet qualifications under current laws and rules to offer courses that

high schools may accept for credit toward graduation requirements or that offer courses generally accepted for credit by public institutions of higher education in Washington. [2008 c 95 § 2.]

**Finding—2008 c 95:** "The legislature finds that student interest and participation in online learning continues to grow. At the same time, the legislature, business community, and public are encouraging additional programs for high school students to earn college credits. Fortunately for students attending schools in rural areas, the two trends can be combined to provide learning opportunities that are both rigorous and accessible, and in some cases available free to the student. In 2006-07, more than four thousand five hundred students were able to take an online college course through the running start program, which the community and technical college system makes accessible statewide through its WashingtonOnline consortium. A more concerted effort is needed to make schools and students aware of these opportunities." [2008 c 95 § 1.]

**RCW 28A.300.120 Administrative hearing—Contract to conduct authorized—Final decision.** Whenever a statute or rule provides for a formal administrative hearing before the superintendent of public instruction under chapter 34.05 RCW, the superintendent of public instruction may contract with the office of administrative hearings to conduct the hearing under chapter 34.12 RCW and may delegate to a designee of the superintendent of public instruction the authority to render the final decision. [1985 c 225 § 1. Formerly RCW 28A.03.500.]

**RCW 28A.300.130 Center for the improvement of student learning.** Provisions in subsections (1) through (5) of this section are subject to the availability of amounts appropriated for these specific purposes.

(1) To facilitate access to information and materials on educational improvement and research, the superintendent of public instruction shall establish the center for the improvement of student learning. The center shall work in conjunction with parents, educational service districts, institutions of higher education, and education, parent, community, and business organizations.

(2) The center, in conjunction with other staff in the office of the superintendent of public instruction, shall:

(a) Serve as a clearinghouse for information regarding successful educational improvement and parental involvement programs in schools and districts, and information about efforts within institutions of higher education in the state to support educational improvement initiatives in Washington schools and districts;

(b) Provide best practices research that can be used to help schools develop and implement: Programs and practices to improve instruction; systems to analyze student assessment data, with an emphasis on systems that will combine the use of state and local data to monitor the academic progress of each and every student in the school district; comprehensive, school-wide improvement plans; school-based shared decision-making models; programs to promote lifelong learning and community involvement in education; school-to-work transition programs; programs to meet the needs of highly capable students; programs and practices to meet the needs of students with

disabilities; programs and practices to meet the diverse needs of students based on gender, racial, ethnic, economic, and special needs status; research, information, and technology systems; and other programs and practices that will assist educators in helping students learn the essential academic learning requirements;

(c) Periodically review the efficacy of programs and practices designed to meet the needs of students who are not meeting academic standards as defined in RCW 28A.165.015, starting with the best practices and strategies included on the state menus developed under RCW 28A.165.035, as repealed by chapter 111, Laws of 2021, and RCW 28A.655.235, and the services and activities listed in RCW 28A.165.035, as repealed by chapter 111, Laws of 2021;

(d) Develop and maintain an internet website to increase the availability of information, research, and other materials;

(e) Work with appropriate organizations to inform teachers, district and school administrators, and school directors about the waivers available and the broadened school board powers under RCW 28A.320.015;

(f) Provide training and consultation services, including conducting regional summer institutes;

(g) Identify strategies for improving the success rates of ethnic and racial student groups and students with disabilities, with disproportionate academic achievement;

(h) Work with parents, teachers, and school districts in establishing a model absentee notification procedure that will properly notify parents when their student has not attended a class or has missed a school day. The office of the superintendent of public instruction shall consider various types of communication with parents including, but not limited to, email, phone, and postal mail;

(i) By December 1, 2026, and by December 1st annually thereafter: (i) Review the learning assistance program information submitted as required by RCW 28A.165.100; and (ii) report to the appropriate committees of the legislature with a summary of the innovations made by school districts to reduce barriers to the academic achievement of students participating in the learning assistance program; and

(j) Perform other functions consistent with the purpose of the center as prescribed in subsection (1) of this section.

(3) The superintendent of public instruction shall select and employ a director for the center.

(4) The superintendent may enter into contracts with individuals or organizations including but not limited to: School districts; educational service districts; educational organizations; teachers; higher education faculty; institutions of higher education; state agencies; business or community-based organizations; and other individuals and organizations to accomplish the duties and responsibilities of the center. In carrying out the duties and responsibilities of the center, the superintendent, whenever possible, shall use practitioners to assist agency staff as well as assist educators and others in schools and districts.

(5) The office of the superintendent of public instruction shall report to the legislature by September 1, 2007, and thereafter biennially, regarding the effectiveness of the center for the improvement of student learning, how the services provided by the center for the improvement of student learning have been used and by whom, and recommendations to improve the accessibility and application of knowledge and information that leads to improved student learning and greater family and community involvement in the public education

system. [2021 c 111 § 9; 2016 c 72 § 804; 2009 c 578 § 6; 2008 c 165 § 1; 2006 c 116 § 2; 1999 c 388 § 401; 1996 c 273 § 5; 1993 c 336 § 501; 1986 c 180 § 1. Formerly RCW 28A.03.510.]

**Finding—Intent—Effective date—2021 c 111:** See notes following RCW 28A.300.139.

**Finding—Intent—2016 c 72:** See note following RCW 28A.600.015.

**Findings—Intent—2006 c 116:** "The legislature finds that expanding activity in educational research, educational restructuring, and educational improvement initiatives has produced and continues to produce much valuable information. The legislature finds that such information should be shared with the citizens and educational community of the state as widely as possible. The legislature further finds that students and schools benefit from increased parental, guardian, and community involvement in education and increased knowledge of and input regarding the delivery of public education. The legislature further finds that increased community involvement with, knowledge of, and input regarding the public education system is particularly needed in low-income and ethnic minority communities.

The legislature finds that the center for the improvement of student learning, created by the legislature in 1993 under the auspices of the superintendent of public instruction, has not been allocated funding since the 2001-2003 biennium, and in effect no longer exists. It is the intent of the legislature to reactivate the center for the improvement of student learning, and to create an educational ombudsman [ombuds] to increase parent, guardian, and community involvement in public education and to serve as a resource for parents and students and as an advocate for students in the public education system." [2006 c 116 § 1.]

**Effective date—1996 c 273:** See note following RCW 28A.300.290.

**Findings—Intent—Part headings not law—1993 c 336:** See notes following RCW 28A.150.210.

**Findings—1993 c 336:** See note following RCW 28A.150.210.

*Definitions: RCW 28A.655.010.*

**RCW 28A.300.131 Parental involvement—Measures to evaluate level—Models and practices—Recognition.** There is a sizeable body of research positively supporting the involvement of parents taking an engaged and active role in their child's education. Therefore, the legislature intends to provide state recognition by the center for the improvement of student learning within the office of the superintendent of public instruction for schools that increase the level of direct parental involvement with their child's education. By September 1, 2010, the center for the improvement of student learning shall determine measures that can be used to evaluate the level of parental involvement in a school. The center for the improvement of student learning shall collaborate with school district family and community outreach programs and educational service districts to

identify and highlight successful models and practices of parent involvement. [2010 c 235 § 704.]

**Finding—2010 c 235:** See note following RCW 28A.405.245.

**RCW 28A.300.135 Center for the improvement of student learning account.** (1) The center for the improvement of student learning account is hereby established in the custody of the state treasurer. The superintendent of public instruction shall deposit in the account all moneys received from gifts, grants, or endowments for the center for the improvement of student learning. Moneys in the account may be spent only for activities of the center. Disbursements from the account shall be on authorization of the superintendent of public instruction or the superintendent's designee. The account is subject to the allotment procedure provided under chapter 43.88 RCW, but no appropriation is required for disbursements.

(2) The superintendent of public instruction may receive such gifts, grants, and endowments from public or private sources as may be made from time to time, in trust or otherwise, for the use and benefit of the purposes of the center for the improvement of student learning and expend the same or any income therefrom according to the terms of the gifts, grants, or endowments. [1993 c 336 § 502.]

**Findings—Intent—Part headings not law—1993 c 336:** See notes following RCW 28A.150.210.

**Findings—1993 c 336:** See note following RCW 28A.150.210.

**RCW 28A.300.136 Educational opportunity gap oversight and accountability committee—Policy and strategy recommendations.** (1) An educational opportunity gap oversight and accountability committee is created to synthesize the findings and recommendations from the 2008 achievement gap studies into an implementation plan, and to recommend policies and strategies to the superintendent of public instruction, the professional educator standards board, and the state board of education to close the achievement gap.

(2) The committee shall recommend specific policies and strategies in at least the following areas:

(a) Supporting and facilitating parent and community involvement and outreach;

(b) Enhancing the cultural competency of current and future educators and the cultural relevance of curriculum and instruction;

(c) Expanding pathways and strategies to prepare and recruit diverse teachers and administrators;

(d) Recommending current programs and resources that should be redirected to narrow the gap;

(e) Identifying data elements and systems needed to monitor progress in closing the gap;

(f) Making closing the achievement gap part of the school and school district improvement process; and

(g) Exploring innovative school models that have shown success in closing the achievement gap.

(3) Taking a multidisciplinary approach, the committee may seek input and advice from other state and local agencies and organizations

with expertise in health, social services, gang and violence prevention, substance abuse prevention, and other issues that disproportionately affect student achievement and student success.

(4) The educational opportunity gap oversight and accountability committee shall be composed of the following members:

(a) The chairs and ranking minority members of the house and senate education committees, or their designees;

(b) One additional member of the house of representatives appointed by the speaker of the house and one additional member of the senate appointed by the president of the senate;

(c) A representative of the office of the education ombuds;

(d) A representative of the center for the improvement of student learning in the office of the superintendent of public instruction;

(e) A representative of federally recognized Indian tribes whose traditional lands and territories lie within the borders of Washington state, designated by the federally recognized tribes; and

(f) Four members appointed by the governor in consultation with the state ethnic commissions, who represent the following populations: African Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans.

(5) The governor and the tribes are encouraged to designate members who have experience working in and with schools.

(6) The committee may convene ad hoc working groups to obtain additional input and participation from community members. Members of ad hoc working groups shall serve without compensation and shall not be reimbursed for travel or other expenses.

(7) The chair or cochairs of the committee shall be selected by the members of the committee. Staff support for the committee shall be provided by the center for the improvement of student learning. Members of the committee shall serve without compensation but must be reimbursed as provided in RCW 43.03.050 and 43.03.060. Legislative members of the committee shall be reimbursed for travel expenses in accordance with RCW 44.04.120.

(8) The superintendent of public instruction, the state board of education, and the professional educator standards board shall work collaboratively with the educational opportunity gap oversight and accountability committee to close the achievement gap. [2016 c 162 § 3; 2013 c 23 § 49; 2011 1st sp.s. c 21 § 33; 2010 c 235 § 901; 2009 c 468 § 2.]

**Effective date—2011 1st sp.s. c 21:** See note following RCW 72.23.025.

**Finding—2010 c 235:** See note following RCW 28A.405.245.

**Findings—Intent—2009 c 468:** "(1) The legislature finds compelling evidence from five commissioned studies that additional progress must be made to address the achievement gap. Many students are in demographic groups that are overrepresented in measures such as school disciplinary sanctions; failure to meet state academic standards; failure to graduate; enrollment in special education and underperforming schools; enrollment in advanced placement courses, honors programs, and college preparatory classes; and enrollment in and completion of college. The studies contain specific recommendations that are data-driven and drawn from education research, as well as the personal, professional, and cultural

experience of those who contributed to the studies. The legislature finds there is no better opportunity to make a strong commitment to closing the achievement gap and to affirm the state's constitutional obligation to provide opportunities to learn for all students without distinction or preference on account of race, ethnicity, socioeconomic status, or gender.

(2) The legislature further finds that access to comprehensive and consistent data that is disaggregated in the smallest units allowable by law is important in closing the achievement gap. Policymakers and educators need as much information as possible not only about students' academic progress, but also about other factors across multiple disciplines that affect student performance.

(3) A consistent and powerful theme throughout the achievement gap studies was the need for cultural competency in instruction, curriculum, assessment, and professional development. Cultural competency forms a foundation for efforts to address the achievement gap, and more work is needed to embed it into the public school system.

(4) Therefore, following the priority recommendations from the achievement gap studies, the legislature intends to:

(a) Provide resources to support parent and community involvement and outreach efforts by public schools, including such items as additional notices and communication to parents, translations, translators, parent and community meetings, and school events within the community. The legislature encourages school districts to consult with the office of the education ombudsman [ombuds] in developing plans for parent and community involvement and outreach;

(b) Require that teachers demonstrate cultural competency in the classroom and with students at each level of state teacher certification, and provide additional opportunities for professional development in cultural competency for current teachers;

(c) Create local alternative routes to teacher certification for paraeducators and individuals in the communities surrounding schools and school districts that are struggling to address the achievement gap;

(d) Reexamine the study recommendations regarding data and accountability and identify ways for the education data system to address these needs; and

(e) Sustain efforts to close the achievement gap over the long term by creating a high profile achievement gap oversight and accountability committee that will provide ongoing advice to education agencies and report annually to the legislature and the governor." [2009 c 468 § 1.]

**RCW 28A.300.1361 Closing the achievement gap——Enhancing data collection and data system capacity——Securing federal funds.** The superintendent of public instruction shall take all actions necessary to secure federal funds to support enhancing data collection and data system capacity in order to monitor progress in closing the achievement gap and to support other innovations and model programs that align education reform and address disproportionality in the public school system. [2009 c 468 § 7.]

**Findings——Intent——2009 c 468:** See note following RCW 28A.300.136.

**RCW 28A.300.137 Strategies to address the achievement gap—Improvement of education performance measures—Annual report.** Beginning in January 2010, the *achievement gap oversight and accountability committee shall report annually to the superintendent of public instruction, the state board of education, the professional educator standards board, the governor, and the education committees of the legislature on the strategies to address the achievement gap and on the progress in improvement of education performance measures for African American, Hispanic, American Indian/Alaskan Native, Asian, and Pacific Islander/Hawaiian Native students. [2009 c 468 § 3; 2008 c 298 § 3.]

***Reviser's note:** The "achievement gap oversight and accountability committee" was renamed the "educational opportunity gap oversight and accountability committee" by 2011 1st sp.s. c 21 § 33.

**Findings—Intent—2009 c 468:** See note following RCW 28A.300.136.

**Findings—Intent—2008 c 298:** "(1) The legislature finds that of all the challenges confronting the African American community, perhaps none is more critical to the future than the education of African American children. The data regarding inequities, disproportionality, and gaps in achievement is alarming no matter which indicators are used:

(a) The gap in reading test scores between African American and white students on the tenth grade Washington assessment of student learning is twenty percentage points, with only two-thirds of African American students able to meet the upcoming graduation standard in reading on the first attempt compared to eighty-five percent of white students. African American students are lagging behind other student groups in reading improvement.

(b) African American students continue to score lowest among student groups in high school mathematics, with only twenty-three percent able to meet state standard on the first attempt, a thirty-three percentage point lag behind white students who have a fifty-six percent met-standard rate.

(c) One-fourth of African American students who enter ninth grade will have dropped out of school by the time their peers graduate in twelfth grade. This measure does not account for the children who, facing significant educational challenges and barriers, have already grown disparaged before the end of middle or junior high school.

(2) The legislature further finds that although there are multiple initiatives broadly intended to improve student achievement, including a small number of initiatives to address the achievement gap for disadvantaged students generally, there are only a select few efforts targeted to the challenges of African American students or designed specifically to engage parents and leaders in the African American community. The efficacy of general supplemental programs in helping African American students is unknown. A thoughtful, comprehensive, and inclusive strategy for African American students has not been created.

(3) Therefore, the legislature intends to commission and then implement a clear, concise, and intentional plan of action, with specific strategies and performance benchmarks, to ensure that African American students meet or exceed all academic standards and are prepared for a quality life and responsible citizenship in the twenty-first century." [2008 c 298 § 1.]

**RCW 28A.300.139 Washington integrated student supports protocol.** (1) The Washington integrated student supports protocol is established. The protocol shall be developed by the center for the improvement of student learning, established in RCW 28A.300.130, based on the framework described in this section. The purposes of the protocol include:

(a) Supporting a school-based approach to promoting the success of all students by coordinating academic and nonacademic supports to reduce barriers to academic achievement and educational attainment;

(b) Fulfilling a vision of public education where educators focus on education, students focus on learning, and auxiliary supports enable teaching and learning to occur unimpeded;

(c) Encouraging the creation, expansion, and quality improvement of community-based supports that can be integrated into the academic environment of schools and school districts;

(d) Increasing public awareness of the evidence showing that academic outcomes are a result of both academic and nonacademic factors; and

(e) Supporting statewide and local organizations in their efforts to provide leadership, coordination, technical assistance, professional development, and advocacy to implement high quality, evidence-based, student-centered, coordinated approaches throughout the state.

(2)(a) The Washington integrated student supports protocol must be sufficiently flexible to adapt to the unique needs of schools and districts across the state, yet sufficiently structured to provide all students with the individual support they need for academic success.

(b) The essential framework of the Washington integrated student supports protocol includes:

(i) Needs assessments: A system-level needs assessment with resource mapping must be conducted in order to identify academic and nonacademic supports that are currently available or lacking in schools, school districts, and the community. A student-level needs assessment must be conducted for all at-risk students in order to develop or identify the needed academic and nonacademic supports within the students' school and community. These supports must be coordinated to provide students with a package of mutually reinforcing supports designed to meet the individual needs of each student.

(ii) Integration and coordination: The school and district leadership and staff must establish clear, cooperative policies and procedures with community-based and other out-of-school providers of academic and nonacademic supports to enhance the effectiveness of the protocol.

(iii) Community partnerships: Community partners must be engaged to provide academic, nonacademic, and social-emotional supports to reduce barriers to students' academic success, including supports to students' families.

(iv) Data driven: Students' needs and outcomes must be tracked over time to determine student progress and evolving needs.

(c) The framework must facilitate the ability of any academic or nonacademic provider to support the needs of at-risk students, including, but not limited to: Out-of-school providers, social workers, mental health counselors, physicians, dentists, speech therapists, and audiologists. [2021 c 111 § 4; 2016 c 72 § 801.]

**Finding—Intent—2021 c 111:** "(1) The legislature acknowledges that the learning assistance program was developed to provide supplemental instruction and services for public school students who are not meeting academic standards. Initially, school districts were allowed to use learning assistance program funds in a flexible manner to support students participating in the program. Over time, the legislature restricted, and established priorities for, the use of learning assistance program funds. The legislature finds that it is time to restore flexibility to the use of learning assistance program funds; however, local control must be balanced with accountability for improvement in the academic achievement of students participating in the program.

(2)(a) The legislature expects that the learning assistance program will continue to be used to fund supplemental instruction and service to eligible students who are not meeting academic standards.

(b) However, the legislature intends to immediately remove restrictions on the use of learning assistance program funds so that school districts can flexibly use these funds to identify and address the academic and nonacademic needs of students resulting from and exacerbated by the COVID-19 pandemic. Removal of the restrictions does not mean that learning assistance programs cannot continue to use the best practices and strategies included on the state menus or the services and activities listed in RCW 28A.165.035, as repealed by this act.

(3)(a) Beginning September 1, 2025, or following the end of the state of emergency declared by the governor due to COVID-19, whichever is later, the legislature intends to continue the flexible use of learning assistance program funds but require that budgeting and expenditure of these funds occur through the framework of the Washington integrated student supports protocol, established by the legislature in 2016.

(b) To ease the transition, the legislature recommends that school district boards of directors begin budgeting and expending learning assistance program funds using the Washington integrated student supports protocol as soon as possible.

(c) Under the protocol, before engaging in the process of budgeting and expending learning assistance program funds, the legislature expects school district boards of directors to perform needs assessments and use data to map the resources of the school district, each school, and the community. School boards are expected to identify gaps in the coordination and integration of academic and nonacademic supports and to engage community partners in strategic planning that prioritizes the needs of students. Each school in the district is also expected to use needs assessments and data to determine how to best engage community partners to address the academic and nonacademic needs of its students in an integrated and coordinated manner. Finally, the legislature expects that schools and school districts will use data in an iterative process to drive decisions about how learning assistance program funds continue to be used, and to determine whether decisions about the use of program funds resulted in improvement in students' academic achievement." [2021 c 111 § 1.]

**Effective date—2021 c 111:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or

support of the state government and its existing public institutions, and takes effect immediately [April 21, 2021]." [2021 c 111 § 17.]

**Finding—Intent—2016 c 72:** See note following RCW 28A.600.015.

**RCW 28A.300.145 Educational materials regarding sex offenses, sex offenders, and victims of sexual assault.** (1) The Washington coalition of sexual assault programs, in consultation with the Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, the Washington state school directors' association, the association of Washington school principals, the center for children and youth justice, youthcare, the committee for children, the department of children, youth, and families, the department of social and health services, the office of crime victims advocacy, other relevant organizations, and the office of the superintendent of public instruction, shall by June 1, 2014, update existing educational materials made available throughout the state to inform parents, students, school districts, and other interested community members about:

(a) The laws related to sex offenses, including the legal elements of sex offenses under chapter 9A.44 RCW where a minor is a victim, the consequences upon conviction, and sex offender registration, community notification, and the classification of sex offenders based on an assessment of the risk of reoffending;

(b) How to recognize behaviors characteristic of sex offenses and sex offenders;

(c) How to prevent victimization, particularly that of young children;

(d) How to take advantage of community resources for victims of sexual assault;

(e) How to prevent children from being recruited into sex trafficking; and

(f) Other information as deemed appropriate.

(2) By September 1, 2014, and biennially thereafter, the Washington coalition of sexual assault programs, in consultation with the Washington association of sheriffs and police chiefs, the Washington association of prosecuting attorneys, and the office of the superintendent of public instruction, shall review and update the educational materials developed under subsection (1) of this section to assure that they remain current and accurate, and are age-appropriate for a variety of ages.

(3) Every public school that offers sexual health education must assure that sexual health education complies with existing requirements in the January 2005 guidelines for sexual health information and disease prevention developed by the department of health and the superintendent of public instruction. Specifically, sexual health education must attempt to achieve the objective "take responsibility for and understand the consequences of their own behavior" and the objective "avoid exploitive or manipulative relationships." To do this, sexual health education programs should include age-appropriate information about the legal elements of sex offenses under chapter 9A.44 RCW where a minor is a victim and the consequences upon conviction, as well as the other information required to be included in informational materials prepared pursuant to subsection (1) of this section. Public schools that offer sexual

health education are encouraged to incorporate the materials developed under subsection (1) of this section into the curriculum. [2023 c 470 § 1004. Prior: 2013 c 85 § 1; 2013 c 10 § 3; 2006 c 135 § 2.]

**Explanatory statement——2023 c 470:** See note following RCW 10.99.030.

**Finding——2013 c 10:** See note following RCW 28A.410.035.

**RCW 28A.300.147 Students required to register as sex or kidnapping offenders——Sample policy——Educational materials.** The superintendent of public instruction shall publish on its website, with a link to the safety center web page:

(1) A revised and updated sample policy for schools to follow regarding students required to register as sex or kidnapping offenders; and

(2) Educational materials developed pursuant to RCW 28A.300.145. [2015 c 261 § 13; 2011 c 338 § 6.]

**RCW 28A.300.150 Information on and curricula for the prevention of sexual abuse of students, child abuse, and neglect——Rules.** (1) The superintendent of public instruction shall collect and disseminate to school districts information on and curricula for the coordinated program for the prevention of sexual abuse of students in kindergarten through twelfth grade, child abuse, and neglect established in RCW 28A.300.160. The superintendent shall also adopt rules addressing the prevention of sexual abuse of students in kindergarten through twelfth grade and child abuse for purposes of curricula used in public schools.

(2) Effective July 1, 2018, the superintendent of public instruction and the department of children, youth, and families shall share relevant information in furtherance of this section.

(3) Subject to the availability of amounts appropriated for this specific purpose, on or before June 30, 2019, the superintendent of public instruction must review any existing curricula related to the prevention of sexual abuse of students in kindergarten through twelfth grade. The review required by this subsection must evaluate the curricula for alignment with the provisions of RCW 28A.300.160(2). [2018 c 64 § 2; 2006 c 263 § 705; 1994 c 245 § 8; 1987 c 489 § 2. Formerly RCW 28A.03.512.]

**Findings——Intent——2018 c 64:** See note following RCW 28A.300.160.

**Findings——Purpose——Part headings not law——2006 c 263:** See notes following RCW 28A.150.230.

**Intent——1987 c 489:** "It is the intent of the legislature to make child abuse and neglect primary prevention education and training available to children, including preschool age children, parents, school employees, and licensed day care providers." [1987 c 489 § 1.]

**RCW 28A.300.155 Child sexual abuse and sex trafficking prevention and identification public-private partnership account.** The

child sexual abuse and sex trafficking prevention and identification public-private partnership account is created in the custody of the state treasurer. All receipts from gifts, grants, or endowments from public or private sources, federal funds, and any appropriations made by the legislature or other sources must be deposited into the account. Expenditures from the account may be used only for curriculum and professional development to support instruction on child sexual abuse and sex trafficking prevention and identification. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2023 c 328 § 3.]

**Findings——2023 c 328:** See note following RCW 28A.320.168.

**RCW 28A.300.160 Coordinated program for the prevention of sexual abuse of students, child abuse, and neglect.** (1)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall be the lead agency and shall assist the department of children, youth, and families and school districts in establishing a coordinated program for the prevention of sexual abuse of students in kindergarten through twelfth grade, child abuse, and neglect.

(b) The office of the superintendent of public instruction must, for any curriculum included within a program for the prevention of sexual abuse of students in kindergarten through twelfth grade, seek advice and comments regarding the curriculum from:

(i) The Washington association of sheriffs and police chiefs;

(ii) The Washington association of prosecuting attorneys;

(iii) The Washington state school directors' association;

(iv) The association of Washington school principals;

(v) The center for children and youth justice;

(vi) Youthcare;

(vii) The committee for children;

(viii) The office of crime victim advocacy in the department of commerce; and

(ix) Other relevant organizations.

(2) In developing the program, consideration shall be given to the following:

(a) Parent, teacher, and children's workshops whose information and training is:

(i) Provided in a clear, age-appropriate, nonthreatening manner, delineating the problem and the range of possible solutions;

(ii) Culturally and linguistically appropriate to the population served;

(iii) Appropriate to the geographic area served; and

(iv) Designed to help counteract common stereotypes about the sexual abuse of students in kindergarten through twelfth grade, child abuse victims, and offenders;

(b) Training for school-age children's parents and school staff, which includes:

(i) Physical and behavioral indicators of abuse;

(ii) Crisis counseling techniques;

(iii) Community resources;

(iv) Rights and responsibilities regarding reporting;

(v) School district procedures to facilitate reporting and apprise supervisors and administrators of reports; and

(vi) Caring for a child's needs after a report is made;

(c) Training for licensed day care providers and parents that includes:

(i) Positive child guidance techniques;

(ii) Physical and behavioral indicators of abuse;

(iii) Recognizing and providing safe, quality day care;

(iv) Community resources;

(v) Rights and responsibilities regarding reporting; and

(vi) Caring for the abused or neglected child;

(d) Training for children that includes:

(i) The right of every child to live free of abuse;

(ii) How to disclose incidents of abuse and neglect;

(iii) The availability of support resources and how to obtain help;

(iv) Child safety training and age-appropriate self-defense techniques; and

(v) A period for crisis counseling and reporting immediately following the completion of each children's workshop in a school setting which maximizes the child's privacy and sense of safety.

(3) The coordinated prevention program established under this section is a voluntary program and is not part of the state's program of basic education.

(4) Parents shall be given notice of the coordinated prevention program and may refuse to have their children participate in the program. [2018 c 64 § 3; 1995 c 399 § 21; 1987 c 489 § 3. Formerly RCW 28A.03.514.]

**Findings—Intent—2018 c 64:** "(1) The legislature recognizes that every child should experience emotional and physical development that is free from abuse and neglect. In 2015, Washington child protective services received reports screened in for investigation that alleged the sexual abuse or sexual exploitation, or both, of two thousand six hundred three children. Further, the legislature finds that most sexual assaults are unreported. The legislature also finds that a clear relationship exists between youth victimization and mental health problems and delinquent behavior.

(2) The legislature finds that thirty-one states have enacted Erin's laws. Erin's laws, named in honor of a childhood sexual assault survivor, are intended to help children, teachers, and parents identify sexual abuse, and to provide assistance, referral, or resource information for children and families who are victims of child sexual abuse. The legislation adopted in these states requires the study or development of age-appropriate child sexual abuse identification and prevention.

(3) The legislature finds that the federal every student succeeds act, P.L. 114-95, as signed into law by President Barack Obama on December 10, 2015, provides federal funding that can be used for the implementation of programs established in accordance with Erin's laws.

(4) The legislature, therefore, intends to incorporate curriculum for the prevention of sexual abuse of students in kindergarten through twelfth grade, such as Erin's law, into an existing statewide coordinated program for the prevention of child abuse and neglect." [2018 c 64 § 1.]

**Intent——1987 c 489:** See note following RCW 28A.300.150.

**RCW 28A.300.164 Energy information program.** The office of the superintendent of public instruction shall develop an energy information program for use in local school districts. The program shall utilize existing curriculum which may include curriculum as developed by districts or the state relating to the requirement under RCW 28A.230.020 that schools provide instruction in science with special reference to the environment, and shall include but not be limited to the following elements:

(1) The fundamental role energy plays in the national and regional economy;

(2) Descriptions and explanations of the various sources of energy which are used both regionally and nationally;

(3) Descriptions and explanations of the ways to use various energy sources more efficiently; and

(4) Advantages and disadvantages to the various sources of present and future supplies of energy.

Under this section the office of superintendent of public instruction shall emphasize providing teacher training, promoting the use of local energy experts in the classroom, and dissemination of energy education curriculum. [1990 c 301 § 2.]

**Findings——1990 c 301:** "The legislature finds that the state is facing an impending energy supply crisis. The legislature further finds that keeping the importance of energy in the minds of state residents is essential as a means to help avert a future energy supply crisis and that citizens need to be aware of the importance and trade-offs associated with energy efficiency, the implications of wasteful uses of energy, and the need for long-term stable supplies of energy. One efficient and effective method of informing the state's citizens on energy issues is to begin in the school system, where information may guide energy use decisions for decades into the future." [1990 c 301 § 1.]

**RCW 28A.300.165 National guard high school career training and national guard youth challenge program——Rules.** (1) In addition to any other powers and duties as provided by law, the superintendent of public instruction, in consultation with the military department, shall adopt rules governing and authorizing the acceptance of national guard high school career training and the national guard youth challenge program in lieu of either required high school credits or elective high school credits.

(2) With the exception of students enrolled in the national guard youth challenge program, students enrolled in such national guard programs shall be considered enrolled in the common school last attended preceding enrollment in such national guard program.

(3) The superintendent shall adopt rules to ensure that students who successfully complete the national guard youth challenge program are granted an appropriate number of high school credits, based on the students' levels of academic proficiency as measured by the program. [2006 c 263 § 406; 2002 c 291 § 3; 1975 1st ex.s. c 262 § 1. Formerly RCW 28A.305.170, 28A.04.133.]

**Findings—Purpose—Part headings not law—2006 c 263:** See notes following RCW 28A.150.230.

**RCW 28A.300.170 State general fund—Estimates for state support to public schools, from.** At such time as the governor shall determine under the provisions of chapter 43.88 RCW, the superintendent of public instruction shall submit such detailed estimates and other information to the governor and in such form as the governor shall determine of the total estimated amount required for appropriation from the state general fund for state support to public schools during the ensuing biennium. [1980 c 6 § 2; 1969 ex.s. c 223 § 28A.41.040. Prior: 1945 c 141 § 11; Rem. Supp. 1945 § 4940-9. Formerly RCW 28A.41.040, 28.41.040.]

**Severability—1980 c 6:** See note following RCW 28A.515.320.

**RCW 28A.300.172 Prototypical funding allocation model—Determination of educational system's capacity to accommodate increased resources—Identification of limitations—Reports.** (1) As part of the estimates and information submitted to the governor by the superintendent of public instruction under RCW 28A.300.170, the superintendent of public instruction shall biennially make determinations on the educational system's capacity to accommodate increased resources in relation to the elements in the prototypical funding allocation model. In areas where there are specific and significant capacity limitations to providing enhancements to a recommended element, the superintendent of public instruction shall identify those limitations and make recommendations on how to address the issue.

(2) The legislature shall:

(a) Review the recommendations of the superintendent of public instruction submitted under subsection (1) of this section; and

(b) Use the information as it continues to review, evaluate, and revise the definition and funding of basic education in a manner that serves the educational needs of the citizens of Washington; continues to fulfill the state's obligation under Article IX of the state Constitution and ensures that no enhancements are imposed on the educational system that cannot be accommodated by the existing system capacity.

(3) "System capacity" for purposes of this section includes, but is not limited to, the ability of schools and districts to provide the capital facilities necessary to support a particular instructional program, the staffing levels necessary to support an instructional program both in terms of actual numbers of staff as well as the experience level and types of staff available to fill positions, the higher education systems capacity to prepare the next generation of educators, and the availability of data and a data system capable of helping the state allocate its resources in a manner consistent with evidence-based practices that are shown to improve student learning.

(4) The office of the superintendent of public instruction shall report to the legislature on a biennial basis beginning December 1, 2010. [2009 c 548 § 113.]

**Intent—2009 c 548:** See RCW 28A.150.1981.

**Finding—2009 c 548:** See note following RCW 28A.410.270.

**Intent—Finding—2009 c 548:** See note following RCW 28A.305.130.

**RCW 28A.300.173 Prototypical funding model—District allocation of state resources—Public access on internet-based portal.** The office of the superintendent of public instruction shall implement and maintain an internet-based portal that provides ready public access to the state's prototypical school funding model for basic education under RCW 28A.150.260. The portal must provide citizens the opportunity to view, for each local school building, the staffing levels and other prototypical school funding elements that are assumed under the state funding formula. The portal must also provide a matrix displaying how individual school districts are deploying those same state resources through their allocation of staff and other resources to school buildings, so that citizens are able to compare the state assumptions to district allocation decisions for each local school building. [2010 c 236 § 12.]

**RCW 28A.300.175 Recovery of payments to recipients of state money—Basis—Resolution of audit findings—Rules.** The superintendent of public instruction shall withhold or recover state payments to school districts, educational service districts, and other recipients of state money based on findings of the Washington state auditor. When an audit questions enrollment, staffing, or other data reported to the state and used in state apportionment calculations, the superintendent of public instruction may require submission of revised data, or as an alternative may adjust data based on estimates, and shall revise apportionment calculations and payments accordingly. The superintendent of public instruction shall adopt rules setting forth policies and procedures for the resolution of monetary and nonmonetary audit findings involving state money. [1997 c 167 § 1.]

**RCW 28A.300.185 Family preservation education program.** The office of the superintendent of public instruction shall develop a family preservation education program model curriculum that is available to each of the school district boards of directors. The model curriculum shall be posted on the superintendent of public instruction's website. The model curriculum shall include, but is not limited to, instruction on developing conflict management skills, communication skills, domestic violence and dating violence, financial responsibility, and parenting responsibility. [2005 c 491 § 3.]

**Finding—2005 c 491:** "The legislature finds that effective relationship skills are used in parenting, the workplace, schools, neighborhoods, and other relationships. The state has a compelling interest in encouraging its citizens in developing the parenting and communication skills vital for successful and fulfilling family relationships." [2005 c 491 § 1.]

**RCW 28A.300.190 Coordination of video telecommunications programming in schools.** The office of the superintendent of public

instruction shall provide statewide coordination of video telecommunications programming for the common schools. [1990 c 208 § 8.]

**RCW 28A.300.195 Work-integrated learning matching grant program.** (1)(a) The office of the superintendent of public instruction may contract with a statewide nonprofit organization with expertise in promoting and supporting work-integrated learning from early learning through postsecondary education to establish a matching grant program to fund projects implemented by local applicant schools identified in RCW 28A.630.135.

(b) The matching grant program shall include the following minimum requirements for local applicant schools:

(i) Measurable and accountable focus on low-income youth, homeless youth, and youth of color;

(ii) Accountability for increasing registered youth apprenticeships, internships, mentors, career planning, and other work-integrated learning experiences;

(iii) Regional coordinators or liaisons to facilitate links between schools, higher education institutions, business, labor, and the community in developing internships and other work-integrated learning experiences; and

(iv) Systemwide support for work-integrated learning experiences, including but not limited to career awareness, career explorations, career counseling, and career preparation and training.

(2)(a) Grant funds awarded in accordance with this section may be expended only to the extent that they are equally matched by private sector cash contributions for the program. Grantees must provide reports to the work-integrated learning advisory committee in accordance with RCW 28A.300.196.

(b) By November 15, 2020, and yearly thereafter, the office of the superintendent of public instruction must provide an evaluation to the governor and the education and economic development committees of the house of representatives and the senate. [2018 c 206 § 2.]

**RCW 28A.300.196 Work-integrated learning advisory committee.** ***(Expires June 30, 2027.)*** (1) The superintendent of public instruction, in consultation with the employment security department and the workforce training and education coordinating board, shall convene a work-integrated learning advisory committee to provide advice to the legislature and the education and workforce sectors on creating opportunities for students to: Explore and understand a wide range of career-related opportunities through applied learning; engage with industry mentors; and plan for career and college success.

(2) The committee shall:

(a) Assist the office of the superintendent of public instruction in the development of an application process and the selection of local applicant schools to participate in the initiative established in RCW 28A.630.135;

(b) Advise the superintendent of public instruction on the development and implementation of work-integrated learning instructional programs;

(c) Review the instructional programs of projects funded through the career connect Washington program with grant moneys from the federal workforce innovation and opportunity act, P.L. 113-128,

related to work-integrated learning, a type of learning that is also referred to as "career connected learning," and of local applicant schools selected to develop and implement work-integrated learning project programs under RCW 28A.630.135. The purpose of the review required by this subsection (2)(c) is to determine:

(i) The impact on in-school progress, high school graduation rates, state test scores, indicators of career and college readiness, employment outcomes, and community partnerships. In accordance with this subsection (2)(c), and to the maximum extent practicable, the review must consider both overall impacts and reductions or other changes in opportunity gaps;

(ii) Best practices for partnering with industry and the local community to create opportunities for applied learning through internships, externships, registered youth apprenticeships, and mentorships; and

(iii) Best practices for linking high school and beyond plans with work-integrated and career-related learning opportunities and increasing college readiness;

(d) Analyze barriers to statewide adoption of work-integrated and career-related learning opportunities and instructional programs;

(e) Recommend policies to implement work-integrated and career-related strategies that increase college and career readiness of students statewide. Policies recommended under this subsection (2)(e) may include, but are not limited to: (i) Policies related to aligning career and technical education programs with statewide and local industry projections and career cluster needs evidenced through economic development data and appropriate longitudinal data; and (ii) the completion of remedial courses required by colleges and universities;

(f) Consult with individuals from the public and private sectors with expertise in career and technical education and work-integrated training, including representatives of labor unions, professional technical organizations, and business and industry; and

(g) Collaborate in the evaluation required by RCW 28A.630.155.

(3) The committee must, at a minimum, be composed of the following members:

(a) One member from each of the two largest caucuses of the senate, appointed by the president of the senate;

(b) One member from each of the two largest caucuses of the house of representatives, appointed by the speaker of the house of representatives;

(c) The superintendent of public instruction or the superintendent's designee;

(d) One educator representing the K-12 career and technical education sector, appointed by the superintendent of public instruction, as determined from recommendations of the association for career and technical education;

(e) One school counselor appointed by the superintendent of public instruction, as determined from recommendations of the school counselor association;

(f) One educator representing the community and technical colleges, appointed by the state board for community and technical colleges;

(g) One member of the governor's office specializing in career and technical education and workforce needs, appointed by the governor; and

(h) One member of the workforce training and education coordinating board, designated by the workforce training and education coordinating board.

(4) The committee shall convene a subcommittee that includes members representing manufacturing, industry, labor, apprenticeships, and other members with specialized expertise.

(5) The chair or cochairs of the committee and subcommittee must be selected by the members of the committee.

(6) Staff support for the committee and the subcommittee must be provided by the office of the superintendent of public instruction.

(7) The committee shall report its findings and recommendations to the state board for community and technical colleges, the state board of education, the student achievement council, and, in accordance with RCW 43.01.036, the education committees and economic development committees of the house of representatives and the senate by July 1, 2022.

(8) This section expires June 30, 2027. [2023 c 128 § 4. Prior: 2018 c 206 § 3.]

**Finding—Intent—2023 c 128:** See note following RCW 28A.630.145.

**RCW 28A.300.220 Cooperation with workforce training and education coordinating board.** The superintendent shall cooperate with the workforce training and education coordinating board in the conduct of the board's responsibilities under RCW 28C.18.060 and shall provide information and data in a format that is accessible to the board. [1991 c 238 § 78.]

**RCW 28A.300.230 Findings—Integration of vocational and academic education.** The legislature finds that the needs of the workforce and the economy necessitate enhanced vocational education opportunities in secondary education including curriculum which integrates vocational and academic education. In order for the state's workforce to be competitive in the world market, employees need competencies in both vocational/technical skills and in core essential competencies such as English, math, science/technology, geography, history, and critical thinking. Curriculum which integrates vocational and academic education reflects that many students learn best through applied learning, and that students should be offered flexible education opportunities which prepare them for both the world of work and for higher education. [1991 c 238 § 140.]

**RCW 28A.300.235 Development of model curriculum integrating vocational and academic education.** The superintendent of public instruction shall with the advice of the workforce training and education coordinating board develop model curriculum integrating vocational and academic education at the secondary level. The curriculum shall integrate vocational education for gainful employment with education in the academic subjects of English, math, science/technology, geography, and history, and with education in critical thinking. Upon completion, the model curriculum shall be provided for consideration and use by school districts. [1991 c 238 § 141.]

**RCW 28A.300.236 Career and technical education courses—Methodologies for implementing equivalency crediting—Report to the office of the superintendent of public instruction, the governor, the state board of education, and the legislature.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must create methodologies for implementing equivalency crediting on a broader scale across the state and facilitate its implementation including, but not limited to, the following:

(a) Implementing statewide career and technical education course equivalency frameworks authorized under RCW 28A.700.070 and 28A.230.097 for high schools and skill centers. This may include development of additional equivalency course frameworks in core subject areas, course performance assessments, and development and delivery of professional development for districts and skill centers implementing the career and technical education frameworks;

(b) Providing competitive grant funds to school districts to increase the integration and rigor of academic instruction in career and technical education equivalency courses. The grant funds must be used to support teams of general education and career and technical education teachers to convene and design course performance assessments, deepen the understanding of integrating academic and career and technical education in student instruction, and develop professional learning modules for school districts to plan implementation of equivalency crediting; and

(c) Conducting a review of implementation requirements of RCW 28A.230.097 and providing technical assistance to districts to ensure state course equivalencies are being consistently offered for academic credit for students at high schools and skill centers.

(2) Beginning in the 2017-18 school year, school districts shall annually report to the office of the superintendent of public instruction the following information:

(a) The annual number of students participating in state-approved equivalency courses; and

(b) The annual number of state approved equivalency credit courses offered in school districts and skill centers.

(3) Beginning December 1, 2018, and every December 1st thereafter, the office of the superintendent of public instruction shall annually submit the following information to the office of the governor, the state board of education, and the appropriate committees of the legislature:

(a) The selected list of equivalent career and technical education courses and their curriculum frameworks that the superintendent of public instruction has approved under RCW 28A.700.070;

(b) A summary of the school district information reported under subsection (2) of this section; and

(c) A summary of implementation efforts and review findings determined under subsection (1) of this section, including recommendations for increasing access to equivalency coursework. [2023 c 407 § 3; 2018 c 177 § 303; 2017 3rd sp.s. c 13 § 410.]

**Finding—Intent—2018 c 177:** See note following RCW 28A.305.905.

**Effective date—2017 3rd sp.s. c 13 §§ 401-413:** See note following RCW 28A.150.200.

**Intent—2017 3rd sp.s. c 13:** See note following RCW 28A.150.410.

**RCW 28A.300.238 Career and technical education equipment—Competitive grant process—Rules.** (1) The office of the superintendent of public instruction shall establish a competitive grant process for school districts to apply for grants for the purpose of purchasing career and technical education equipment.

(2) The office of the superintendent of public instruction may adopt rules for the grant program established under this section.

(3) Competitive grants awarded under this section are subject to the availability of amounts appropriated by the state for this specific purpose. [2017 3rd sp.s. c 13 § 411.]

**Effective date—2017 3rd sp.s. c 13 §§ 401-413:** See note following RCW 28A.150.200.

**Intent—2017 3rd sp.s. c 13:** See note following RCW 28A.150.410.

**RCW 28A.300.240 International student exchange.** (1) The superintendent of public instruction shall annually make available to school districts and approved private schools, from data supplied by the secretary of state, the names of international student exchange visitor placement organizations registered under chapter 19.166 RCW to place students in public schools in the state and a summary of the information the organizations have filed with the secretary of state under chapter 19.166 RCW.

(2) The superintendent shall provide general information and assistance to school districts regarding international student exchange visitors, including, to the extent feasible with available resources, information on the type of visa required for enrollment, how to promote positive educational experiences for visiting exchange students, and how to integrate exchange students into the school environment to benefit the education of both the exchange students and students in the state. [1991 c 128 § 11.]

**Effective date—1991 c 128:** See RCW 19.166.901.

**RCW 28A.300.250 Participation in federal nutrition programs—Superintendent's duties.** The superintendent of public instruction shall aggressively solicit eligible schools, child and adult day care centers, and other organizations to participate in the nutrition programs authorized by the United States department of agriculture. [1991 c 366 § 402.]

**Finding—1991 c 366:** "Hunger and malnutrition threaten the future of a whole generation of children in Washington. Children who are hungry or malnourished are unable to function optimally in the classroom and are thus at risk of lower achievement in school. The resultant diminished future capacity of and opportunities for these children will affect this state's economic and social future. Thus, the legislature finds that the state has an interest in helping families provide nutritious meals to children.

The legislature also finds that the state has an interest in helping hungry and malnourished adults obtain necessary nourishment. Adequate nourishment is necessary for physical health, and physical health is the foundation of self-sufficiency. Adequate nourishment is especially critical in the case of pregnant and lactating women, both to ensure that all mothers and babies are as healthy as possible and to minimize the costs associated with the care of low-birthweight babies." [1991 c 366 § 1.]

**Finding—1991 c 366:** "The legislature finds that the school breakfast and lunch programs, the summer feeding program, and the child and adult day care feeding programs authorized by the United States department of agriculture are effective in addressing unmet nutritional needs. However, some communities in the state do not participate in these programs. The result is hunger, malnutrition, and inadequate nutrition education for otherwise eligible persons living in nonparticipating communities." [1991 c 366 § 401.]

**Parts and headings not law—1991 c 366:** "Parts and headings as used in this act constitute no part of the law." [1991 c 366 § 502.]

**Severability—1991 c 366:** "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1991 c 366 § 503.]

**Effective date—1991 c 366:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect July 1, 1991." [1991 c 366 § 504.]

**RCW 28A.300.255 Meal charge policies.** The office of the superintendent of public instruction shall collect, analyze, and promote to school districts and applicable community-based organizations best practices in local meal charge policies that are required by the United States department of agriculture in memorandum SP 46-2016. [2018 c 271 § 5.]

**Short title—2018 c 271:** See note following RCW 28A.235.250.

**RCW 28A.300.270 Violence prevention training.** The superintendent of public instruction shall, to the extent funding is available, contract with school districts, educational service districts, and approved in-service providers to conduct training sessions for school certificated and classified employees in conflict resolution and other violence prevention topics. The training shall be developmentally and culturally appropriate for the school populations being served and be research based. The training shall not be based solely on providing materials, but also shall include techniques on imparting these skills to students. The training sessions shall be developed in coordination with school districts, the superintendent of public instruction, parents, law enforcement agencies, human services providers, and other interested parties. The training shall be offered to school districts and school staff requesting the training, and

shall be made available at locations throughout the state. [1994 sp.s. c 7 § 602.]

**Finding—Intent—Severability—1994 sp.s. c 7:** See notes following RCW 43.70.540.

**RCW 28A.300.273 Annual school safety summits.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction and the school safety and student well-being advisory committee shall hold annual school safety summits. Each annual summit must focus on establishing and monitoring the progress of a statewide plan for funding cost-effective methods for school safety that meet local needs. Other areas of focus may include planning and implementation of school safety planning efforts, training of school safety professionals, and integrating mental health and security measures.

(2) Summit participants must be appointed no later than August 1, 2016.

(a) The president of the senate shall appoint two members from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint two members from each of the two largest caucuses of the house of representatives.

(c) The governor shall appoint one representative.

(3) Other summit participants may include representatives from the office of the superintendent of public instruction, the department of health, educational service districts, educational associations, emergency management, law enforcement, fire departments, parent organizations, and student organizations.

(4) Staff support for the annual summit shall be provided by the office of the superintendent of public instruction.

(5) Legislative members of the summit are reimbursed for travel expenses in accordance with RCW 44.04.120. Nonlegislative members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other nonlegislative members is subject to chapter 43.03 RCW. [2019 c 333 § 14; 2016 c 240 § 3.]

**Findings—Intent—2019 c 333:** See note following RCW 28A.300.630.

**Intent—2019 c 333:** See note following RCW 28A.320.124.

**Intent—2016 c 240:** "The legislature recognizes that public schools are required to have safe school plans and procedures in place. The legislature acknowledges that there are costs associated with these plans and procedures. The legislature intends to review the funding of school safety and security programs and work toward a statewide plan for funding cost-effective methods for school safety that meet the needs of local school districts." [2016 c 240 § 1.]

**Findings—2016 c 240:** "The legislature finds that school personnel are often the first responders when there is a violent threat or natural or man-made disaster at a school. The legislature further finds there is a need to develop training for school personnel

to intervene and provide assistance during these emergency incidents. The legislature recognizes an educational service district has developed a model for a regional school safety and security center, which can provide this type of training." [2016 c 240 § 5.]

**RCW 28A.300.275 Alternative school start-up grants—School safety grants—Report to legislative committees.** The sum of four million dollars, or as much thereof as may be necessary, is appropriated from the general fund to the superintendent of public instruction for the biennium ending June 30, 2001, for:

(1) Alternative school start-up grants which are in addition to the grants funded in the two million dollars alternative school start-up appropriation contained in section 501(2)(l), chapter 309, Laws of 1999, and these grants shall be awarded in the same manner and for the same purposes;

(2) School safety programs for prevention and intervention. School districts may apply for and administer these grants independently or jointly with other school districts or educational service districts. The funds may be expended for proven-effective programs to improve safety in schools, including: Security assessments of school facilities; violence prevention and reporting training for staff as appropriate to the particular duties and responsibilities of the specific staff, including administrators; nonviolence and leadership training for staff and students; and school safety plans. The educational service districts and school districts may contract for any services under this subsection.

(3) The superintendent of public instruction shall report to the education committees of the house of representatives and senate on the number and types of programs administered through these grants by February 15, 2001, and February 15th of every two years thereafter. [1999 sp.s. c 12 § 1.]

**Effective date—1999 sp.s. c 12:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 1999." [1999 sp.s. c 12 § 5.]

**RCW 28A.300.280 Conflict resolution program.** The superintendent of public instruction and the office of the attorney general, in cooperation with the Washington state bar association and statewide dispute resolution organizations, shall develop a volunteer-based conflict resolution and mediation program for use in community groups such as neighborhood organizations and the public schools. The program shall use lawyers or certified mediators to train students who in turn become trainers and mediators for their peers in conflict resolution. [2015 c 126 § 1; 1994 sp.s. c 7 § 611.]

**Finding—Intent—Severability—1994 sp.s. c 7:** See notes following RCW 43.70.540.

**RCW 28A.300.2851 School bullying and harassment—Work group.** (1) The office of the superintendent of public instruction and the office of the education ombuds shall convene a work group on school

bullying and harassment prevention to develop, recommend, and implement strategies to improve school climate and create respectful learning environments in all public schools in Washington. The superintendent of public instruction or a designee shall serve as the chair of the work group.

(2) The work group shall:

(a) Consider whether additional disaggregated data should be collected regarding incidents of bullying and harassment or disciplinary actions and make recommendations to the office of the superintendent of public instruction for collection of such data;

(b) Examine possible procedures for anonymous reporting of incidents of bullying and harassment;

(c) Identify curriculum and best practices for school districts to improve school climate, create respectful learning environments, and train staff and students in de-escalation and intervention techniques;

(d) Identify curriculum and best practices for incorporating instruction about mental health, youth suicide prevention, and prevention of bullying and harassment;

(e) Recommend best practices for informing parents about the harassment, intimidation, and bullying prevention policy and procedure under *RCW 28A.300.285 and involving parents in improving school climate;

(f) Recommend training for district personnel who are designated as the primary contact regarding the policy and procedure and for school resource officers and other school security personnel;

(g) Recommend educator preparation and certification requirements in harassment, intimidation, and bullying prevention and de-escalation and intervention techniques for teachers, educational staff associates, and school administrators;

(h) Examine and recommend policies for discipline of students and staff who harass, intimidate, or bully; and

(i) In collaboration with the state board for community and technical colleges, examine and recommend policies to protect K-12 students attending community and technical colleges from harassment, intimidation, and bullying.

(3) The work group must include representatives from the state board of education, the Washington state parent teacher association, the Washington state association of school psychologists, school directors, school administrators, principals, teachers, school counselors, classified school staff, youth, community organizations, and parents.

(4) The work group shall submit a biennial progress and status report to the governor and the education committees of the legislature, beginning December 1, 2011, with additional reports by December 1, 2013, and December 1, 2015.

(5) The work group is terminated effective January 1, 2016. [2013 c 23 § 51; 2011 c 185 § 2.]

***Reviser's note:** RCW 28A.300.285 was repealed by 2019 c 194 § 5.

**Finding—2011 c 185:** "The legislature finds that having updated school district policies and procedures is a step in the right direction for preventing bullying, intimidation, and harassment, but more steps are needed. A work group could help to maintain focus and attention on antibullying and antiharassment, as well as monitor progress. In addition, students' knowledge and understanding of two

key correlates of bullying and harassment, depression and youth suicide, could be enhanced through instruction and assessments that address mental health and suicide prevention." [2011 c 185 § 1.]

**RCW 28A.300.286 Discrimination, harassment, intimidation, and bullying—Policies and complaint procedures—Posting of model student handbook language.** (1) The office of the superintendent of public instruction shall develop, and periodically update, model student handbook language that includes information about policies and complaint procedures related to discrimination, including sexual harassment and addressing transgender students, and information about policies and complaint procedures related to harassment, intimidation, and bullying, as well as the overlap between the policies and complaint procedures. The model student handbook language must also include a description of the services available through the office of the education ombuds and the contact information for the office of the education ombuds. The model student handbook language must be aligned with existing requirements in state law including chapters 28A.640 and 28A.642 RCW and RCW 28A.600.477 and 28A.600.510. The model student handbook language must be jointly developed with the Washington state school directors' association, and in consultation with the office of the education ombuds. The model student handbook language must be posted publicly on the office of the superintendent of public instruction's website beginning July 1, 2024.

(2) Beginning with the 2024-25 school year, each school district must include the model student handbook language developed under subsection (1) of this section in any student, parent, employee, and volunteer handbook that it or one of its schools publishes and on the school district's website, and any school's website, if a school or the school district maintains a website. If a school district neither publishes a handbook nor maintains a website, it must provide the model student handbook language developed under subsection (1) of this section to each student, parent, employee, and volunteer at least annually. [2023 c 242 § 1.]

**RCW 28A.300.288 Youth suicide prevention activities.** (1) The office of the superintendent of public instruction shall work with state agency and community partners to assist schools in implementing youth suicide prevention activities, which may include the following:

(a) Training for school employees, parents, community members, and students in recognizing and responding to the signs of suicide;

(b) Partnering with local coalitions of community members interested in preventing youth suicide; and

(c) Responding to communities determined to be in crisis after a suicide or attempted suicide to prevent further instances of suicide.

(2) The office of the superintendent of public instruction, working with state and community partners, shall prioritize funding appropriated for subsection (1) of this section to communities identified as the highest risk. [2014 c 103 § 2; 2011 c 185 § 3.]

**Finding—2014 c 103:** "The legislature finds that according to the department of health, suicide is the second leading cause of death for Washington youth between the ages of ten and twenty-four. Suicide rates among Washington's youth remain higher than the national

average. An increasing body of research shows an association between adverse childhood experiences such as trauma, violence, or abuse, and decreased student learning and achievement. Underserved youth populations in Washington who are not receiving access to state services continue to remain at risk for suicide." [2014 c 103 § 1.]

**Finding—2011 c 185:** See note following RCW 28A.300.2851.

**RCW 28A.300.290 Effective reading programs—Identification.** (1) The center for the improvement of student learning, or its designee, shall develop and implement a process for identifying programs that have been proven to be effective based upon valid research in teaching elementary students to read. Additional programs shall be reviewed after the initial identification of effective programs.

(2) In identifying effective reading programs, the center for the improvement of student learning, or its designee, shall consult primary education teachers, statewide reading organizations, institutions of higher education, the *commission on student learning, parents, legislators, and other appropriate individuals and organizations.

(3) In identifying effective reading programs, the following criteria shall be used:

(a) Whether the program will help the student meet the state-level and classroom-based assessments for reading;

(b) Whether the program has achieved documented results for students on valid and reliable assessments;

(c) Whether the results of the program have been replicated at different locations over a period of time;

(d) Whether the requirements and specifications for implementing the program are clear so that potential users can clearly determine the requirements of the program and how to implement it;

(e) Whether, when considering the cost of implementing the program, the program is cost-effective relative to other similar types of programs;

(f) Whether the program addresses differing student populations; and

(g) Other appropriate criteria and considerations.

(4) The initial identification of effective reading programs shall be completed and a list of the identified programs prepared by December 31, 1996. [1996 c 273 § 1.]

***Reviser's note:** The commission on student learning expired June 30, 1999, and its powers, duties, and functions were transferred to the academic achievement and accountability commission effective July 1, 1999, pursuant to 1999 c 388 § 502. The enabling statute, RCW 28A.630.885, was recodified as RCW 28A.655.060 pursuant to 1999 c 388 § 607 and subsequently repealed by 2004 c 19 § 206.

**Effective date—1996 c 273:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and shall take effect immediately [March 29, 1996]." [1996 c 273 § 6.]

**RCW 28A.300.295 Identified programs—Grants for in-service training and instructional materials.** The superintendent of public

instruction shall establish a grant program to provide incentives for teachers, schools, and school districts to use the identified programs on the approved list in grades kindergarten through four. Schools, school districts, and educational service districts may apply for grants. Funds for the grants shall be used for in-service training and instructional materials. Grants shall be awarded and funds distributed not later than June 30, 1997, for programs in the 1996-97 and 1997-98 school years. Priority shall be given to grant applications involving schools and school districts with the lowest mean percentile scores on the statewide third grade test required under *RCW 28A.230.190 among grant applicants. [1999 c 78 § 2; 1996 c 273 § 2.]

***Reviser's note:** RCW 28A.230.190 was repealed by 2005 c 217 § 3.

**Effective date—1996 c 273:** See note following RCW 28A.300.290.

**RCW 28A.300.300 Effective reading programs—Information—Development and implementation of strategies.** (1) After effective programs have been identified in accordance with RCW 28A.300.290, the center for the improvement of student learning, or its designee, shall provide information and take other appropriate steps to inform elementary school teachers, principals, curriculum directors, superintendents, school board members, college and university reading instruction faculty, and others of its findings.

(2) The center, in cooperation with statewide organizations interested in improving literacy, also shall develop and implement strategies to improve reading instruction in the state, with a special emphasis on the instruction of reading in the primary grades using the effective reading programs that have been identified in accordance with RCW 28A.300.290. The strategies may include, but should not be limited to, expanding and improving reading instruction of elementary school teachers in teacher preparation programs, expanded in-service training in reading instruction, the training of paraprofessionals and volunteers in reading instruction, improving classroom-based assessment of reading, and increasing statewide and regional technical assistance in reading instruction. [1998 c 245 § 11; 1996 c 273 § 4.]

**Effective date—1996 c 273:** See note following RCW 28A.300.290.

**RCW 28A.300.310 Second grade reading assessment—Selection of reading passages—Costs.** (1) The superintendent of public instruction shall identify a collection of reading passages and assessment procedures that can be used to measure second grade oral reading accuracy and fluency skills. The purpose of the second grade reading assessment is to provide information to parents, teachers, and school administrators on the level of acquisition of oral reading accuracy and fluency skills of each student at the beginning of second grade. The assessment procedures and each of the reading passages in the collection must:

(a) Provide a reliable and valid measure of a student's oral reading accuracy and fluency skills;

(b) Be able to be individually administered;

(c) Have been approved by a panel of nationally recognized professionals in the area of beginning reading, whose work has been

published in peer-reviewed education research journals, and professionals in the area of measurement and assessment; and

(d) Assess student skills in recognition of letter sounds, phonemic awareness, word recognition, and reading connected text. Text used for the test of fluency must be ordered in relation to difficulty.

(2) The superintendent of public instruction shall select reading passages for use by schools and school districts participating in pilot projects under RCW 28A.300.320 during the 1997-98 school year. The final collection must be selected by June 30, 1998. The superintendent of public instruction may add reading passages to the initial list if the passages are comparable in format to the initial passages approved by the expert panel in subsection (1) of this section.

(3) The superintendent of public instruction shall develop a per-pupil cost for the assessments in the collection that details the costs for administering the assessments, booklets, scoring, and training required to reliably administer the test. To the extent funds are appropriated, the superintendent of public instruction shall pay for the cost of administering and scoring the assessments, booklets or other assessment material, and training required to administer the test. [1999 c 373 § 101; 1997 c 262 § 2.]

**Part headings not law——1999 c 373:** "Part headings used in this act are not any part of the law." [1999 c 373 § 601.]

**Findings——1997 c 262:** "The legislature acknowledges the definition of reading as "Reading is the process of constructing meaning from written text. It is the complex skill requiring the coordination of a number of interrelated sources of information." Marilyn Adams, *Becoming a Nation of Readers* 7. The legislature also acknowledges the role that reading accuracy and fluency plays in the comprehension of text. The legislature finds that one way to determine if a child's inability to read is problematic is to compare the child's reading fluency and accuracy skills with that of other children. To accomplish this objective, the legislature finds that assessments that test students' reading fluency and accuracy skills must be scientifically valid and reliable. The legislature further finds that early identification of students with potential reading difficulties can provide valuable information to parents, teachers, and school administrators. The legislature finds that assessment of second grade students' reading fluency and accuracy skills can assist teachers in planning and implementing a reading curriculum that addresses students' deficiencies in reading." [1997 c 262 § 1.]

**RCW 28A.300.320 Second grade reading assessment——Pilot projects——Assessment selection——Assessment results.** (1) The superintendent of public instruction shall create a pilot project to identify which second grade reading assessments selected under RCW 28A.300.310 will be included in the final collection of assessments that must be available by June 30, 1998.

(2) Schools and school districts may voluntarily participate in the second grade reading test pilot projects in the 1997-98 school year. Schools and school districts voluntarily participating in the

pilot project test are not required to have the results available by the fall parent-teacher conference.

(3)(a) Starting in the 1998-99 school year, school districts must select an assessment from the collection adopted by the superintendent of public instruction. Selection must be at the entire school district level.

(b) The second grade reading assessment selected by the school district must be administered annually in the fall beginning with the 1998-99 school year. Students who score substantially below grade level when assessed in the fall shall be assessed at least one more time during the second grade. Assessment performance deemed to be "substantially below grade level" is to be determined for each passage in the collection by the superintendent of public instruction.

(c) If a student, while taking the assessment, reaches a point at which the student's performance will be considered "substantially below grade level" regardless of the student's performance on the remainder of the assessment, the assessment may be discontinued.

(d) Each school must have the assessment results available by the fall parent-teacher conference. Schools must notify parents about the second grade reading assessment during the conferences, inform the parents of their students' performance on the assessment, identify actions the school intends to take to improve the child's reading skills, and provide parents with strategies to help the parents improve their child's score. [1999 c 373 § 102; 1998 c 319 § 201; 1997 c 262 § 3.]

**Part headings not law——1999 c 373:** See note following RCW 28A.300.310.

**Part headings not law——1998 c 319:** "Part headings used in this act are not any part of the law." [1998 c 319 § 401.]

**Intent——1997 c 262:** See note following RCW 28A.300.310.

**RCW 28A.300.330 Primary grade reading grant program.** (1) The superintendent of public instruction shall establish a primary grade reading grant program. The purpose of the grant program is to enhance teachers' skills in using teaching methods that have proven results gathered through quantitative research and to assist students in beginning reading.

(2) Schools and school districts may apply for primary grade reading grants. To qualify for a grant, the grant proposal shall provide that the grantee must:

(a) Document that the instructional model the grantee intends to implement, including teaching methods and instructional materials, is based on results validated by quantitative methods;

(b) Agree to work with the independent contractor identified under subsection (3) of this section to determine the effectiveness of the instructional model selected and the effectiveness of the staff development provided to implement the selected model; and

(c) Provide evidence of a significant number of students who are not achieving at grade level.

To the extent funds are appropriated, the superintendent of public instruction shall make initial grants available by September 1, 1997, for schools and school districts voluntarily participating in

pilot projects under RCW 28A.300.320. Subject to available funding, additional applications may be submitted to the superintendent of public instruction by September 1, 1998, and by September 1st in subsequent years. Grants will be awarded for two years.

(3) The superintendent of public instruction shall contract with an independent contractor who has experience in program evaluation and quantitative methods to evaluate the impact of the grant activities on students' reading skills and the effectiveness of the staff development provided to teachers to implement the instructional model selected by the grantee. Five percent of the funds awarded for grants shall be set aside for the purpose of the grant evaluation conducted by the independent contractor.

(4) The superintendent of public instruction shall submit biennially to the legislature and the governor a report on the primary grade reading grant program. The first report must be submitted not later than December 1, 1999, and each succeeding report must be submitted not later than December 1st of each odd-numbered year. Reports must include information on how the schools and school districts used the grant money, the instructional models used, how they were implemented, and the findings of the independent contractor.

(5) The superintendent of public instruction shall disseminate information to the school districts five years after the beginning of the grant program regarding the results of the effectiveness of the instructional models and implementation strategies.

(6) Funding under this section shall not become part of the state's basic program of education obligation as set forth under Article IX of the state Constitution. [1997 c 262 § 4.]

**Intent——1997 c 262:** See note following RCW 28A.300.310.

**RCW 28A.300.340 Primary grade reading grant program——Timelines——Rules.** (1) The superintendent of public instruction may use up to one percent of the appropriated funds for administration of the primary grade reading grant program established in chapter 262, Laws of 1997.

(2) The superintendent of public instruction shall adopt timelines and rules as necessary under chapter 34.05 RCW to administer the primary reading grant program in RCW 28A.300.310.

(3) Funding under this section shall not become a part of the state's basic program of education obligation as set forth under Article IX of the state Constitution. [1997 c 262 § 7.]

**Intent——1997 c 262:** See note following RCW 28A.300.310.

**RCW 28A.300.360 Grants for programs and services——Truant, at-risk, and expelled students.** The superintendent of public instruction shall provide, to the extent funds are appropriated, start-up grants for alternative programs and services that provide instruction and learning for truant, at-risk, and expelled students. Each grant application shall contain proposed performance indicators and an evaluation plan to measure the success of the program and its impact on improved student learning. Applications shall contain the applicant's plan for maintaining the program and services after the grant period. [1999 c 319 § 7.]

**RCW 28A.300.370 World War II oral history project.** (1) The World War II oral history project is established for the purpose of providing oral history presentations, documentation, and other materials to assist the office of the superintendent of public instruction and educators in the development of a curriculum for use in kindergarten through twelfth grade.

(2) To the extent funds are appropriated or donated, the project shall be administered by the office of the superintendent of public instruction. The office shall convene an advisory committee to assist in the design and implementation of the project. The committee shall be composed of members of the World War II memorial educational foundation, the department of veterans affairs, the secretary of state's office, and legislators involved with and interested in the development of the oral history project. The committee may select its own chair and may expand its membership to include the services of other individuals, agencies, or organizations on the basis of need. The office shall provide staffing and administrative support to the advisory committee.

(3) The project will preserve for the education of Washington's school children the memories and history of our state's citizens who served their state and country as members of the armed forces or through national or community contributions during World War II. The project is intended to preserve these memories and history through audiotapes, videotapes, films, stories, printed transcripts, digitally, and through other appropriate methods.

(4) Any funding provided to the program through the omnibus appropriations act for the 2005-2007 biennium shall be used to record the memories of women who meet the requirements of subsection (3) of this section.

(5) As part of the project, the office of the superintendent of public instruction shall identify the requirements regarding instructional guides to help educators use the preserved material in age and grade appropriate ways.

(6) In its administration of the project, the office may carry out its responsibilities through contracts with filming and taping specialists, mini-grants to schools, contracts with the World War II memorial educational foundation, and through other means recommended by the foundation.

(7) By December 1, 2000, and every second year thereafter in which the project has received funding, the office shall report on the results of the project to the governor and the house of representatives and senate committees on education. The December 2000 report shall include, but need not be limited to, identification of the project's implementation strategies and resource requirements, and any curriculum standards developed through the project. [2005 c 75 § 2; 2000 c 112 § 2.]

**Findings——2005 c 75:** "The legislature finds that the women of the greatest generation made essential contributions, in many different ways, to our nation's success in World War II. During the war, more than four hundred fifty thousand women served their country in the armed forces of the United States. Another group of women provided nursing and support services to the troops. These women were joined by more than two million women back home who, like Rosie the Riveter, worked in industries that supported service men and women abroad. Other women held the nation together by raising families, educating

children, and taking care of the ill and elderly. These women held our families, businesses, and communities together, living with rationed goods and services so that the service men and women fighting in the war would have the materials they needed to be successful. The legislature finds that women in all these roles made sacrifices necessary for the success of our nation's defense and contributions essential to the well-being of the people back home. The legislature further finds that to have a clearer reflection of women's sacrifices on behalf of freedom and democracy, it is necessary to include in the World War II oral history project the memories of women who contributed to the war effort through either military service or other important contributions to our nation, state, or communities." [2005 c 75 § 1.]

**Effective date——2005 c 75:** "This act takes effect August 1, 2005." [2005 c 75 § 3.]

**Findings——Intent——2000 c 112:** "The legislature finds that more than two hundred fifty thousand of Washington's citizens served their country in the armed forces of the United States during World War II. The legislature also finds that almost six thousand of those citizens sacrificed their lives to secure our nation's and the world's peace and freedom. The legislature finds that the hardships and sacrifices endured by the families and communities of these service men and women were critical to the eventual success of our nation's defense. The legislature also finds the memories of these stalwart patriots must be preserved to remind future generations of the price the members of the greatest generation paid to preserve our democratic way of life. The legislature further finds that to have a clearer reflection of these sacrifices on behalf of freedom and democracy, it is necessary to include the memories of all women and men of our armed forces, their family members, and others involved in the war effort so that these memories mirror our nation's rich ethnic diversity. In addition, the legislature recognizes the existence and contributions of the World War II memorial educational foundation. Members of the foundation include World War II veterans, and advisors from the office of veterans affairs, the superintendent of public instruction, and the secretary of state. The legislature intends to honor the veterans who served in World War II and their supportive families by preserving their memories so Washington's school children will never forget the significant human costs of war and the efforts of their ancestors to preserve and protect our country and the world from tyranny. The legislature further intends that members of the World War II memorial educational foundation have a strong advisory role in the preservation of those memories and the creation of instructional materials on the war." [2000 c 112 § 1.]

**RCW 28A.300.375 Washington history day program.** (1)(a) Effective July 1, 2018, responsibility for administering the Washington history day program is transferred from the Washington state historical society to the office of the superintendent of public instruction. In accordance with this subsection (1)(a), and subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction is responsible for the administration and coordination of the Washington history day program,

a program affiliated with the national history day organization, including providing necessary staff support.

(b) Subject to the requirements and limits of (a) of this subsection, the Washington history day program must be operated as a partnership between the office of the superintendent of public instruction, the Washington state historical society, and private parties interested in providing funding and in-kind support for the program. The Washington state historical society must, in coordination with the office of the superintendent of public instruction, promote the program and provide access and support for students who are conducting primary and secondary research of historical Washington state documents and commentary.

(2) The Washington history day account is created in the custody of the state treasurer. In collaboration with private and philanthropic partners, private matching funds will be procured to support Washington history day. All receipts from gifts, grants, or endowments from public or private sources must be deposited into the account. Expenditures from the account may be used only for the Washington history day program. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2018 c 127 § 5.]

**Finding—Intent—2018 c 127:** See note following RCW 28A.230.094.

**RCW 28A.300.380 Career and technical student organizations—Support services.** (1) To the extent funds are available, the superintendent of public instruction shall maintain support for statewide coordination for career and technical student organizations by providing program staff support that is available to assist in meeting the needs of career and technical student organizations and their members and students. The superintendent may provide additional support to the organizations through contracting with independent coordinators.

(2) Career and technical student organizations eligible for technical assistance and other support services under this section are organizations recognized as career and technical student organizations by:

(a) The United States department of education; or

(b) The superintendent of public instruction, if such recognition is recommended by the Washington association for career and technical education.

(3) Career and technical student organizations eligible for technical assistance and other support services under this section include, but are not limited to: The national FFA organization; family, career, and community leaders of America; skillsUSA; distributive education clubs of America; future business leaders of America; and the technology student association. [2011 1st sp.s. c 27 § 4; 2010 1st sp.s. c 37 § 913; 2000 c 84 § 2.]

**Effective date—2011 1st sp.s. c 27 §§ 4 and 5:** "Sections 4 and 5 of this act are necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its

existing public institutions, and take effect immediately [June 7, 2011]." [2011 1st sp.s. c 27 § 9.]

**Effective date——2010 1st sp.s. c 37:** See note following RCW 13.06.050.

**Findings——2000 c 84:** "(1) The legislature finds that career and technical student organizations:

(a) Prepare students for career experiences beyond high school;

(b) Help students develop personal, leadership, technical, and occupational skills;

(c) Are an integral component of vocational technical instruction programs; and

(d) Directly help students achieve state learning goals, especially goals three and four with respect to critical thinking, problem solving, and decision-making skills.

(2) The legislature finds that career and technical student organizations are best situated to fulfill their important purpose if they are in existence pursuant to statute and receive ongoing assistance and support from the office of superintendent of public instruction." [2000 c 84 § 1.]

**RCW 28A.300.390 Kip Tokuda memorial Washington civil liberties public education program——Findings.** The legislature finds that:

(1) In order to adequately prepare our youth for their meaningful participation in our democratic institutions and processes, there must be strong educational resources aimed at teaching students and the public about the fragile nature of our constitutional rights.

(2) The federal commission on wartime relocation and internment of civilians was established by congress in 1980 to review the facts and circumstances surrounding executive order 9066, issued on February 19, 1942, and the impact of the executive order on American citizens and permanent residents, and to recommend appropriate remedies.

The commission of [on] wartime relocation and internment of civilians issued a report of its findings in 1983 with the reports "Personal Justice Denied" and "Personal Justice Denied-Part II, Recommendations." The reports were based on information gathered through twenty days of hearings in cities across the country, particularly the west coast. Testimony was heard from more than seven hundred fifty witnesses, including evacuees, former government officials, public figures, interested citizens, historians, and other professionals who have studied the internment of Japanese-Americans during World War II.

(3) The lessons to be learned from the internment of Japanese-Americans during World War II are embodied in "Personal Justice Denied-Part II, Recommendations" which found that executive order 9066 was not justified by military necessity, and the decisions that followed from it were not founded upon military considerations. These decisions included the exclusion and detention of American citizens and resident aliens of Japanese descent. The broad historical causes that shaped these decisions were race prejudice, war hysteria, and a failure of political leadership. Widespread ignorance about Americans of Japanese descent contributed to a policy conceived in haste and executed in an atmosphere of fear and anger at Japan. A grave personal injustice was done to the American citizens and resident aliens of

Japanese ancestry who, without individual review or any probative evidence against them were excluded, removed, and detained by the United States during World War II.

(4) A grave injustice was done to both citizens and permanent residents of Japanese ancestry by the evacuation, relocation, and internment of civilians during World War II. These actions were carried out without adequate security reasons and without any documented acts of espionage or sabotage, and were motivated largely by racial prejudice, wartime hysteria, and a failure of political leadership. The excluded individuals of Japanese ancestry suffered enormous damages, both material and intangible, and there were incalculable losses in education and job training, all of which resulted in significant human suffering for which appropriate compensation has not been made. For these fundamental violations of the basic civil liberties and constitutional rights of these individuals of Japanese ancestry, the United States congress apologized on behalf of the nation in the federal civil liberties act of 1988. [2000 c 210 § 1.]

**RCW 28A.300.395 Kip Tokuda memorial Washington civil liberties public education program—Intent.** The legislature intends to develop a grant program to fund public educational activities and development of educational materials to ensure that the events surrounding the exclusion, forced removal, and internment of civilians and permanent resident aliens of Japanese ancestry will be remembered, and so that the causes and circumstances of this and similar events may be illuminated and understood. [2000 c 210 § 2.]

**RCW 28A.300.400 Kip Tokuda memorial Washington civil liberties public education program—Definition.** As used in RCW 28A.300.390 through 28A.300.415, "program" means the *Washington civil liberties public education program, unless the context clearly requires otherwise. [2000 c 210 § 3.]

***Reviser's note:** The "Washington civil liberties public education program" was renamed the "Kip Tokuda memorial Washington civil liberties public education program" pursuant to 2014 c 46 § 1.

**RCW 28A.300.405 Kip Tokuda memorial Washington civil liberties public education program—Created—Purpose.** Consistent with the legislative findings in RCW 28A.300.390, the legislature shall establish the Kip Tokuda memorial Washington civil liberties public education program. The program provides grants for the purpose of establishing a legacy of remembrance as part of a continuing process of recovery from the World War II exclusion and detention of individuals of Japanese ancestry. The program is created to do one or both of the following:

(1) Educate the public regarding the history and the lessons of the World War II exclusion, removal, and detention of persons of Japanese ancestry through the development, coordination, and distribution of new educational materials and the development of curriculum materials to complement and augment resources currently available on this subject matter; and

(2) Develop videos, plays, presentations, speaker bureaus, and exhibitions for presentation to elementary schools, secondary schools, community colleges, and to other interested parties. [2014 c 46 § 1; 2000 c 210 § 4.]

**RCW 28A.300.410 Kip Tokuda memorial Washington civil liberties public education program—Grants—Acceptance of gifts, grants, or endowments.** (1) The superintendent of public instruction shall allocate grants under the program established in RCW 28A.300.390 through 28A.300.415 from private donations or within amounts appropriated for this specific purpose. The grants shall be awarded on a competitive basis.

(2) The superintendent of public instruction may contract with independent review panelists and establish an advisory panel to evaluate and make recommendations to the superintendent of public instruction based on grant applications.

(3) The superintendent of public instruction shall select grant recipients from applicants who meet all of the following criteria:

(a) The capability to administer and complete the proposed project within specified deadlines and within the specified budget;

(b) The experience, knowledge, and qualifications necessary to conduct quality educational activities regarding the exclusion and detention of Japanese-Americans during World War II;

(c) Projects that relate the Japanese-American exclusion and detention experience with civil rights included in the Declaration of Independence and the Constitution so that this event may be illuminated and understood in order to prevent similar violations of civil rights in the future;

(d) Projects that are designed to maximize the long-term educational impact of this chapter;

(e) Projects that build upon, contribute to, and expand upon the existing body of educational and research materials on the exclusion and detention of Japanese-Americans during World War II; and

(f) Projects that include the variety of experiences regarding the exclusion and detention of Japanese-Americans and its impact before, during, and after World War II including those Japanese-Americans who served in the military and those who were interned in department of justice camps.

(4) Applicants for grants under the program are encouraged to do each of the following:

(a) Involve former detainees, those excluded from the military area, and their descendants in the development and implementation of projects;

(b) Develop a strategy and plan for raising the level of awareness and understanding among the American public regarding the exclusion and detention of Japanese-Americans during World War II so that the causes and circumstances of this and similar events may be illuminated and understood;

(c) Develop a strategy and plan for reaching the broad, multicultural population through project activities;

(d) Develop local and regional consortia of organizations and individuals engaged in similar educational, research, and development efforts;

(e) Coordinate and collaborate with organizations and individuals engaging in similar educational, research, and development endeavors to maximize the effect of grants;

(f) Utilize creative and innovative methods and approaches in the research, development, and implementation of their projects;

(g) Seek matching funds, in-kind contributions, or other sources of support to supplement their proposal;

(h) Use a variety of media, including new technology, and the arts to creatively and strategically appeal to a broad audience while enhancing and enriching community-based educational efforts;

(i) Include in the grant application, scholarly inquiry related to the variety of experiences and impact of the exclusion and detention of persons of Japanese ancestry during World War II; and

(j) Add relevant materials to or catalogue relevant materials in libraries and other repositories for the creation, publication, and distribution of bibliographies, curriculum guides, oral histories, and other resource directories and supporting the continued development of scholarly work on this subject by making a broad range of archival, library, and research materials more accessible to the American public.

(5) The superintendent of public instruction may adopt other criteria as it deems appropriate for its review of grant proposals. In reviewing projects for funding, scoring shall be based on an evaluation of all application materials including narratives, attachments, support letters, supplementary materials, and other materials that may be requested of applicants.

(6)(a) In the review process, the superintendent of public instruction shall assign the following order of priority to the criteria set forth in subsection (3) of this section:

(i) Subsection (3)(a) through (d) of this section, inclusive, shall be given highest priority; and

(ii) Subsection (3)(e) through [and] (f) of this section, inclusive, shall be given second priority.

(b) The superintendent of public instruction shall consider the overall breadth and variety of the field of applicants to determine the projects that would best fulfill its program and mission. Final grant awards may be for the full amount of the grant requests or for a portion of the grant request.

(7) The superintendent of public instruction shall determine the types of applicants eligible to apply for grants under this program.

(8) The office may accept gifts, grants, or endowments from public or private sources for the program and may spend any gifts, grants, or endowments or income from public or private sources according to their terms. [2000 c 210 § 5.]

**RCW 28A.300.415 Kip Tokuda memorial Washington civil liberties public education program—Short title.** RCW 28A.300.390 through 28A.300.415 shall be known as the Washington civil liberties public education act. [2000 c 210 § 7.]

**RCW 28A.300.420 Student court programs.** The office of the superintendent of public instruction shall encourage school districts to implement, expand, or use student court programs for students who commit violations of school rules and policies. Program operations of

student courts may be funded by government and private grants. Student court programs are limited to those that:

(1) Are developed using the guidelines for creating and operating student court programs developed by nationally recognized student court projects;

(2) Target violations of school rules by students enrolled in public or private school; and

(3) Emphasize the following principles:

(a) Youth must be held accountable for their problem behavior;

(b) Youth must be educated about the impact their actions have on themselves and others including the school, school personnel, their classmates, their families, and their community;

(c) Youth must develop skills to resolve problems with their peers more effectively; and

(d) Youth should be provided a meaningful forum to practice and enhance newly developed skills. [2002 c 237 § 17.]

**RCW 28A.300.430 Collaboration with children's system of care demonstration sites.** It is the expectation of the legislature that local school districts shall collaborate with each children's system of care demonstration site established under RCW 74.55.010. [2002 c 309 § 6.]

**RCW 28A.300.440 Natural science, wildlife, and environmental education grant program.** (1) The natural science, wildlife, and environmental education grant program is hereby created, subject to the availability of funds. The program is created to promote proven and innovative natural science, wildlife, and environmental education programs that are fully aligned with the state's essential academic learning requirements, and includes but is not limited to instruction about renewable resources, responsible use of resources, and conservation.

(2) The superintendent of public instruction shall establish and publish funding criteria for environmental, natural science, wildlife, forestry, and agricultural education grants. The office of the superintendent of public instruction shall involve a cross section of stakeholder groups to develop socially, economically, and environmentally balanced funding criteria. These criteria shall be based on compliance with the essential academic learning requirements and use methods that encourage critical thinking. The criteria must also include environmental, natural science, wildlife, forestry, and agricultural education programs with one or more of the following features:

(a) Interdisciplinary approaches to environmental, natural science, wildlife, forestry, and agricultural issues;

(b) Programs that target underserved, disadvantaged, and multicultural populations;

(c) Programs that reach out to schools across the state that would otherwise not have access to specialized environmental, natural science, wildlife, forestry, and agricultural education programs;

(d) Proven programs offered by innovative community partnerships designed to improve student learning and strengthen local communities.

(3) Eligible uses of grants include, but are not limited to:

(a) Continuing in-service and preservice training for educators with materials specifically developed to enable educators to teach

essential academic learning requirements in a compelling and effective manner;

(b) Proven, innovative programs that align the basic subject areas of the common school curriculum in chapter 28A.230 RCW with the essential academic learning requirements; the basic subject areas should be integrated by using environmental education, natural science, wildlife, forestry, agricultural, and natural environment curricula to meet the needs of various learning styles; and

(c) Support and equipment needed for the implementation of the programs in this section.

(4) Grants may only be disbursed to nonprofit organizations exempt from income tax under section 501(c) of the federal internal revenue code that can provide matching funds or in-kind services.

(5) Grants may not be used for any partisan or political activities. [2012 c 198 § 5; 2003 c 22 § 3.]

**Effective date—2012 c 198:** See note following RCW 70A.15.5110.

**Intent—2003 c 22:** "(1) Effective, natural science, wildlife, and environmental education programs provide the foundation for the development of literate children and adults, setting the stage for lifelong learning. Furthermore, integrating the basic subject areas of the common school curriculum in chapter 28A.230 RCW through natural science, wildlife, and environmental education offers many opportunities for achieving excellence in our schools. Well-designed programs, aligned with the state's essential academic learning requirements, contribute to the state's educational reform goals.

(2) Washington is fortunate to have institutions and programs that currently provide quality natural science, wildlife, and environmental education and teacher training that is already aligned with the state's essential academic learning requirements.

(3) The legislature intends to further the development of natural science, wildlife, and environmental education by establishing a competitive grant program, funded through state moneys to the extent those moneys are appropriated, or made available through other sources, for proven natural science, wildlife, and environmental education programs that are fully aligned with the state's essential academic learning requirements." [2003 c 22 § 1.]

**RCW 28A.300.444 Integration of environmental and sustainability content.** (1) The office of the superintendent of public instruction shall provide state leadership for the integration of environmental and sustainability content with curriculum, instruction, and assessment.

(2)(a) Subject to funds appropriated for this specific purpose, the office of the superintendent of public instruction shall contract on a competitive basis with a Washington state-based qualified 501(c)(3) nonprofit community-based organization to integrate the state learning standards in English language arts, mathematics, and science with outdoor field studies and project-based and work-based learning opportunities aligned with the environmental, natural resources, and agricultural sectors.

(b) The selected Washington state nonprofit organization must work collaboratively with the office of the superintendent of public instruction and educational service districts to:

(i) Build systemic programming that connects administrators, school boards, and communities to support teacher practice and student opportunities for the strengthened delivery of environmental and sustainability education;

(ii) Support K-12 educators to teach students integrated, equitable, locally relevant, real-world environmental science and engineering outdoors, aligned to Washington science and environmental and sustainability education standards, and provide opportunities to engage students in renewable natural resource career awareness; and

(iii) Deliver learning materials, opportunities, and resources including, but not limited to:

(A) Providing opportunities outside the classroom to connect transdisciplinary content, concepts, and skills in the context of the local community;

(B) Encouraging application of critical and creative thinking skills to identify and analyze issues, seek answers, and engineer solutions;

(C) Creating community-connected, local opportunities to engage students in stewardship projects that enhance their interest in sustaining the ecosystem and respecting natural resources;

(D) Providing work-based learning opportunities for careers in the environmental science and engineering, natural resources, sustainability, renewable energy, agriculture, and outdoor recreation sectors and build skills for completion of industry recognized certifications; and

(E) Providing models for integrating since time immemorial in teaching materials so that students learn the unique heritage, history, culture, and government of the nearest federally recognized Indian tribe or tribes.

(c) Priority focus must be given to schools that have been identified for improvement through the Washington school improvement framework and communities historically underserved by science education. These communities can include, but are not limited to, tribal nations including tribal compact schools, migrant students, schools with high free and reduced-price lunch populations, rural and remote schools, students in alternative learning environments, students of color, English language learner students, and students receiving special education services.

(3) For the purposes of this section, a "qualified 501(c)(3) nonprofit community-based organization" means a nonprofit organization physically located in Washington state that:

(a) Has multiple years of experience collaborating with school districts across the state to provide high quality professional development to kindergarten through twelfth grade educators to teach students real-world environmental science and engineering outside the classroom;

(b) Whose materials and instructional practices align with Washington's environmental and sustainability learning standards and the Washington state learning standards, including the common core standards for mathematics and English language arts;

(c) Whose materials and instructional practices emphasize the next generation science standards to support local, relevant, and field-based learning experiences; and

(d) Delivers project-based learning materials and resources that incorporate career connections to local businesses and community-based organizations, contain professional development support for classroom

teachers, have measurable assessment objectives, and have demonstrated community support. [2020 c 292 § 2.]

**Findings——2020 c 292:** "The legislature finds that environmental and sustainability education offers a rich and meaningful context for integrated learning and teaching. The legislature also finds that nonprofit community-based organizations are uniquely positioned to strengthen classroom learning by partnering and collaborating with schools and local employers to offer K-12 educators work-integrated learning experiences that address the Washington state science learning standards including next generation science standards. Close collaboration with educational service district's regional science coordinators can optimize learning by helping align next generation science standards implementation with community-based organization initiatives to ensure all students have access to engaging field experiences allowing them to understand the scientific, social, and economic impacts of healthy community resources such as gardens, watersheds and water systems, energy systems, or forests so they can participate in solutions to problems such as ocean acidification, rural economic development, or ecosystems impacted by megafires." [2020 c 292 § 1.]

**RCW 28A.300.450 Financial education public-private partnership——Established.** (1) A financial education public-private partnership is established, composed of the following members:

(a) Four members of the legislature, with one member from each caucus of the house of representatives appointed for a two-year term of service by the speaker of the house of representatives, and one member from each caucus of the senate appointed for a two-year term of service by the president of the senate;

(b) Four representatives from the private for-profit and nonprofit financial services sector, including at least one representative from the jumpstart coalition, to be appointed for a staggered two-year term of service by the governor;

(c) Four teachers to be appointed for a staggered two-year term of service by the superintendent of public instruction, with one each representing the elementary, middle, secondary, and postsecondary education sectors;

(d) A representative from the department of financial institutions to be appointed for a two-year term of service by the director;

(e) Two representatives from the office of the superintendent of public instruction, with one involved in curriculum development and one involved in teacher professional development, to be appointed for a staggered two-year term of service by the superintendent; and

(f) The state treasurer or the state treasurer's designee.

(2) The chair of the partnership shall be selected by the members of the partnership from among the legislative members.

(3) One-half of the members appointed under subsection (1)(b), (c), and (e) of this section shall be appointed for a one-year term beginning August 1, 2011, and a two-year term thereafter.

(4) To the extent funds are appropriated or are available for this purpose, the partnership may hire a staff person who shall reside in the office of the superintendent of public instruction for administrative purposes. Additional technical and logistical support

may be provided by the office of the superintendent of public instruction, the department of financial institutions, the organizations composing the partnership, and other participants in the financial education public-private partnership.

(5) The initial members of the partnership shall be appointed by August 1, 2011.

(6) Legislative members of the partnership shall receive per diem and travel under RCW 44.04.120.

(7) Travel and other expenses of members of the partnership shall be provided by the agency, association, or organization that member represents. Teachers appointed as members by the superintendent of public instruction may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060 from funds available in the Washington financial education public-private partnership account. If the attendance of a teacher member at an official meeting of the partnership results in a need for a school district to employ a substitute, payment for the substitute may be made by the superintendent of public instruction from funds available in the Washington financial education public-private partnership account. A school district must release a teacher member to attend an official meeting of the partnership if the partnership pays the district for a substitute or pays the travel expenses of the teacher member.

(8) This section shall be implemented to the extent funds are available. [2015 c 211 § 1; 2011 c 262 § 1; 2009 c 443 § 1; 2004 c 247 § 2.]

**Findings——Intent——2004 c 247:** "The legislature recognizes that the average high school student lacks a basic knowledge of personal finance. In addition, the legislature recognizes the damaging effects of not properly preparing youth for the financial challenges of modern life, including bankruptcy, poor retirement planning, unmanageable debt, and a lower standard of living for Washington families.

The legislature finds that the purpose of the state's system of public education is to help students acquire the skills and knowledge they will need to be productive and responsible 21st century citizens. The legislature further finds that responsible citizenship includes an ability to make wise financial decisions. The legislature further finds that financial literacy could easily be included in lessons, courses, and projects that demonstrate each student's understanding of the state's four learning goals, including goal four: Understanding the importance of work and how performance, effort, and decisions directly affect future opportunities.

The legislature intends to assist school districts in their efforts to ensure that students are financially literate through identifying critical financial literacy skills and knowledge, providing information on instructional materials, and creating a public-private partnership to help provide instructional tools and professional development to school districts that wish to increase the financial literacy of their students." [2004 c 247 § 1.]

**RCW 28A.300.460 Financial education public-private partnership responsibilities——Annual report.** (1) The task of the financial education public-private partnership is to seek out and determine the best methods of equipping students with the knowledge and skills they need, before they become self-supporting, in order for them to make

critical decisions regarding their personal finances. The components of personal financial education shall include the achievement of skills and knowledge necessary to make informed judgments and effective decisions regarding earning, spending, and the management of money and credit.

(2) In carrying out its task, and to the extent funds are available, the partnership shall:

(a) Communicate to school districts the financial education standards adopted under RCW 28A.300.462, other important financial education skills and content knowledge, and strategies for expanding the provision and increasing the quality of financial education instruction;

(b) Review on an ongoing basis financial education curriculum that is available to school districts, including instructional materials and programs, online instructional materials and resources, and school-wide programs that include the important financial skills and content knowledge;

(c) Develop evaluation standards and a procedure for endorsing financial education curriculum that the partnership determines should be recommended for use in school districts;

(d) Work with the office of the superintendent of public instruction to integrate financial education skills and content knowledge into the state learning standards;

(e) Monitor and provide guidance for professional development for educators regarding financial education, including ways that teachers at different grade levels may integrate financial skills and content knowledge into mathematics, social studies, and other course content areas;

(f) Work with the office of the superintendent of public instruction and the professional educator standards board to create professional development in financial education;

(g) Develop academic guidelines and standards-based protocols for use by classroom volunteers who participate in delivering financial education to students in the public schools;

(h) Provide an annual report beginning December 1, 2009, as provided in RCW 28A.300.464, to the governor, the superintendent of public instruction, and the committees of the legislature with oversight over K-12 education and higher education; and

(i) Administer grant programs including, but not limited to, the program established in RCW 28A.300.466 or related programs established in the omnibus operating appropriations act.

(3) In addition to the duties in subsection (2) of this section and subject to the availability of amounts appropriated for this specific purpose, the partnership may perform other tasks in support of financial literacy, including, but not limited to:

(a) Hiring support staff;

(b) Contracting with educational service districts;

(c) Facilitating the creation and implementation of professional development for certificated educational staff relating to financial literacy and education, in particular the professional development utilized as part of the grant program created in RCW 28A.300.466;

(d) Working to facilitate, and confirm receipt of, specific outreach for financial literacy training to foster students and homeless youth, students receiving special education services, and tribal communities; and

(e) Coordinating with providers in the early childhood education and assistance program established under chapter 43.216 RCW for the

purpose of providing a curriculum on financial literacy that can be shared with the parents or legal guardians of participants in the early childhood education and assistance program.

(4) The partnership may seek federal and private funds to support the school districts in providing access to the materials listed pursuant to RCW 28A.300.468(1), as well as related professional development opportunities for certificated staff. [2022 c 238 § 2; 2015 c 211 § 2; 2009 c 443 § 2; 2007 c 459 § 2; 2004 c 247 § 5.]

**Effective date——2007 c 459:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [May 14, 2007]." [2007 c 459 § 5.]

**Findings——Intent——2004 c 247:** See note following RCW 28A.300.450.

**RCW 28A.300.462 Financial education public-private partnership——Jumpstart coalition national standards——Financial education learning standards——Technical assistance and grants for demonstration projects——Report.** (1) School districts are encouraged to voluntarily adopt the jumpstart coalition national standards in K-12 personal finance education and provide students with an opportunity to master the standards.

(2) Subject to funds appropriated specifically for this purpose, the office of the superintendent of public instruction and the financial education public-private partnership shall provide technical assistance and grants to support demonstration projects for district-wide adoption and implementation of the financial education learning standards under this section.

(3) School districts may apply on a competitive basis to participate as a demonstration project. The office and the partnership shall select up to four school districts as demonstration projects, with two districts located in eastern Washington and two districts located in western Washington, if possible.

(4) Selected districts must:

(a) Adopt the jumpstart coalition national standards in K-12 personal finance education as the essential academic learning requirements for financial education and provide students with an opportunity to master the standards;

(b) Make a commitment to integrate financial education into instruction at all grade levels and in all schools in the district;

(c) Establish local partnerships within the community to promote financial education in the schools; and

(d) Conduct pre and posttesting of students' financial literacy.

(5) The office of the superintendent of public instruction, with the advice of the financial education public-private partnership, shall provide assistance to the demonstration projects regarding curriculum, professional development, and innovative instructional programs to implement the financial education standards.

(6) The selected districts must report findings and results of the demonstration project to the office of the superintendent of public instruction and appropriate committees of the legislature annually. [2011 c 262 § 2; 2009 c 443 § 3.]

**RCW 28A.300.464 Financial education public-private partnership—Contents of report.** The annual report from the financial education public-private partnership, provided funds are available, shall include:

(1) Results from the jumpstart survey of personal financial literacy;

(2) Progress toward statewide adoption of financial education standards by school districts;

(3) Professional development activities related to equipping teachers with the knowledge and skills to teach financial education;

(4) Activities related to financial education curriculum development; and

(5) Any recommendations for policies or other activities to support financial education instruction in public schools. [2009 c 443 § 4.]

**RCW 28A.300.465 Financial education public-private partnership account.** The Washington financial education public-private partnership account is hereby created in the custody of the state treasurer. The purpose of the account is to support the financial education public-private partnership, and to provide financial education opportunities for students and financial education professional development opportunities for the teachers providing those educational opportunities. Revenues to the account may include gifts from the private sector, federal funds, and any appropriations made by the legislature or other sources. Grants and their administration shall be paid from the account. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account, and only at the direction of the partnership. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2009 c 443 § 5; 2004 c 247 § 6.]

**Findings—Intent—2004 c 247:** See note following RCW 28A.300.450.

**RCW 28A.300.466 Financial education public-private partnership—Grant program.** ***(Expires August 1, 2026.)*** (1) Subject to the availability of amounts appropriated for this specific purpose, the financial education public-private partnership shall establish a grant program to provide assistance to school districts for the purpose of integrating financial literacy education into professional development for certificated staff.

(2) Grants provided under this section shall be made available for the 2023-24, 2024-25, and 2025-26 school years, and shall be funded at the amount of $7.50 per enrolled student in the school district, as determined by the annual average full-time equivalent student enrollment reported to the office of the superintendent of public instruction. A school district that receives a grant under this section may only receive a grant for one school year and is prohibited from receiving a grant in subsequent grant cycles.

(3) For a school district to qualify for a grant under this section, the grant proposal must provide that the grantee integrate financial literacy education into at least seven hours of its current

in-person professional development schedule over the course of the entire school year for which the school district receives the grant.

(4) Additional activities permitted for the use of these grants include, but are not limited to:

(a) Coordinating teachers from across a school district to develop new instructional strategies and to share successful strategies;

(b) Sharing successful practices across a group of school districts; and

(c) Facilitating coordination between educational service districts and school districts to provide training.

(5) The office of the superintendent of public instruction, in coordination with the financial education public-private partnership, may adopt rules for the effective implementation of this section.

(6) This section expires August 1, 2026. [2022 c 238 § 1.]

**RCW 28A.300.467 Financial education public-private partnership—Model goals.** (1) Each school district, by March 1, 2023, shall adopt one or more goals for expanding financial education instruction to students in their district. Examples of goals that school districts may adopt include:

(a) Increasing the number of financial education courses available to students in grades nine through 12;

(b) Increasing the number of grades, schools, or both that provide students with instruction in, or access to instruction in, financial education; and

(c) Expanding the amount financial education professional development training available to certificated staff.

(2) The financial education public-private partnership, by September 1, 2022, shall develop a nonexhaustive menu of model goals that school districts may consider when complying with this section. The model goals must be published on the website of the office of the superintendent of public instruction by September 10, 2022.

(3) Subsection (1) of this section governs school operation and management under RCW 28A.710.040 and 28A.715.020, and applies to charter schools established under chapter 28A.710 RCW and state-tribal education compact schools established under chapter 28A.715 RCW to the same extent as it applies to school districts. [2022 c 238 § 3.]

**RCW 28A.300.468 Financial education standards—Availability of materials.** (1) After consulting with the financial education public-private partnership, the office of the superintendent of public instruction shall make available to all school districts a list of materials that align with the financial education standards integrated into the state learning standards pursuant to RCW 28A.300.460(2)(d).

(2) School districts shall provide all students in grades nine through twelve the opportunity to access the financial education standards, whether through a regularly scheduled class period; before or after school; during lunch periods; at library and study time; at home; via online learning opportunities; through career and technical education course equivalencies; or other opportunities. School districts shall publicize the availability of financial education opportunities to students and their families. School districts are encouraged to grant credit toward high school graduation to students

who successfully complete financial education courses. [2015 c 211 § 4.]

**RCW 28A.300.469 State financial education learning standards.** Standards in K-12 personal finance education developed by a national coalition for personal financial literacy that includes partners from business, finance, government, academia, education, and state affiliates are adopted as the state financial education learning standards. [2015 c 211 § 5.]

**RCW 28A.300.471 Medical emergency response and automated external defibrillator program.** (1) An automated external defibrillator is often a critical component in the chain of survival for a cardiac arrest victim.

(2) The office of the superintendent of public instruction, in consultation with school districts and stakeholder groups, shall develop guidance for a medical emergency response and automated external defibrillator program for high schools.

(3) The medical emergency response and automated external defibrillator program must comply with current evidence-based guidance from the American heart association or other national science organization.

(4) The office of the superintendent of public instruction, in consultation with the department of health, shall assist districts in carrying out a program under this section, including providing guidelines and advice for seeking grants for the purchase of automated external defibrillators or seeking donations of automated external defibrillators. The superintendent may coordinate with local health districts or other organizations in seeking grants and donations for this purpose. [2013 c 181 § 2.]

**Findings——Intent——2013 c 181:** See note following RCW 28A.230.179.

**RCW 28A.300.473 Medical use of cannabis-infused products——Suspension of policies that authorize student use on school grounds.** (1) The superintendent of public instruction and school districts must suspend implementation of RCW 28A.210.325 and 69.51A.225 if:

(a) The federal government issues a communication after July 28, 2019, that suggests that federal education funding will be withheld if the state continues to implement RCW 28A.210.325 and 69.51A.225;

(b) The superintendent of public instruction requests a formal opinion by the state attorney general on the federal communication; and

(c) The state attorney general provides a formal opinion that the federal communication has reasonably demonstrated that continued implementation of RCW 28A.210.325 and 69.51A.225 reasonably jeopardizes future federal funding.

(2) The office of the superintendent of public instruction must provide the state attorney general opinion to the education and fiscal committees of the legislature within thirty days of the issuance of the opinion. [2019 c 204 § 4.]

**RCW 28A.300.475 Comprehensive sexual health education.** (1)(a)(i) In accordance with the requirements of this section, every public school shall provide comprehensive sexual health education to each student by the 2022-23 school year. The curriculum, instruction, and materials used to provide the comprehensive sexual health education must be medically and scientifically accurate, age-appropriate, and inclusive of all students, regardless of their protected class status under chapter 49.60 RCW, and must include information about abstinence and other methods of preventing unintended pregnancy and sexually transmitted diseases. Abstinence may not be taught to the exclusion of other materials and instruction on contraceptives and disease prevention.

(ii)(A) Beginning in the 2020-21 school year, any public school that provides comprehensive sexual health education must ensure that the curriculum, instruction, and materials include information about affirmative consent and bystander training.

(B) The school district boards of directors of one or more public schools that are not providing comprehensive sexual health education in either the 2019-20 school year, the 2020-21 school year, or both, must prepare for incorporating information about affirmative consent and bystander training into the comprehensive sexual health education curriculum, instruction, and materials required by this section. In satisfying the requirements of this subsection (1)(a)(ii)(B), school district boards of directors must also, no later than the 2020-21 school year, consult with parents and guardians of students, local communities, and the Washington state school directors' association.

(b) A public school may choose to use separate, outside speakers or prepared curriculum to teach different content areas or units within its comprehensive sexual health education program if all speakers, curriculum, and materials used are in compliance with this section.

(c) Comprehensive sexual health education must be consistent with the Washington state health and physical education K-12 learning standards and the January 2005 guidelines for sexual health information and disease prevention developed by the department of health and the office of the superintendent of public instruction.

(2)(a) Beginning in the 2021-22 school year, comprehensive sexual health education must be provided to all public school students in grades six through twelve.

(b) Beginning in the 2022-23 school year, comprehensive sexual health education must be provided to all public school students.

(c) The provision of comprehensive sexual health education to public school students as required by (a) and (b) of this subsection (2) must be provided no less than:

(i) Once to students in kindergarten through grade three;

(ii) Once to students in grades four through five;

(iii) Twice to students in grades six through eight; and

(iv) Twice to students in grades nine through twelve.

(3) The office of the superintendent of public instruction and the department of health shall make the Washington state health and physical education K-12 learning standards and the January 2005 guidelines for sexual health information and disease prevention available to public schools, teachers, and guest speakers on their websites. Within available resources, the office of the superintendent of public instruction and the department of health shall also, and to the extent permitted by applicable federal law, make any related

information, model policies, curricula, or other resources available on their websites.

(4) The office of the superintendent of public instruction, in consultation with the department of health, shall develop a list of comprehensive sexual health education curricula that are consistent with the 2005 guidelines for sexual health information and disease prevention, the Washington state health and physical education K-12 learning standards, and this section. This list, which may serve as a resource for schools, teachers, or any other organization or community group, must be updated at least annually, and must be made available on the websites of the office of the superintendent of public instruction and the department of health.

(5) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall periodically review and revise, as necessary, training materials, which may be in an electronic format, for classroom teachers and principals to implement the applicable requirements of this section. The initial review required by this subsection (5) must be completed by March 1, 2021.

(6)(a) Public schools are encouraged to review their comprehensive sexual health education curricula and choose a curriculum from the list developed under subsection (4) of this section. Any public school may identify, choose, or develop any other curriculum if it complies with the requirements of this section.

(b) If a public school chooses a curriculum that is not from the list developed under subsection (4) of this section, the public school or applicable school district, in consultation with the office of the superintendent of public instruction, must conduct a review of the selected or developed curriculum to ensure compliance with the requirements of this section using a comprehensive sexual health education curriculum analysis tool of the office of the superintendent of public instruction.

(c) The office of the superintendent of public instruction shall provide technical assistance to public schools and school districts that is consistent with the curricula review, selection, and development provisions in (a) and (b) of this subsection (6).

(7)(a) Any parent or legal guardian who wishes to have his or her child excused from any planned instruction in comprehensive sexual health education may do so upon filing a written request with the school district board of directors or its designee, or the principal of the school his or her child attends, or the principal's designee. The person or entity to whom the request is directed must grant the written request to have the student excused from this instruction in accordance with this subsection. In addition, any parent or legal guardian may review the comprehensive sexual health education curriculum provided in his or her child's school by filing a written request with the school district board of directors, the principal of the school his or her child attends, or the principal's designee.

(b) At the beginning of the 2021-22 school year, each school providing comprehensive sexual health education must notify parents and guardians, in writing or in accordance with the methods the school finds most effective in communicating with parents, that the school will be providing comprehensive sexual health education during the school year. The notice must include, or provide a means for electronic access to, all course materials, by grade, that will be used at the school during the instruction.

(8)(a) Public schools shall annually, by September 1st, identify to the office of the superintendent of public instruction any curricula used by the school to provide comprehensive sexual health education as required by this section. Materials provided by schools under this subsection (8)(a) must also describe how the provided classroom instruction aligns with the requirements of this section.

(b) The office of the superintendent of public instruction shall summarize and, in accordance with RCW 43.01.036, report the results provided under (a) of this subsection (8) to the education committees of the house of representatives and the senate biennially, beginning after the 2022-23 school year.

(9) RCW 28A.600.480(2), which encourages school employees, students, and volunteers to report harassment, intimidation, or bullying, applies to this section.

(10) Nothing in this section expresses legislative intent to require that comprehensive sexual health education, or components of comprehensive sexual health education, be integrated into curriculum, materials, or instruction in unrelated subject matters or courses.

(11) For the purposes of this section:

(a) "Affirmative consent" means a conscious and voluntary agreement to engage in sexual activity as a requirement before sexual activity;

(b) "Comprehensive sexual health education" means recurring instruction in human development and reproduction that is age-appropriate and inclusive of all students, regardless of their protected class status under chapter 49.60 RCW. All curriculum, instruction, and materials used in providing comprehensive sexual health education must be medically and scientifically accurate and must use language and strategies that recognize all members of protected classes under chapter 49.60 RCW. Comprehensive sexual health education for students in kindergarten through grade three must be instruction in social-emotional learning that is consistent with learning standards and benchmarks adopted by the office of the superintendent of public instruction under RCW 28A.300.478. Comprehensive sexual health education for students in grades four through twelve must include information about:

(i) The physiological, psychological, and sociological developmental processes experienced by an individual;

(ii) The development of intrapersonal and interpersonal skills to communicate, respectfully and effectively, to reduce health risks, and choose healthy behaviors and relationships that are based on mutual respect and affection, and are free from violence, coercion, and intimidation;

(iii) Health care and prevention resources;

(iv) The development of meaningful relationships and avoidance of exploitative relationships;

(v) Understanding the influences of family, peers, community, and the media throughout life on healthy sexual relationships; and

(vi) Affirmative consent and recognizing and responding safely and effectively when violence, or a risk of violence, is or may be present with strategies that include bystander training;

(c) "Medically and scientifically accurate" means information that is verified or supported by research in compliance with scientific methods, is published in peer-reviewed journals, where appropriate, and is recognized as accurate and objective by professional organizations and agencies with expertise in the field of sexual health including but not limited to the American college of

obstetricians and gynecologists, the Washington state department of health, and the federal centers for disease control and prevention; and

(d) "Public schools" has the same meaning as in RCW 28A.150.010. [2020 c 188 § 1 (Referendum Measure No. 90, approved November 3, 2020); 2007 c 265 § 2.]

**Finding—Intent—2007 c 265:** "(1) The legislature finds that young people should have the knowledge and skills necessary to build healthy relationships, and to protect themselves from unintended pregnancy and sexually transmitted diseases, including HIV infection. The primary responsibility for sexual health education is with parents and guardians. However, this responsibility also extends to schools and other community groups. It is in the public's best interest to ensure that young people are equipped with medically and scientifically accurate, age-appropriate information that will help them avoid unintended pregnancies, remain free of sexually transmitted diseases, and make informed, responsible decisions throughout their lives.

(2) The legislature intends to support and advance the standards established in the January 2005 guidelines for sexual health information and disease prevention developed by the office of the superintendent of public instruction and the department of health. These guidelines are a fundamental tool to help school districts, teachers, guest speakers, health and counseling providers, community groups, parents, and guardians choose, develop, and evaluate sexual health curricula to better meet the health and safety needs of adolescents and young adults in their communities." [2007 c 265 § 1.]

**Short title—2007 c 265:** "This act may be known and cited as the healthy youth act." [2007 c 265 § 3.]

**RCW 28A.300.476 Physical, social, and emotional support staff—Report.** ***(Expires June 30, 2030.)*** (1) By February 1, 2023, and by February 1st every odd-numbered year thereafter, the office of the superintendent of public instruction shall submit, in accordance with RCW 43.01.036, to the appropriate committees of the legislature a report analyzing the implementation of RCW 28A.150.260(5)(b), related to physical, social, and emotional support staff.

(2) For the analysis, the office of the superintendent of public instruction must use personnel data reported on or around October 1st of the report year and the prior year, and any other relevant data.

(3) Except as provided in subsection (4) of this section, the report must:

(a) Compare the staffing units provided for nurses, social workers, psychologists, counselors, classified staff providing student and staff safety, and parent involvement coordinators under RCW 28A.150.260(5) to the actual school district staffing levels for physical, social, and emotional support staff, disaggregate by school district; and

(b) Analyze trends with respect to: (i) Employed staff and contract staff; and (ii) the percentage of staff with a valid educational staff associate certificate. These trends must be disaggregated by assignment duty code, as well as analyzed year over year and by school district size and geography.

(4) For the report due February 1, 2023, the office of the superintendent of public instruction is required to complete the analysis described in subsection (3) of this section only to the extent that relevant data are available.

(5) For the purposes of this section, "physical, social, and emotional support staff" or "staff" has the same meaning as in RCW 28A.150.260(5)(b).

(6) This section expires June 30, 2030. [2022 c 109 § 2.]

**Intent——2022 c 109:** "The legislature recognizes that school nurses, social workers, psychologists, and school counselors are uniquely qualified to provide essential supports that address the physical, social, and emotional needs of students. As the COVID-19 pandemic continues to impact the health and well-being of students, the need for comprehensive student supports has grown beyond what is currently funded in the prototypical school model. Therefore, the legislature intends to provide increased allocations to school districts that demonstrate they have hired staff for these roles. The legislature hopes that this enhanced state funding will allow school districts to redirect local levy dollars previously spent on these positions to address learning loss resulting from the COVID-19 pandemic or to hire additional physical, social, and emotional support staff." [2022 c 109 § 1.]

**RCW 28A.300.477 Social-emotional learning committee.** (1) Subject to the availability of amounts appropriated for this specific purpose, the social-emotional learning committee is created to promote and expand social-emotional learning. Social-emotional learning will help students build awareness and skills in managing emotions, setting goals, establishing relationships, and making responsible decisions that support success in school and life.

(2) At a minimum, the committee shall:

(a) Develop and implement a statewide framework for social-emotional learning that is trauma-informed, culturally sustaining, and developmentally appropriate;

(b) Review and update as needed the standards and benchmarks for social-emotional learning and the developmental indicators for grades kindergarten through twelve and confirm they are evidence-based;

(c) Align the standards and benchmarks for social-emotional learning with other relevant standards and guidelines including the health and physical education K-12 learning standards and the early learning and development guidelines;

(d) Advise the office of the superintendent of public instruction's duty under RCW 28A.300.478;

(e) Identify best practices or guidance for schools implementing the standards, benchmarks, and developmental indicators for social-emotional learning;

(f) Identify professional development opportunities for teachers and educational staff and review, update, and align as needed the social-emotional learning online education module;

(g) Consider systems for collecting data about social-emotional learning and monitoring implementation efforts;

(h) Identify strategies to improve coordination between early learning, K-12 education, youth-serving community partners and

culturally-based providers, and higher education regarding social-emotional learning; and

(i) Engage with stakeholders and seek feedback.

(3) The committee must consist of the following members:

(a) Four members appointed by the governor in consultation with the state ethnic commissions, who represent the following populations: African Americans, Hispanic Americans, Asian Americans, and Pacific Islander Americans; and

(b) One representative from the educational opportunity gap oversight and accountability committee created in RCW 28A.300.136.

(4) The governor and the tribes are encouraged to jointly designate a total of two members to serve on the committee who have experience working in and with schools: One member from east of the crest of the Cascade mountains; and one member from west of the crest of the Cascade mountains.

(5) Additional members of the committee must be appointed by the office of the superintendent of public instruction to serve on the committee. Additional members must include:

(a) One representative from the department of children, youth, and families;

(b) Two representatives from the office of the superintendent of public instruction: One with expertise in student support services; and one with expertise in curriculum and instruction;

(c) One representative from the office of the education ombuds;

(d) One representative from the state board of education;

(e) One representative from the health care authority's division of behavioral health and recovery;

(f) One higher educational faculty member with expertise in social-emotional learning;

(g) One currently employed K-12 educator;

(h) One currently employed K-12 administrator;

(i) One school psychologist;

(j) One school social worker;

(k) One school counselor;

(l) One school nurse;

(m) One mental health counselor;

(n) One representative from a school parent organization;

(o) One member from a rural school district;

(p) One representative from the educational service districts;

(q) One representative from a coalition of members who educate about and advocate for access to social-emotional learning and skill development;

(r) One representative from a statewide expanded learning opportunities intermediary;

(s) One representative from a nonprofit organization with expertise in developing social-emotional curricula;

(t) One representative from a foundation that supports social-emotional learning; and

(u) One representative from a coalition of youth-serving organizations working together to improve outcomes for young people.

(6) The members of the committee shall select the chairs or cochairs of the committee.

(7) In addition to other meetings, the committee shall have a joint meeting once a year with the educational opportunity gap oversight and accountability committee created in RCW 28A.300.136.

(8) The office of the superintendent of public instruction shall provide staff support for the committee.

(9) Members of the committee shall serve without compensation but must be reimbursed for travel expenses as provided in RCW 43.03.050 and 43.03.060.

(10) Beginning June 1, 2021, and annually thereafter, the committee shall provide a progress report, in compliance with RCW 43.01.036, to the governor and appropriate committees of the legislature. The report must include accomplishments, state-level data regarding implementation of social-emotional learning, identification of systemic barriers or policy changes necessary to promote and expand social-emotional learning, and recommendations. [2019 c 386 § 1.]

**RCW 28A.300.478 Social-emotional learning standards and benchmarks.** (1) The office of the superintendent of public instruction shall review the recommendations of the social-emotional learning work group convened as directed in the 2017 omnibus appropriations act and the recommendations of the social-emotional learning committee created in RCW 28A.300.477. The office of the superintendent of public instruction shall adopt social-emotional learning standards and benchmarks by January 1, 2020, and revise the social-emotional learning standards and benchmarks as appropriate.

(2) The office of the superintendent of public instruction shall align the programs it oversees with the standards for social-emotional learning and integrate the standards where appropriate. [2019 c 386 § 2.]

**RCW 28A.300.479 Social-emotional learning resources.** Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must create and publish on its website a list of resources available for professional development of school district staff on the following topics: Social-emotional learning, trauma-informed practices, recognition and response to emotional or behavioral distress, consideration of adverse childhood experiences, mental health literacy, antibullying strategies, and culturally sustaining practices. The office of the superintendent of public instruction must include in the list the professional development opportunities and resources identified by the social-emotional learning committee created under RCW 28A.300.477. [2019 c 386 § 6.]

**RCW 28A.300.480 Civic education travel grant program.** (1) The civic education travel grant program is created to provide travel grants to students participating in statewide, regional, national, or international civic education competitions or events.

(2) The superintendent of public instruction shall allocate grants under the program established in this section from private donations or with amounts appropriated for this specific purpose. The grants shall be awarded on a competitive basis.

(3) The superintendent of public instruction may contract with independent review panelists and establish an advisory panel to evaluate and make recommendations to the superintendent of public instruction based on grant applications.

(4) The superintendent of public instruction shall select grant recipients from student applicants that meet all of the following criteria:

(a) Students must be residents of the state of Washington;

(b) Students must use the grants to fund travel to civic education-based competitions or events;

(c) Students must be participants in the civic education competition or event; and

(d) Students must be under the age of twenty-one and not yet have received their high school diploma.

(5) Students are encouraged to seek matching funds, in-kind contributions, or other sources of support to supplement their travel expenses.

(6) Applicants must include in the grant application the following:

(a) A brief description of the civic education competition or event;

(b) A brief description of what the applicant expects to learn from the competition or event;

(c) The total travel costs and how much the applicant is requesting from the program; and

(d) The total amount of matching funds the applicant has already secured or expects to secure.

(7) The superintendent of public instruction may adopt other criteria as appropriate for the review of grant proposals. In reviewing student applications for funding, scoring shall be based on an evaluation of all application materials that may be requested of applicants. The superintendent of public instruction shall consider the overall breadth and variety of the field of applicants to determine the projects that would best fulfill the program's goal. Final grant awards may be for the full amount of the grant request or for a portion of the grant request.

(8) The office of the superintendent of public instruction may accept gifts, grants, or endowments from public or private sources for the program and may spend any gifts, grants, or endowments or income from public or private sources according to their terms. [2007 c 291 § 3.]

**Finding—Effective date—2007 c 291:** See notes following RCW 43.15.095.

**RCW 28A.300.485 Enhanced civics education demonstration sites.** Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall select two school districts that are diverse in size and in geographic and demographic makeup to serve as demonstration sites for enhanced civics education. These demonstration sites will:

(1) Implement and assess an in-depth civics education program that includes the six proven instructional practices for enhancing civic education in kindergarten through twelfth grade classrooms;

(2) Collaborate with programs and agencies in the local community in order to expand after-school and summer civics education opportunities;

(3) Monitor and report the level of penetration of civics education in school and out-of-school programs;

(4) Ensure that underserved students including rural, low-income, immigrant, and refugee students are prioritized in the implementation of programs;

(5) Develop evaluation standards and a procedure for endorsing civics education curriculum that can be recommended for use in other school districts and out-of-school programs; and

(6) Provide an annual report on the demonstration sites by December 1st each year to the governor and the committees of the legislature with oversight over K-12 education. [2018 c 127 § 4.]

**Finding—Intent—2018 c 127:** See note following RCW 28A.230.094.

**RCW 28A.300.490 Task force on gangs in schools—Reports.** (1) A task force on gangs in schools is created to examine current adult and youth gang activities that are affecting school safety. The task force shall work under the guidance of the office of the superintendent of public instruction's school safety center, the school safety and student well-being advisory committee established in RCW 28A.300.635, and the Washington association of sheriffs and police chiefs.

(2) The task force shall be comprised of representatives, selected by the superintendent of public instruction, who possess expertise relevant to gang activity in schools. The task force shall outline methods for preventing new gangs, eliminating existing gangs, gathering intelligence, and sharing information about gang activities.

(3) Beginning December 1, 2007, the task force shall annually report its findings and recommendations to the education committees of the legislature. [2019 c 333 § 15; 2007 c 406 § 2.]

**Findings—Intent—2019 c 333:** See note following RCW 28A.300.630.

**Intent—2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.500 Longitudinal student data system.** (1) The office of the superintendent of public instruction is authorized to establish a longitudinal student data system for and on behalf of school districts in the state. The primary purpose of the data system is to better aid research into programs and interventions that are most effective in improving student performance, better understand the state's public educator workforce, and provide information on areas within the educational system that need improvement.

(2) The confidentiality of personally identifiable student data shall be safeguarded consistent with the requirements of the federal family educational rights privacy act and applicable state laws. Consistent with the provisions of these federal and state laws, data may be disclosed for educational purposes and studies, including but not limited to:

(a) Educational studies authorized or mandated by the state legislature;

(b) Studies initiated by other state educational authorities and authorized by the office of the superintendent of public instruction, including analysis conducted by the education data center established under RCW 43.41.400; and

(c) Studies initiated by other public or private agencies and organizations and authorized by the office of the superintendent of public instruction.

(3) Any agency or organization that is authorized by the office of the superintendent of public instruction to access student-level

data shall adhere to all federal and state laws protecting student data and safeguarding the confidentiality and privacy of student records.

(4) Nothing in this section precludes the office of the superintendent of public instruction from collecting and distributing aggregate data about students or student-level data without personally identifiable information. [2007 c 401 § 2.]

**Findings——2007 c 401:** "The legislature finds that:

(1) Reliable data on student progress, characteristics of students and schools, and teacher qualifications and mobility is critical for accountability to the state and to the public;

(2) Educational data should be made available as widely as possible while appropriately protecting the privacy of individuals as provided by law;

(3) Having a single, comprehensive, and technically compatible student and school-level data system will streamline data collection for school districts, reduce inefficiencies caused by the lack of connectivity, and minimize or eliminate multiple data entry; and

(4) Schools and districts should be supported in their management of educational data and should have access to user-friendly programs and reports that can be readily used by classroom teachers and building principals to improve instruction." [2007 c 401 § 1.]

**RCW 28A.300.505 School data systems——Standards——Reporting format.** (1) The office of the superintendent of public instruction shall develop standards for school data systems that focus on validation and verification of data entered into the systems to ensure accuracy and compatibility of data. The standards shall address but are not limited to the following topics:

(a) Date validation;

(b) Code validation, which includes gender, race or ethnicity, and other code elements;

(c) Decimal and integer validation; and

(d) Required field validation as defined by state and federal requirements.

(2) The superintendent of public instruction shall develop a reporting format and instructions for school districts to collect and submit data that must include:

(a) Data on student demographics that is disaggregated as required by RCW 28A.300.042; and

(b) Starting no later than the 2016-17 school year, data on students from military families. The K-12 data governance group established in RCW 28A.300.507 must develop best practice guidelines for the collection and regular updating of this data on students from military families. Collection and updating of this data must use the United States department of education 2007 race and ethnicity reporting guidelines, including the subracial and subethnic categories within those guidelines, with the following modifications:

(i) Further disaggregation of the Black category to differentiate students of African origin and students native to the United States with African ancestors;

(ii) Further disaggregation of countries of origin for Asian students;

(iii) Further disaggregation of the White category to include subethnic categories for Eastern European nationalities that have significant populations in Washington; and

(iv) For students who report as multiracial, collection of their racial and ethnic combination of categories.

(3) For the purposes of this section, "students from military families" means the following categories of students, with data to be collected and submitted separately for each category:

(a) Students with a parent or guardian who is a member of the active duty United States armed forces; and

(b) Students with a parent or guardian who is a member of the reserves of the United States armed forces or a member of the Washington national guard. [2016 c 72 § 503; 2015 c 210 § 2; 2007 c 401 § 5.]

**Finding—Intent—2016 c 72:** See note following RCW 28A.600.015.

**Findings—2015 c 210:** "(1) The legislature finds that, nationally, nearly two million students are from military families, where one or more parent or guardian serves in the United States armed forces, reserves, or national guard. There are approximately one hundred thirty-six thousand military families in Washington state.

(2) The legislature further finds that a United States government accountability office study in 2011 identified that it is not possible to monitor educational outcomes for students from military families due to the lack of a student identifier in state educational data systems. Such an identifier is needed to allow educators and policymakers to monitor critical elements of education success, including academic progress and proficiency, special and advanced program participation, mobility and dropout rates, and patterns over time across states and school districts. Reliable information about student performance will assist educators in more effectively transitioning students to a new school and enable school districts to discover and implement best practices." [2015 c 210 § 1.]

**Findings—2007 c 401:** See note following RCW 28A.300.500.

**RCW 28A.300.507 K-12 data governance group—Duties—Reports.** (1) A K-12 data governance group shall be established within the office of the superintendent of public instruction to assist in the design and implementation of a K-12 education data improvement system for financial, student, and educator data. It is the intent that the data system reporting specifically serve requirements for teachers, parents, superintendents, school boards, the office of the superintendent of public instruction, the legislature, and the public.

(2) The K-12 data governance group shall include representatives of the education data center, the office of the superintendent of public instruction, the legislative evaluation and accountability program committee, the professional educator standards board, the state board of education, and school district staff, including information technology staff. Additional entities with expertise in education data may be included in the K-12 data governance group.

(3) The K-12 data governance group shall:

(a) Identify the critical research and policy questions that need to be addressed by the K-12 education data improvement system;

(b) Identify reports and other information that should be made available on the internet in addition to the reports identified in subsection (5) of this section;

(c) Create a comprehensive needs requirement document detailing the specific information and technical capacity needed by school districts and the state to meet the legislature's expectations for a comprehensive K-12 education data improvement system as described under RCW 28A.655.210;

(d) Conduct a gap analysis of current and planned information compared to the needs requirement document, including an analysis of the strengths and limitations of an education data system and programs currently used by school districts and the state, and specifically the gap analysis must look at the extent to which the existing data can be transformed into canonical form and where existing software can be used to meet the needs requirement document;

(e) Focus on financial and cost data necessary to support the new K-12 financial models and funding formulas, including any necessary changes to school district budgeting and accounting, and on assuring the capacity to link data across financial, student, and educator systems; and

(f) Define the operating rules and governance structure for K-12 data collections, ensuring that data systems are flexible and able to adapt to evolving needs for information, within an objective and orderly data governance process for determining when changes are needed and how to implement them. Strong consideration must be made to the current practice and cost of migration to new requirements. The operating rules should delineate the coordination, delegation, and escalation authority for data collection issues, business rules, and performance goals for each K-12 data collection system, including:

(i) Defining and maintaining standards for privacy and confidentiality;

(ii) Setting data collection priorities;

(iii) Defining and updating a standard data dictionary;

(iv) Ensuring data compliance with the data dictionary;

(v) Ensuring data accuracy; and

(vi) Establishing minimum standards for school, student, financial, and teacher data systems. Data elements may be specified "to the extent feasible" or "to the extent available" to collect more and better data sets from districts with more flexible software. Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be construed to require that a data dictionary or reporting should be hobbled to the lowest common set. The work of the K-12 data governance group must specify which data are desirable. Districts that can meet these requirements shall report the desirable data. Funding from the legislature must establish which subset data are absolutely required.

(4)(a) The K-12 data governance group shall provide updates on its work as requested by the education data center and the legislative evaluation and accountability program committee.

(b) The work of the K-12 data governance group shall be periodically reviewed and monitored by the educational data center and the legislative evaluation and accountability program committee.

(5) To the extent data is available, the office of the superintendent of public instruction shall make the following minimum reports available on the internet. The reports must either be run on demand against current data, or, if a static report, must have been run against the most recent data:

(a) The per-pupil expenditures of federal, state, and local funds including actual personnel expenditures and actual nonpersonnel expenditures of federal, state, and local funds disaggregated by source of funds, for each local educational agency and each school in the state for the preceding fiscal year;

(b) Number of K-12 students per classroom teacher on a per teacher basis;

(c) Percentage of classroom teachers per school district and per school disaggregated as described in RCW 28A.300.042(1) for student-level data;

(d) Average length of service of classroom teachers per school district and per school disaggregated as described in RCW 28A.300.042(1) for student-level data;

(e) The cost of K-12 education per student by school district sorted by federal, state, and local dollars; and

(f) Data on student growth to align with the every student succeeds act (129 Stat. 1802; 20 U.S.C. Sec. 6301 et seq.).

(6) The superintendent of public instruction shall submit a preliminary report to the legislature by November 15, 2009, including the analyses by the K-12 data governance group under subsection (3) of this section and preliminary options for addressing identified gaps. A final report, including a proposed phase-in plan and preliminary cost estimates for implementation of a comprehensive data improvement system for financial, student, and educator data shall be submitted to the legislature by September 1, 2010.

(7) All reports and data referenced in this section and RCW 43.41.400 and 28A.655.210 shall be made available in a manner consistent with the technical requirements of the legislative evaluation and accountability program committee and the education data center so that selected data can be provided to the legislature, governor, school districts, and the public.

(8) Reports shall contain data to the extent it is available. All reports must include documentation of which data are not available or are estimated. Reports must not be suppressed because of poor data accuracy or completeness. Reports may be accompanied with documentation to inform the reader of why some data are missing or inaccurate or estimated. [2020 c 61 § 3; 2016 c 72 § 601; 2009 c 548 § 203.]

**Finding—Intent—2016 c 72:** See note following RCW 28A.600.015.

**Intent—2009 c 548:** See RCW 28A.150.1981.

**Finding—2009 c 548:** See note following RCW 28A.410.270.

**Intent—Finding—2009 c 548:** See note following RCW 28A.305.130.

**RCW 28A.300.510 After-school mathematics support program—Reports.** (1) The after-school mathematics support program is created to study the effects of intentional, skilled mathematics support included as part of an existing after-school activity program.

(2) The office of the superintendent of public instruction shall provide grants to selected community-based, nonprofit organizations that provide after-school programs and include support for students to learn mathematics.

(3) Grant applicants must demonstrate the capacity to provide assistance in mathematics learning in the following ways:

(a) Identifying the mathematics content and instructional skill of the staff or volunteers assisting students;

(b) Identifying proposed learning strategies to be used, which could include computer-based instructional and skill practice programs and tutoring by adults or other students;

(c) Articulating the plan for connection with school mathematics teachers to coordinate student assistance; and

(d) Articulating the plan for assessing student and program success.

(4) Priority will be given to applicants that propose programs to serve middle school and junior high school students.

(5) The office of the superintendent of public instruction shall evaluate program outcomes and report to the governor and the education committees of the legislature on the outcomes of the grants and make recommendations related to program continuation, program modification, and issues related to program sustainability and possible program expansion. An interim report is due November 1, 2008. The final report is due December 1, 2009. [2007 c 396 § 3.]

**Captions not law—2007 c 396:** See note following RCW 28A.305.215.

**Finding—Intent—2007 c 396:** See note following RCW 28A.188.020.

**RCW 28A.300.520 Policies to support children of incarcerated parents.** (1) The superintendent of public instruction shall review current policies and assess the adequacy and availability of programs targeted at children who have a parent who is incarcerated in a department of corrections facility. The superintendent of public instruction shall adopt policies that support the children of incarcerated parents and meet their needs with the goal of facilitating normal child development, including maintaining adequate academic progress, while reducing intergenerational incarceration.

(2) To the extent funds are available, the superintendent shall conduct the following activities to assist in implementing the requirements of subsection (1) of this section:

(a) Gather information and data on the students who are the children of inmates incarcerated in department of corrections facilities; and

(b) Participate in the children of incarcerated parents advisory committee and report information obtained under this section to the advisory committee. [2009 c 578 § 9; 2007 c 384 § 5.]

**Intent—Finding—2007 c 384:** See note following RCW 72.09.495.

**RCW 28A.300.525 Students in department of children, youth, and families out-of-home care—Report on educational experiences.** The education data center shall include in its reporting as part of the P-20 education data project the educational experiences and progress of students in out-of-home care with the department of children, youth, and families. This data should be disaggregated in the smallest units allowable by law that do not identify an individual student, in order to learn which school districts are experiencing the greatest

success and challenges in achieving quality educational outcomes with students in out-of-home care with the department of children, youth, and families. [2018 c 58 § 50; 2012 c 163 § 11; 2008 c 297 § 2; (2009 c 556 § 11 expired July 1, 2011).]

**Effective date—2018 c 58:** See note following RCW 28A.655.080.

**Findings—Effective date—2012 c 163:** See notes following RCW 28B.117.010.

**Expiration date—2009 c 556 §§ 11, 13, and 15:** "Sections 11, 13, and 15 of this act expire July 1, 2011." [2009 c 556 § 21.]

**RCW 28A.300.530 Individuals with dyslexia—Identification and instruction—Handbook—Reports.** (1) Within available resources, the office of the superintendent of public instruction, in consultation with the school districts that participated in the Lorraine Wojahn dyslexia pilot program, and with an international nonprofit organization dedicated to supporting efforts to provide appropriate identification of and instruction for individuals with dyslexia, shall:

(a) Develop an educator training program to enhance the reading, writing, and spelling skills of students with dyslexia. The training program must provide research-based, multisensory literacy intervention professional development in the areas of dyslexia and intervention implementation. The program shall be posted on the website of the office of the superintendent of public instruction. The training program may be regionally delivered through the educational service districts. The educational service districts may seek assistance from the international nonprofit organization to deliver the training; and

(b) Develop a dyslexia handbook to be used as a reference for teachers and parents of students with dyslexia. The handbook shall be modeled after other state dyslexia handbooks, and shall include guidelines for school districts to follow as they identify and provide services for students with dyslexia. Additionally, the handbook shall provide school districts, and parents and guardians with information regarding the state's relevant statutes and their relation to federal special education laws. The handbook shall be posted on the website of the office of the superintendent of public instruction.

(2) Beginning September 1, 2009, and annually thereafter, each educational service district shall report to the office of the superintendent of public instruction the number of individuals who participate in the training developed and offered by the educational service district. The office of the superintendent of public instruction shall report that information to the legislative education committees. [2009 c 546 § 2.]

**Finding—Intent—2009 c 546:** "Dyslexia is a language-based learning disability that affects individuals throughout their lives. Washington state has a long-standing tradition of working to serve its students with dyslexia. Since 2005, the legislature has provided funding for five pilot projects to implement research-based, multisensory literacy intervention for students with dyslexia. Participating schools were required to have a three-tiered reading

structure in place, provide professional development training to teachers, assess students, and collect and maintain data on student progress.

The legislature finds that the students receiving intervention support through the dyslexia pilot projects have made substantial and steady academic gains. The legislature intends to sustain this work and expand the implementation to a level of statewide support for students with dyslexia by developing and providing information and training, including a handbook to continue to improve the skills of our students with dyslexia." [2009 c 546 § 1.]

**RCW 28A.300.535 Transgender student policy and procedure—Healthy youth survey.** The office of the superintendent of public instruction, in collaboration with the health care authority, the department of health, and the liquor and cannabis board, must review and align the healthy youth survey with the model transgender student policy and procedure developed under RCW 28A.642.080. [2019 c 194 § 3.]

**RCW 28A.300.537 Adverse childhood experiences—Healthy youth survey.** (1)(a) The health care authority, in collaboration with the office of the superintendent of public instruction, the department of health, and the liquor and cannabis board, must incorporate questions related to adverse childhood experiences into the healthy youth survey that are validated for children and would allow reporting of adverse childhood experiences during childhood to be included in frequency reports. The questions must be administered for two cycles of the healthy youth survey and then evaluated by the agencies for any needed changes.

(b) Student responses to the healthy youth survey are voluntary and must remain anonymous.

(c) The aggregated student responses to the adverse childhood experiences questions must be made publicly available and disaggregated by state, educational service district, and county.

(d) School districts and school buildings must be provided the aggregated student responses of their students.

(e) The student response data specified in (c) and (d) of this subsection must comply with state and federal privacy laws.

(2) School districts are encouraged to use the information about adverse childhood experiences in their decision making and to help improve services for students. [2020 c 251 § 2.]

**Intent—2020 c 251:** "(1) The legislature stated in RCW 70.305.005 that "adverse childhood experiences are a powerful common determinant of a child's ability to be successful at school and, as an adult, to be successful at work, to avoid behavioral and chronic physical health conditions, and to build healthy relationships."

(2) The legislature recognizes that the healthy youth survey is a voluntary and anonymous survey administered every two years to students in sixth, eighth, tenth, and twelfth grades.

(3) The legislature intends to include questions related to adverse childhood experiences in the healthy youth survey to help assess the prevalence of adverse childhood experiences throughout the state. The legislature further intends for these data to help inform

school district and community decision making and improve services for students." [2020 c 251 § 1.]

**RCW 28A.300.540 Homeless students—Uniform process to track expenditures for transporting—Rules—Information to be posted on website—Reports—Video on identifying homeless students—Best practices.** (1) For the purposes of this section, "unaccompanied homeless student" means a student who is not in the physical custody of a parent or guardian and is homeless as defined in RCW 43.330.702(2).

(2) By December 31, 2010, the office of the superintendent of public instruction shall establish a uniform process designed to track the additional expenditures for transporting homeless students, including expenditures required under the McKinney Vento act, reauthorized as Title X, Part C, of the no child left behind act, P.L. 107-110, in January 2002. Once established, the superintendent shall adopt the necessary administrative rules to direct each school district to adopt and use the uniform process and track these expenditures. The superintendent shall post on the superintendent's website total expenditures related to the transportation of homeless students.

(3)(a) By January 10, 2015, and every year thereafter, the office of the superintendent of public instruction shall post to the office's website the following data for homeless students:

(i) The number of identified homeless students enrolled in public schools;

(ii) The number of identified unaccompanied homeless students enrolled in public schools, which number shall be included for each district and the state under "student demographics" on the Washington state report card website;

(iii) The number of identified homeless students of color;

(iv) The number of students participating in the learning assistance program under chapter 28A.165 RCW, the highly capable program under chapter 28A.185 RCW, and the running start program under chapter 28A.600 RCW; and

(v) The academic performance and educational outcomes of homeless students and unaccompanied homeless students, including but not limited to the following performance and educational outcomes:

(A) Student scores on the statewide administered academic assessments;

(B) English language proficiency;

(C) Dropout rates;

(D) Four-year adjusted cohort graduation rate;

(E) Five-year adjusted cohort graduation rate;

(F) Absenteeism rates;

(G) Truancy rates, if available; and

(H) Suspension and expulsion data.

(b) The data reported under this subsection (3) must include state and district-level information and must be disaggregated by at least the following subgroups of students: White, Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific Islander/Hawaiian Native, low income, transitional bilingual, migrant, special education, and gender.

(4) By July 1, 2014, the office of the superintendent of public instruction in collaboration with experts from community organizations

on homelessness and homeless education policy, shall develop or acquire a short video that provides information on how to identify signs that indicate a student may be homeless, how to provide services and support to homeless students, and why this identification and support is critical to student success. The video must be posted on the superintendent of public instruction's website.

(5) By July 1, 2014, the office of the superintendent of public instruction shall adopt and distribute to each school district, best practices for choosing and training school district-designated homeless student liaisons. [2020 c 61 § 2; 2016 c 157 § 4; 2015 c 69 § 28; 2014 c 212 § 2; 2009 c 515 § 12.]

**Finding—Intent—2016 c 157:** "(1) The legislature finds that schools are places of academic as well as personal enrichment and that schools provide safety, stability, support, and relationships necessary to help students succeed. These resources are vitally necessary for tens of thousands of students in Washington with no permanent home who often struggle in school because they are worried about where their families are staying night after night.

(2) The legislature also recognizes the population of homeless students disproportionally includes students of color.

(3) The intent of the legislature is to start a competitive grant system for high-need school districts and to supplement federal McKinney-Vento Act dollars to ensure homeless students continue attending the same schools, maintain housing stability, and improve academic achievement." [2016 c 157 § 1.]

**Short title—2016 c 157:** "This act may be known and cited as the homeless student stability and opportunity gap act." [2016 c 157 § 8.]

**Short title—2015 c 69:** See RCW 43.330.911.

**Findings—Intent—2014 c 212:** "The legislature finds that since the 2005-06 school year, the number of homeless students identified in the K-12 public school system has been increasing. The legislature further finds that there are additional homeless students who are not identified by schools. The legislature intends to improve educational outcomes for homeless children by strengthening the ability of school districts to identify homeless students, establishing data reporting requirements, and distributing best practices and information regarding services and support for homeless students." [2014 c 212 § 1.]

**RCW 28A.300.542 Students experiencing homelessness—Grant process to identify students and district capacity for support—Award criteria—Districts' responsibilities—Report.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall create a competitive grant process to evaluate and award state-funded grants to school districts to increase identification of students experiencing homelessness and the capacity of the districts to provide support for students experiencing homelessness. The goals of the grant process are to:

(a) Provide educational stability for students experiencing homelessness by promoting housing stability; and

(b) Encourage the development of collaborative strategies between education and housing partners.

(2)(a) Funds may be used in a manner that is complementary to federal McKinney-Vento funds and consistent with allowable uses as determined by the office of the superintendent of public instruction. The process must complement any similar federal grant program or programs in order to minimize agency overhead and administrative costs for the superintendent of public instruction and school districts.

(b) Examples of permitted student supports and activities include, but are not limited to:

(i) Direct academic supports, including tutoring and additional transportation costs;

(ii) Basic needs, including retail store cards, nutrition supports, and hygiene items;

(iii) Wraparound supports, including contracting with community-based providers, behavioral and physical health supports, and housing-related supports, such as bedding and short-term hotel or motel stays, that meet a student's emergent needs and allow the student to fully participate in school;

(iv) Employment supports for students and families; and

(v) Out-of-school enrichment activities, such as an academic tutor provided at a shelter.

(3) School districts may access both federal and state funding to identify and support students experiencing homelessness and are encouraged to use grant dollars to leverage community resources and strengthen relationships with community-based partners.

(4) Award criteria for the state grants must be based on the demonstrated need of the school district and may consider the number or overall percentage, or both, of homeless children and youths enrolled in preschool, elementary, and secondary schools in the school district, and the ability of the local school district to meet these needs. Award criteria for these must also be based on the quality of the applications submitted. Selected grantees must reflect geographic diversity across the state. Greater weight must be given to districts that demonstrate a commitment to:

(a) Partnering with local community-based organizations with experience in serving the needs of students experiencing homelessness or students of color, with a preference for organizations that focus on equitable housing and homeless strategies;

(b) Serving the needs of unaccompanied youth; and

(c) Implementing evidence-informed strategies to address the opportunity gap and other systemic inequities that negatively impact students experiencing homelessness and students of color. Specific strategies may include, but are not limited to:

(i) Enhancing the cultural responsiveness of current and future staff;

(ii) Ensuring all staff, faculty, and school employees are actively trained in trauma-informed care;

(iii) Providing inclusive programming by intentionally seeking and utilizing input from the population being served;

(iv) Using a multidisciplinary approach when serving students experiencing homelessness and their families;

(v) Intentionally seeking and utilizing input from the families and students experiencing homelessness about how district policies, services, and practices can be improved; and

(vi) Identifying data elements and systems needed to monitor progress in eliminating disparities in academic outcomes for students experiencing homelessness with their housed peers.

(5) At the end of each academic year, districts receiving grants shall monitor and report on the academic outcomes for students served by the grants. The academic outcomes are those recommended by the office of the superintendent of public instruction. The office of the superintendent of public instruction shall review the reports submitted by the districts and assist school districts in using these data to identify gaps and needs, and develop sustainable strategies to improve academic outcomes for students experiencing homelessness.

(6) Students experiencing homelessness are defined as students without a fixed, regular, and adequate nighttime residence in accordance with the definition of homeless children and youths in the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 through 11435.

(7) School districts may not use funds allocated under this section to supplant existing federal, state, or local resources for supports for students experiencing homelessness, which may include education liaisons.

(8) Grants awarded to districts under this section may be for two years.

(9) The office of the superintendent of public instruction and the department of commerce shall:

(a) Collaborate on shared goals and outcomes under the grant process established by this section and the grant program established in RCW 43.185C.340; and

(b) Beginning in 2024, and every two years thereafter, jointly produce and make publicly available a report on the goals and outcomes of the grant process established by this section and the grant program established in RCW 43.185C.340. [2023 c 386 § 1; 2019 c 412 § 1; 2016 c 157 § 2.]

**Finding—Intent—Short title—2016 c 157:** See notes following RCW 28A.300.540.

**RCW 28A.300.544 Students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities—Work group—Report.** ***(Expires December 31, 2028.)*** (1) The office of the superintendent of public instruction, in collaboration with the department of children, youth, and families, the office of homeless youth prevention and protection programs of the department of commerce, and the student achievement council, shall convene a work group to address the needs of students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities. Nothing in this section prevents the office of the superintendent of public instruction from using an existing work group created under the authority of section 223(1)(bb), chapter 299, Laws of 2018, with modifications to the membership and duties, to meet the requirements of this section. The work group, which shall seek to promote continuity with efforts resulting from section 223(1)(bb), chapter 299, Laws of 2018, must include representatives of nongovernmental agencies, representation from the educational opportunity gap oversight and accountability committee, representation from the education data center, and meaningful consultation with youth and

young adults who have lived experience in foster care, homelessness and juvenile rehabilitation. The work group must also include four legislative members who possess experience in issues of education, child welfare, homeless youth, and juvenile rehabilitation, appointed as follows:

(a) The president of the senate shall appoint one member from each of the two largest caucuses of the senate.

(b) The speaker of the house of representatives shall appoint one member from each of the two largest caucuses of the house of representatives.

(2) The work group shall develop recommendations to promote the following for students who are in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities:

(a) The achievement of parity in education outcomes with the general student population; and

(b) The elimination of racial and ethnic disparities for education outcomes in comparison to the general student population.

(3) In developing the recommendations required by subsection (2) of this section, the work group shall:

(a) Review the education outcomes of students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities, by examining data, disaggregated by race and ethnicity, on:

(i) Kindergarten readiness, early grade reading and math, ninth grade students on track to graduate, high school completion, postsecondary enrollment, postsecondary completion, and other outcomes of students after high school; and

(ii) School attendance, school mobility, special education and other student support programs, and school discipline;

(b) Evaluate the outcomes, needs, and service array for students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities, and the specific needs of students of color and students with special education needs;

(c) Engage stakeholders, including students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities, foster parents and relative caregivers, birth parents, caseworkers, school districts and educators, early learning providers, postsecondary institutions, and federally recognized tribes, to provide input on the development of recommendations; and

(d)(i) Submit a report to the governor, the appropriate committees of the legislature, and the educational opportunity gap oversight and accountability committee by October 31, 2023, and annually thereafter until 2027, that identifies:

(A) Progress the state has made toward achieving education parity for students in foster care, experiencing homelessness, or in or exiting juvenile rehabilitation facilities; and

(B) Recommendations that can be implemented using existing resources, rules, and regulations, and those that would require policy, administrative, and resource allocation changes prior to implementation.

(ii) Reports required by (d) of this subsection may include findings and recommendations regarding the feasibility of developing a case study to examine or implement recommendations of the work group.

(4) The work group, in accordance with RCW 43.01.036, must submit a final report to the governor, the appropriate committees of the legislature, and the educational opportunity gap oversight and accountability committee by July 1, 2028. The final report must

include the recommendations required by subsection (2) of this section and may include a plan for achieving the recommendations specified in subsection (2) of this section.

(5) To assist the work group in the completion of its duties, the following apply:

(a) The office of the superintendent of public instruction, department of children, youth, and families, the student achievement council, and the office of homeless youth prevention and protection programs of the department of commerce shall provide updated education data and other necessary data to the education data center established under RCW 43.41.400; and

(b) The education data center shall provide a report to the work group regarding education outcomes specified in subsection (3)(a)(i) and (ii) of this section by August 31, 2023, and annually thereafter until 2027. If state funds are not available to produce the reports, the work group may pursue supplemental private funds to fulfill the requirements of this subsection (5)(b).

(6) Nothing in this section permits disclosure of confidential information protected from disclosure under federal or state law, including but not limited to information protected under chapter 13.50 RCW. Confidential information received by the work group retains its confidentiality and may not be further disseminated except as permitted by federal and state law.

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

(a) "Students in foster care" means students who are the subject of a dependency proceeding as defined in RCW 28A.150.510.

(b) "Students experiencing homelessness" means students without a fixed, regular, and adequate nighttime residence in accordance with the definition of homeless children and youths in the federal McKinney-Vento homeless assistance act, 42 U.S.C. Sec. 11431 through 11435.

(c) "Students in or exiting juvenile rehabilitation facilities" means youth and postresident youth as those terms are defined in RCW 28A.190.005.

(8) This section expires December 31, 2028. [2023 c 300 § 1; 2020 c 233 § 2.]

**Findings——Intent——2020 c 233:** See note following RCW 74.13.1051.

**RCW 28A.300.545 Condensed compliance report form——Audit of districts submitting condensed compliance report forms.** (1) The superintendent of public instruction shall develop a condensed compliance report form for second-class districts by August 1, 2011. The report form shall allow districts the option of indicating one of the following for each funded program:

(a) The district has complied or received a waiver approved by the state board of education or superintendent of public instruction;

(b) The district has not complied, accompanied by an explanation or the steps taken to comply; or

(c) The district has received a grant for less than half of a full-time equivalent instructional staff.

(2) The office of the superintendent of public instruction may conduct random audits of second-class districts that submit a condensed compliance report under RCW 28A.330.250. The purpose of the

audit is to determine whether documentation exists to support a school district superintendent's condensed compliance report. [2018 c 177 § 505; 2011 c 45 § 2.]

**Finding—Intent—2018 c 177:** See note following RCW 28A.305.905.

**Conflict with federal requirements—2011 c 45:** See note following RCW 28A.330.250.

**RCW 28A.300.550 Innovation schools—Identification—Website—Publicity.** (1) The legislature finds that innovation schools accomplish the following objectives:

(a) Provide students and parents with a diverse array of educational options;

(b) Promote active and meaningful parent and community involvement and partnership with local schools;

(c) Serve as laboratories for educational experimentation and innovation;

(d) Respond and adapt to different styles, approaches, and objectives of learning;

(e) Hold students and educators to high expectations and standards; and

(f) Encourage and facilitate bold, creative, and innovative educational ideas.

(2) The office of the superintendent of public instruction shall develop basic criteria and a streamlined review process for identifying Washington innovation schools. Any public school, including those with institution of higher education partners, may be nominated by a community, organization, school district, institution of higher education, or through self-nomination to be designated as a Washington innovation school. If the office of the superintendent of public instruction finds that the school meets the criteria, the school shall receive a designation as a Washington innovation school. Within available funds, the office shall develop a logo, certificate, and other recognition strategies to encourage and highlight the accomplishments of innovation schools.

(3) The office of the superintendent of public instruction shall:

(a) Create a page on the office website to highlight examples of Washington innovation schools, including those with institution of higher education partners, that includes links to research literature and national best practices, as well as summary information and links to the websites of Washington innovation schools. The office is encouraged to offer an educational administrator intern the opportunity to create the web page as a project toward completion of his or her administrator certificate; and

(b) Publicize the Washington innovation school designation and encourage schools, communities, institutions of higher education, and school districts to access the website and create additional models of innovation. [2011 c 202 § 2.]

**Finding—Intent—2011 c 202:** "(1) The legislature finds that Washington has a long history of providing legal, financial, and political support for a wide range of innovative programs and initiatives and that these can and do operate successfully in public

schools through the currently authorized governance structure of locally elected boards of directors of school districts.

(2) Examples of innovation schools can be found all across the state including, but not limited to:

(a) The Vancouver school of arts and academics that offers students beginning in sixth grade the opportunity to immerse themselves in the full range of the arts, including dance, music, theater, literary arts, visual arts, and moving image arts, as well as all levels of core academic courses;

(b) Thornton Creek elementary school in Seattle, an award-winning parent-initiated learning option based on the expeditionary learning outward bound model;

(c) The technology access foundation academy, a unique public-private partnership with the Federal Way school district that offers a rigorous and relevant curriculum through project-based learning, full integration of technology, and a small learning community intended to provide middle and high school students the opportunity for success in school and college;

(d) Talbot Hill elementary school in Renton, where students participate in a microsociety program that includes selecting a government, conducting business and encouraging entrepreneurialism, and providing community services such as banking, newspaper, post office, and courts;

(e) The Tacoma school of the arts, where sophomores through seniors form a cohesive, full-time learning community to study the full range of humanities, mathematics, science, and language as well as build a broad foundation in all forms of the arts, culminating with an in-depth senior arts project that showcases each student's talent and interest;

(f) The SPRINT program at Shaw middle school in Spokane, an alternative learning community for students in seventh and eighth grade proposed and created by a group of parents who wish to be very actively involved in their students' education;

(g) Puesta del sol elementary school in Bellevue, offering a diverse multicultural program and Spanish language immersion beginning in kindergarten;

(h) The Washington national guard youth challenge program operated in collaboration with the Bremerton school district that offers high-risk youth a rigorous and structured residential program that builds students' academic, social, and emotional skills, and physical fitness while providing up to one year of high school credits toward graduation;

(i) The Lincoln center program at Lincoln high school in Tacoma, an extended day program that has virtually eliminated the academic achievement gap and significantly boosted attendance and test scores for racially diverse, low-income, and highly mobile students;

(j) Delta high school, a science, technology, engineering, and math-focused school option for students in the Tri-Cities operating in cooperation with three school districts, the regional skill center, local colleges and universities, and the business community; and

(k) Aviation high school in the Highline school district, offering a project-based curriculum and learning environment centered on an aviation and aeronautics theme with strong business and community support.

(3) Therefore, the legislature intends to encourage additional innovation schools by disseminating information about current models

and recognizing the effort and commitment that goes into their creation and operation." [2011 c 202 § 1.]

**RCW 28A.300.555 Finding—Grants to improve readiness to learn.** (1) The legislature finds that helping children to arrive at school ready to learn is an important part of improving student learning.

(2) To the extent funds are appropriated, the superintendent of public instruction shall award grants to community-based consortiums that submit comprehensive plans that include strategies to improve readiness to learn. [2011 1st sp.s. c 32 § 11; 1993 c 336 § 901. Formerly RCW 70.190.040.]

**Transition plan—Report to the legislature—2011 1st sp.s. c 32:** See note following RCW 70.305.005.

**Findings—Intent—Part headings not law—1993 c 336:** See notes following RCW 28A.150.210.

**Findings—1993 c 336:** See note following RCW 28A.150.210.

**RCW 28A.300.560 Data on college credit through dual credit courses—Posting on website.** In addition to data on student enrollment in dual credit courses, the office of the superintendent of public instruction shall collect and post on the Washington state report card website the rates at which students earn college credit through a dual credit course, using the following criteria:

(1) Students who achieve a score of three or higher on an AP examination;

(2) Students who achieve a score of four or higher on an examination of the international baccalaureate diploma programme;

(3) Students who successfully complete a Cambridge advanced international certificate of education examination;

(4) Students who successfully complete a course through the college in the high school program under RCW 28A.600.287 and are awarded credit by the partnering institution of higher education;

(5) Students who satisfy the dual enrollment and class performance requirements to earn college credit through a career and technical education course; and

(6) Students who successfully complete a course through the running start program under RCW 28A.600.300 and are awarded credit by the institution of higher education. [2022 c 75 § 3; 2021 c 71 § 3; 2013 c 184 § 4.]

**Findings—2013 c 184:** See note following RCW 28A.320.195.

**RCW 28A.300.565 Grants to implement emergency response systems.** Subject to funds appropriated specifically for this purpose, the office of the superintendent of public instruction shall allocate grants to school districts on a competitive basis for the purpose of implementing emergency response systems using evolving technology to expedite the response and arrival of law enforcement in the event of a threat or emergency at a school. [2013 c 233 § 4.]

**RCW 28A.300.570 Support of reading and early literacy.** In support of reading and early literacy, the office of the superintendent of public instruction is responsible for:

(1) Continuing to work collaboratively with state and regional partners such as the department of children, youth, and families and the educational service districts to establish early literacy benchmarks and standards and to implement the Washington state comprehensive literacy plan;

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

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

(4) Within available funds and in partnership with the educational service districts, providing technical assistance and professional development opportunities for school districts. [2018 c 58 § 29; 2013 2nd sp.s. c 18 § 101.]

**Effective date——2018 c 58:** See note following RCW 28A.655.080.

**Application——Enforcement of laws protecting health and safety——2013 2nd sp.s. c 18:** See note following RCW 28A.600.022.

**RCW 28A.300.574 Dual language learning cohorts——Rules.** (1) Within existing resources, the office of the superintendent of public instruction shall facilitate dual language learning cohorts for school districts and state-tribal compact schools establishing or expanding dual language programs. The office must provide technical assistance and support to school districts and state-tribal compact schools implementing dual language programs, including those establishing or expanding dual language programs under *section 1 of this act.

(2) The superintendent of public instruction may adopt rules to implement this section. [2017 c 236 § 3.]

***Reviser's note:** A translation of "section 1 of this act" is to the uncodified intent section noted after this section. Reference to RCW 28A.630.095 was apparently intended. RCW 28A.630.095 expired July 1, 2020.

**Findings——Intent——2017 c 236:** "(1) The legislature finds that it should review and revise the K-12 educational program taking into consideration the needs of students as they evolve. In Washington state, immigrant students whose first language is not English represent a significant part of evolving and more diverse school demographics. The legislature finds that Washington's educator workforce in school districts has not evolved in a manner consistent with changing student demographics. Thus, more and more schools are without the capacity to meet the needs of English learners and without the capacity to communicate effectively with parents whose first language is not English.

(2) The legislature finds that:

(a) Between 1986 and 2016, the number of students served in the state's transitional bilingual instruction program increased from fifteen thousand twenty-four to one hundred eighteen thousand five

hundred twenty-six, an increase of six hundred eighty-nine percent, and that two-thirds of the students were native Spanish speakers; the next ten most common languages were Russian, Vietnamese, Somali, Chinese, Arabic, Ukrainian, Tagalog, Korean, Marshallese, and Punjabi;

(b) In the 2015-16 school year, forty-six percent of instructors in the state's transitional bilingual instruction program were instructional aides, or paraeducators, not certificated teachers; and

(c) Eleven percent of students in the transitional bilingual instruction program received instruction in their native language in the 2015-16 school year, and research shows that non-English-speaking students develop academic proficiency in English more quickly when they are provided instruction in their native language initially.

(3) The legislature showed its commitment to equity in education by passing legislation creating a seal of biliteracy, requiring world language for high school graduation, easing the transitions of English learners, encouraging training for staff in cultural competence, monitoring the racial and ethnic data of teachers, and funding the creation of K-12 dual language programs.

(4) However, the legislature finds it is necessary to better serve non-English-speaking students by addressing and closing the significant language and instructional gaps that hinder English learners from meeting the state's rigorous educational standards.

(5) Thus, the legislature intends to establish a comprehensive approach to support English learners by creating grant programs to: (a) Expand dual language programs for elementary and secondary students; and (b) recruit bilingual individuals to become educators who are able to provide instruction in, and support for, dual language programs." [2017 c 236 § 1.]

**RCW 28A.300.575 Washington state seal of biliteracy.** (1) The Washington state seal of biliteracy is established to recognize public high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more world languages in addition to English. School districts are encouraged to award the seal of biliteracy to graduating high school students who meet the criteria established by the office of the superintendent of public instruction under this section. Participating school districts shall place a notation on a student's high school diploma and high school transcript indicating that the student has earned the seal.

(2) The office of the superintendent of public instruction shall adopt rules establishing criteria for award of the Washington state seal of biliteracy. The criteria must require a student to demonstrate proficiency in English by meeting state high school graduation requirements in English, including through state assessments and credits, and proficiency in one or more world languages other than English. The criteria must permit a student to demonstrate proficiency in another world language through multiple methods including nationally or internationally recognized language proficiency tests and competency-based world language credits awarded under the model policy adopted by the Washington state school directors' association.

(3) For the purposes of this section, a world language other than English must include American sign language and Native American languages. [2014 c 102 § 2.]

**Findings——Intent——2014 c 102:** "(1) The legislature finds that:

(a) The study of world languages in elementary and secondary schools should be encouraged because it contributes to students' cognitive development and to the national economy and security;

(b) Proficiency in multiple languages enables Washington to participate more effectively in the current global political, social, and economic context;

(c) The benefits to employers of having employees who are fluent in more than one language are clear: Increased access to expanding markets, better service of customers' needs, and expanded trading opportunities with other countries; and

(d) Protecting the state's rich heritage of multiple cultures and languages, as well as building trust and understanding across the multiple cultures and languages of diverse communities, requires multilingual communication skills.

(2) Therefore, the legislature's intent is to promote and recognize linguistic proficiency and cultural literacy in one or more world languages in addition to English through the establishment of a Washington state seal of biliteracy." [2014 c 102 § 1.]

**RCW 28A.300.580 Phone interpretation services—Posting vendor information on website.** (1) The office of the superintendent of public instruction and the office of the education ombuds shall post information on the agency's website regarding the phone interpretation vendors on contract with the state of Washington, including contact information.

(2) School districts are encouraged to use the phone interpretation services addressed in subsection (1) of this section to communicate with student's parents, legal guardians, and family members who have limited English proficiency. [2014 c 150 § 4.]

**RCW 28A.300.585 Computer science learning standards.** Beginning in the 2015-16 school year, the office of the superintendent of public instruction shall adopt computer science learning standards developed by a nationally recognized computer science education organization. [2015 1st sp.s. c 3 § 1.]

**RCW 28A.300.587 Computer science report.** Beginning June 30, 2020, and by each June 30th thereafter, each school district shall submit to the office of the superintendent of public instruction, and the office of the superintendent of public instruction shall post conspicuously on its website, a report for the preceding academic year that must include, but is not limited to, the following:

(1) The total number of computer science courses offered in each school and whether these courses are advanced placement classes;

(2) The number and percentage of students who enrolled in a computer science program, disaggregated by:

(a) Gender;

(b) Race and ethnicity;

(c) Special education status;

(d) English language learner status;

(e) Eligibility for the free and reduced-price lunch program; and

(f) Grade level; and

(3) The number of computer science instructors at each school, disaggregated by:

(a) Certification, if applicable;

(b) Gender; and

(c) Highest academic degree. [2019 c 27 § 2.]

**Findings—2019 c 27:** "The legislature finds that to close the gender gap in computer science fields, it is important that computer science student participation rates are incorporated into the existing reporting infrastructure at the office of the superintendent of public instruction. The legislature finds that it is critical to track the gender and demographic composition of computer science course takers as well as the specific courses that they are taking. Grade level, socioeconomic, and distinctive factors should be included to establish a clear baseline of current student participation and identify areas for student participation improvement." [2019 c 27 § 1.]

**RCW 28A.300.590 Educational outcomes—Program of education for dependent youth—Responsibilities of department of social and health services, superintendent of public instruction, and nongovernmental entity—Reports.** (1) As used in this section, "outcome" or "outcomes" means measuring the differences in high school graduation rates and postsecondary enrollment between youth served by the education coordination program described in this section and those who would have otherwise been eligible for the program, but were not served by the program.

(2) To the extent funds are appropriated for this purpose, the department of social and health services must contract with the office of the superintendent of public instruction, which in turn must contract with at least one nongovernmental entity to administer a program of education coordination for youth, kindergarten through twelfth grade, who are dependent pursuant to chapter 13.34 RCW. The office of the superintendent of public instruction shall, in consultation with the department of social and health services, comply with all requirements necessary to maximize federal reimbursement for the program of education coordination for youth. The contract between the office of the superintendent of public instruction and the nongovernmental entity must be outcome driven with a stated goal of reducing educational barriers to youth success. The selected nongovernmental entity or entities must engage in a public-private partnership with the office of the superintendent of public instruction and are responsible for raising a portion of the funds needed for service delivery, administration, and evaluation.

(3) The nongovernmental entity or entities selected by the office of the superintendent of public instruction must have demonstrated success in working with foster care youth and assisting foster care youth in receiving appropriate educational services, including enrollment, accessing school-based services, reducing out-of-school discipline interventions, and attaining high school graduation.

(4) The selected nongovernmental entity or entities must provide services to support individual youth upon a referral by a social worker with the department of social and health services, school staff, or a nongovernmental agency. The selected nongovernmental entity or entities may be colocated in the offices of the department of social and health services to provide timely consultation and in-

service training. These entities must have access to all paper and electronic education records and case information pertinent to the educational planning and services of youth referred and are subject to RCW 13.50.010 and 13.50.100.

(5) The selected nongovernmental entity or entities must report outcomes semiannually to the office of the superintendent of public instruction and the department of social and health services beginning December 1, 2016. [2016 c 71 § 3.]

**Intent——2016 c 71:** "The Washington state legislature has long acknowledged that youth impacted by the foster care system experience among the worst high school graduation and postsecondary completion outcomes compared to any other population of youth. Over the last decade, legislative leadership has sparked innovation and development of an array of services to improve educational outcomes. The legislature intends to powerfully leverage that past experience to establish a set of comprehensive strategies that are evidence-based, more coordinated, intensive, and intentional in order to proactively support youth to complete high school and successfully implement their own plans for their future.

The goals of this effort are threefold:

(1) To make Washington number one in the nation for foster care graduation rates;

(2) To make Washington number one in the nation for foster care enrollment in postsecondary education; and

(3) To make Washington number one in the nation for foster care postsecondary completion." [2016 c 71 § 1.]

**RCW 28A.300.592 Educational outcomes——On-site individualized education services for dependent students——Public-private partnership——Reports.** (1) As used in this section, "outcome" or "outcomes" means measuring the differences in high school graduation rates and postsecondary enrollment and completion between youth served by the programs described in this section, and those who would have otherwise been eligible for the programs, but were not served by the programs.

(2) To the extent funds are appropriated for this purpose, the office of the superintendent of public instruction must contract with at least one nongovernmental entity to improve the educational outcomes of students at two sites by providing individualized education services and monitoring and supporting dependent youths' completion of educational milestones, remediation needs, and special education needs. The selected nongovernmental entity must engage in a public-private partnership with the office of the superintendent of public instruction and is responsible for raising a portion of the funds needed for service delivery, administration, and evaluation.

(3) One of the sites described in subsection (2) of this section shall be the site previously selected by the department of social and health services pursuant to the 2013-2015 omnibus appropriations act, section 202(10), chapter 4, Laws of 2013 2nd sp. sess. to the extent private funds are available. The previously selected site will expand to include the entire county in which it is currently located, subject to the availability of private funds. The second site established under this section must be implemented after July 1, 2016. The office of the superintendent of public instruction and the nongovernmental entity or entities at the original site shall consult with the

department of social and health services and then collaboratively select the second site. This site should be a school district or group of school districts with a significant number of students who are dependent pursuant to chapter 13.34 RCW.

(4) The purpose of the programs at both sites is to improve the educational outcomes of students who are dependent pursuant to chapter 13.34 RCW by providing individualized education services and supporting dependent youths' completion of educational milestones, remediation needs, and special education needs.

(5) The entity or entities at these sites must facilitate the educational progress, high school completion, and postsecondary plan initiation of eligible youth. The contract with the entity or entities must be outcome driven with a stated goal of improving the graduation rates and postsecondary plan initiation of foster youth by two percent per year over five school year periods. The baseline for measurement for the existing site was established in the 2013-14 school year, and this baseline remains applicable through the 2018-19 school year. Any new site must establish its baseline at the end of the first year of service provision, and this baseline must remain applicable for the next five school year periods.

(6) Services provided by the nongovernmental entity or entities must include:

(a) Advocacy for foster youth to eliminate barriers to educational access and success;

(b) Consultation with schools and the department of children, youth, and families caseworkers to develop educational plans for and with participating youth;

(c) Monitoring education progress and providing interventions to improve attendance, behavior, and course performance of participating youth;

(d) Facilitating age-specific developmental and logistical tasks to be accomplished for high school and postsecondary success;

(e) Facilitating the participation of youth with school and local resources that may assist in educational access and success; and

(f) Coordinating youth, caregivers, schools, and social workers to advocate to support youth progress in the educational system.

(7) The contracted nongovernmental entity or entities must report site outcomes to the office of the superintendent of public instruction and the department of children, youth, and families semiannually.

(8) The department of children, youth, and families must proactively refer all eligible students thirteen years of age or older, within the site areas, to the contractor for educational services. Youth eligible for referral are dependent pursuant to chapter 13.34 RCW, are age thirteen through twenty-one years of age, are not currently served by services under RCW 28B.77.250, and remain eligible for continuing service following fulfillment of the permanent plan and through initiation of a postsecondary plan. After high school completion, services are concluded within a time period specified in the contract to pursue engagement of continuing postsecondary support services provided by local education agencies, postsecondary education, community-based programs, or the passport to college promise program.

(9) The selected nongovernmental entity or entities may be colocated in the offices of the department of children, youth, and families to provide timely consultation. These entities must be provided access to all paper and electronic education records and case

information pertinent to the educational planning and services of youth referred and are subject to RCW 13.50.010 and 13.50.100. [2018 c 58 § 63; 2016 c 71 § 4.]

**Effective date——2018 c 58:** See note following RCW 28A.655.080.

**Intent——2016 c 71:** See note following RCW 28A.300.590.

**RCW 28A.300.606 Teacher and administrator professional learning——Working with paraeducators.** (1) The superintendent of public instruction, in consultation with the paraeducator board created in RCW 28A.413.020 and the professional educator standards board, shall design a training program for teachers and administrators as it relates to their role working with paraeducators. Teacher training must include how to direct a paraeducator working with students in the paraeducators' classroom. Administrator training must include how to supervise and evaluate paraeducators.

(2) Subject to the availability of amounts appropriated for this specific purpose, the training program designed under subsection (1) of this section must be made available to public schools, school districts, and educational service districts. [2017 c 237 § 13.]

**RCW 28A.300.615 Substitute teachers——Hiring and compensation reporting.** (1) By October 1st of each year, a school district must report to the office of the superintendent of public instruction:

(a) The number of substitute teachers hired per school year;

(b) The number of hours worked by each substitute teacher;

(c) The number of substitute teachers that received benefits under the school employees' benefits board;

(d) The full daily compensation rate per substitute teacher; and

(e) The reason for hiring the substitute teacher.

(2) By January 1st of each year, the office of the superintendent of public instruction must post on its website the information identified in subsection (1) of this section. [2020 c 8 § 3; 2016 c 233 § 8.]

**Effective date——2020 c 8:** See note following RCW 41.05.744.

**RCW 28A.300.620 Mentor training program goals——Professional development curricula.** (1) In fiscal year 2017, the office of the superintendent of public instruction, in collaboration with the professional educator standards board and institutions of higher education with professional educator standards board-approved teacher preparation programs, shall develop mentor training program goals, and shall post the goals on its website.

(2) The office of the superintendent of public instruction is encouraged to develop professional development curricula aligned with the mentor training program goals required under this section. The purpose of this [these] curricula is to standardize mentorship training statewide in order to develop high quality mentors. [2016 c 233 § 12.]

**RCW 28A.300.630 School safety center.** (1) Subject to the availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall establish a school safety center as provided in this section.

(2) The center, working in conjunction with the regional school safety centers established in RCW 28A.310.510, forms a statewide network for school safety.

(3) The center, in collaboration with staff in the office of the superintendent of public instruction, must:

(a) Serve as a clearinghouse for information regarding comprehensive school safety planning and practice;

(b) Disseminate information regarding school safety incidents in Washington and across the country;

(c) Develop and maintain a public website to increase the availability of information, research, and other materials related to school safety;

(d) Serve as the lead school safety center, and work in conjunction with the regional school safety centers, to support school districts efforts to meet state requirements regarding school safety including the development and implementation of:

(i) Comprehensive safe school plans as required by RCW 28A.320.125; and

(ii) Plans for recognition, initial screening, and response to emotional or behavioral distress in students as required by RCW 28A.320.127;

(e) Develop model school safety policies and procedures and identify best practices in school safety;

(f) Work in conjunction with the regional school safety centers to plan for the provision of school safety trainings and to provide technical assistance;

(g) Hold an annual school safety summit as required by RCW 28A.300.273;

(h) Support the required activities of the regional school safety centers, established in RCW 28A.310.510; and

(i) Perform other functions consistent with the purpose of the center, as described in this section. [2019 c 333 § 2.]

**Findings——Intent——2019 c 333:** "(1) The legislature recognizes that school safety supports effective teaching and learning by creating and promoting a physically, emotionally, socially, behaviorally, and academically secure climate for students, staff, and visitors. Keeping a school safe involves planning for the prevention of, intervention in, mitigation of, protection from, response to, and recovery from various natural, physical, social, emotional, biological, and technological threats and trauma to an individual, the school, and the community.

(2) The legislature has taken steps over the years to improve the safety of public school students by, for example: (a) Requiring schools and school districts to have school safety plans in place; (b) requiring school districts to have plans for recognition, initial screening, and response to emotional or behavioral distress in students, including indicators of possible substance abuse, violence, youth suicide, and sexual abuse; (c) requiring the use of a statewide first responder building mapping information system; (d) requiring school districts to adopt policies and procedures to prevent harassment, intimidation, and bullying, including cyberbullying; and

(e) prohibiting firearms and other dangerous weapons on school premises.

(3) The legislature finds that many school districts need additional supports to keep their schools safe. The legislature intends to establish a statewide network of the structural components necessary to enhance student safety in schools so that students have a sense of well-being and can focus on learning. This network, or system, of comprehensive school safety supports is based on the work of the state school safety center, which supports the regional school safety centers at each educational service district. The regional school safety centers, in collaboration with community school safety stakeholders, support the efforts of the local school districts and schools to bring best practices in school safety to every school and classroom in the state. The school safety and student well-being advisory committee provides ongoing advice to the state and regional school safety centers, as well as public and private schools. The state and regional school safety centers, together with the school safety and student well-being advisory committee, bring together caring adults, including those who work directly with students every day, to define school safety problems at the state and local levels and identify solutions to those problems, such as creating needed programs and identifying necessary supports. Creating a system of comprehensive school safety supports will maximize the use of state and local resources so that every student can attend a school with a safe, healthy, and supportive learning environment." [2019 c 333 § 1.]

**Intent——2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.635 School safety and student well-being advisory committee.** (1) The school safety and student well-being advisory committee is established within the office of the superintendent of public instruction. The purpose of the committee is to advise the superintendent, the office of the superintendent of public instruction's school safety center, the regional school safety centers, school districts, and public and private schools on all matters related to comprehensive school safety and student well-being.

(2) The superintendent of public instruction must appoint the members of the committee. The members must represent the following sectors, agencies, and organizations, at a minimum: The various state education associations, including teachers associations, the association of colleges for teacher education, and associations for educational staff associates; the educational service districts; the state ethnic commissions; the governor's office of Indian affairs; parent organizations; student organizations; private schools; emergency management; behavioral health; public health; law enforcement; and emergency first responders.

(3) The committee shall:

(a) Make recommendations to those it advises on policies and strategies to improve school safety and student well-being;

(b) Identify emerging issues and best practices for consideration and implementation, particularly as these relate to the integration of student well-being and school safety;

(c) Establish priorities for training, funding, statewide data collection, and other forms of support for students, schools, and school districts;

(d) Engage the public on school safety and student well-being; and

(e) Perform other duties as required by law.

(4) By November 15, 2020, and by November 15th every even year thereafter, and in compliance with RCW 43.01.036, the committee must coordinate with the office of the superintendent of public instruction's school safety center to submit a report to the appropriate committees of the legislature. The report must summarize the committee's activities during the past biennium, include recommended state policies and strategies for improving school safety and student well-being, provide an estimate of the cost to implement each recommendation, and prioritize the recommendations.

(5) Staff support for the committee must be provided by the office of the superintendent of public instruction.

(6) The committee must meet at least quarterly.

(7) Members are not entitled to be reimbursed for travel expenses if they are elected officials or are participating on behalf of an employer, governmental entity, or other organization. Any reimbursement for other members is subject to chapter 43.03 RCW. [2019 c 333 § 4.]

**Findings——Intent——2019 c 333:** See note following RCW 28A.300.630.

**Intent——2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.640 School-based threat assessment program——Model policy and procedure.** (1) The Washington state school directors' association, in collaboration with the office of the superintendent of public instruction, shall develop a model policy and procedure to establish a school-based threat assessment program that meets the requirements of RCW 28A.320.123. The model policy and procedure must be posted on the website of the state school safety center, established in RCW 28A.300.630, by January 1, 2020.

(2) In developing the model policy and procedure, the Washington state school directors' association and the office of the superintendent of public instruction must:

(a) Consult with the school safety and student well-being advisory committee, established under RCW 28A.300.635, and other organizations with expertise in school safety, behavioral health, the rights of students with disabilities, and protecting civil liberties; and

(b) Consider multilevel threat assessment programs implemented in schools in Washington. [2019 c 333 § 6.]

**Findings——Intent——2019 c 333:** See note following RCW 28A.300.630.

**Intent——2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.645 Monitoring and data collection——Comprehensive safe school plans, student distress, and school-based threat assessment programs.** (1) Subject to the availability of amounts appropriated for this specific purpose, in order to ensure that public schools and school districts are meeting the requirements of RCW 28A.320.125 relating to comprehensive safe school plans, RCW

28A.320.127 related to plans for recognition, initial screening, and response to emotional or behavioral distress in students, and RCW 28A.320.123 relating to school-based threat assessment programs, the superintendent of public instruction shall monitor these programs no less than once every five years.

(2) The superintendent of public instruction must consult with interested stakeholders to develop data collection and submission requirements for school districts as they relate to RCW 28A.320.125 relating to comprehensive safe school plans, RCW 28A.320.127 related to plans for recognition, initial screening, and response to emotional or behavioral distress in students, and RCW 28A.320.123 relating to school-based threat assessment programs.

(3) By December 1, 2020, and in compliance with RCW 43.01.036, the office of the superintendent of public instruction must report to the appropriate committees of the legislature regarding the office's plans for data collection and monitoring under this section and describing any implementation issues that could be fixed through legislation.

(4) The superintendent of public instruction may adopt rules under chapter 34.05 RCW to implement this section. [2019 c 333 § 7.]

**Findings——Intent——2019 c 333:** See note following RCW 28A.300.630.

**Intent——2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.650 School resource officer training——Materials——Grant program——Report.** (1) Subject to the availability of amounts appropriated for this specific purpose, by January 1, 2020, the state school safety center, established in RCW 28A.300.630, in collaboration with the school safety and student well-being advisory committee, established in RCW 28A.300.635, and law enforcement entities interested in providing training to school resource officers, shall identify and make publicly available training materials that are consistent with the requirements in RCW 28A.320.124.

(2)(a) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction must establish and implement a grant program to fund training for school resource officers as described in RCW 28A.320.124. Eligible grantees include school districts, educational service districts, law enforcement agencies, and law enforcement training organizations. Training under this section may be developed by schools in partnership with local law enforcement and organizations that have expertise in topics such as juvenile brain development; restorative practices or restorative justice; social-emotional learning; civil rights; and student rights, including free speech and search and seizure. This training may be provided by the criminal justice training commission.

(b) By December 1st of each year the program is funded, the office of the superintendent of public instruction must submit an annual report to the governor and appropriate committees of the legislature on the program. [2019 c 333 § 13.]

**Findings——Intent——2019 c 333:** See note following RCW 28A.300.630.

**Intent——2019 c 333:** See note following RCW 28A.320.124.

**RCW 28A.300.690 Special education—Authorized entities.** (1) The office of the superintendent of public instruction may authorize private schools approved by the state board of education under RCW 28A.305.130, other private in-state entities, and any out-of-state entities to contract with school districts under RCW 28A.155.060 to provide special education and related services to students with disabilities. For authorized entities with multiple locations, the office of the superintendent of public instruction must approve each location independently.

(2) The office of the superintendent of public instruction shall establish a process for private schools approved by the state board of education under RCW 28A.305.130 to apply for authorization or reauthorization for a period of up to five years and for other entities to apply for authorization or reauthorization for a period of up to three years.

(3) To qualify for authorization or reauthorization, an applicant must, at a minimum, meet the following requirements:

(a) Offer a program of basic education that will provide:

(i) Opportunities for students to meet the goals of RCW 28A.150.210, in accordance with an individual assessment of student strengths and needs as determined by the placing school districts, and any other requirements established by contract; and

(ii) Opportunities for students in grades nine through 12 to either meet high school graduation requirements under RCW 28A.230.090 or to earn a high school equivalency certificate under RCW 28B.50.536 or laws of the state in which the applicant is located;

(b) Maintain applicable facility licenses and applicable agency approvals of the state in which the applicant is located;

(c) Employ or contract with teachers and related services staff who meet the licensing requirements of the state in which the applicant is located;

(d) Meet applicable fire codes of the local fire marshal or the fire marshal of the state in which the applicant is located;

(e) Meet applicable health and safety standards of the local jurisdiction and state in which the applicant is located;

(f) Demonstrate through audits that the applicant is financially stable and has accounting systems that allow for separation of school district funds, including financial safeguards in place to track revenues and expenditures associated with contracted placements to ensure that funds are used to provide education and related services to students placed in the authorized entity by the school district;

(g) Demonstrate that the applicant has procedures in place that address staff employment and contracting, including checking personal and professional references, conducting state and federal criminal background checks, and conducting regular staff evaluations that address staff competencies;

(h) Maintain a policy of nondiscrimination and provide procedural safeguards for students and their families; and

(i) Pass an on-site inspection conducted by the office of the superintendent of public instruction that confirms that the health and safety of the facilities, the staffing qualifications and levels, and the procedural safeguards are sufficient to provide a safe and appropriate learning environment for students.

(4) The office of the superintendent of public instruction must prohibit authorized entities from charging tuition or fees to students placed in the authorized entity by a school district.

(5) As used in this section, the term "authorized entity" means a private school approved by the state board of education under RCW 28A.305.130, another private in-state entity, or any out-of-state entity, that has been authorized by the office of the superintendent of public instruction to contract with a school district to provide a program of special education for students with disabilities. [2023 c 436 § 3.]

**Finding—Intent—2023 c 436:** "(1)(a)(i) The legislature finds that the federal individuals with disabilities education act, Title 20 U.S.C. Sec. 1400 et seq., establishes duties for the state education agency, which is the office of the superintendent of public instruction in Washington, with respect to students with disabilities who are placed in a private school or facility by a school district or other public agency as a means of providing special education and related services.

(ii) Since 2006, the federal implementing regulations of the federal individuals with disabilities education act have required that the office of the superintendent of public instruction ensure that a student with a disability who is placed in a private school or facility by a school district or other public agency:

(A) Is provided special education and related services in conformance with an individualized education program that meets the requirements of federal law and at no cost to the student's parents;

(B) Is provided an education that meets the standards that apply to education provided by a school district or other public agency; and

(C) Has all of the rights of a student with a disability who is served by a school district or other public agency.

(iii) Since 2006, the federal implementing regulations of the federal individuals with disabilities education act have required that the office of the superintendent of public instruction, in implementing the requirements described in (a)(ii) of this subsection:

(A) Monitor compliance through procedures such as written reports, on-site visits, and parent questionnaires;

(B) Disseminate copies of applicable standards to each private school and facility to which a school district or other public agency has placed a student with a disability; and

(C) Provide an opportunity for those private schools and facilities to participate in the development and revision of state standards that apply to them.

(iv) The federal implementing regulations of the federal individuals with disabilities education act require the state to monitor implementation of the individuals with disabilities education act to improve educational results and functional outcomes for all students with disabilities. The state must use indicators to measure school district performance, identify areas of noncompliance, and use appropriate enforcement mechanisms, such as technical assistance, corrective action, or withholding funds.

(b) The legislature acknowledges that it has not codified the federal requirements. Therefore, the legislature intends to codify the duty and authority of the superintendent of public instruction to establish standards for authorizing, monitoring, and investigating private schools approved by the state board of education under RCW 28A.305.130, other private in-state entities, and any out-of-state entities, that contract with school districts to provide special education and related services to students with disabilities. The

legislature also intends to codify the requirement that these standards must ensure that any students with disabilities placed in the authorized entities by school districts have the same rights, protections, and access to special education and related services that they would have if served by school districts.

(2)(a)(i) The federal implementing regulations of the federal individuals with disabilities education act specify that, when a school district or other public agency has placed a student with disabilities in a private school or facility, responsibility for compliance with the federal individuals with disabilities education act remains with the school district or other public agency and with the office of the superintendent of public instruction.

(ii) State statute permits school districts to contract with entities authorized by the office of the superintendent of public instruction to operate special education programs for students with disabilities and specifies that the approval standards must conform substantially to those of special education programs in the school districts.

(iii) Rules of the office of the superintendent of public instruction specify the minimum elements of the written contract that must be made between a school district and an authorized entity. In addition, these rules specify that the school district remains responsible for ensuring that any student placed in an authorized entity is provided a free appropriate public education in conformance with the individualized education program developed by the school district.

(b) The legislature intends to codify the responsibilities of school districts placing students with disabilities in authorized entities, including specifying minimum contract and parent notification requirements.

(3) In addition, the legislature intends to ensure accountability is properly exercised and shared by directing the state auditor to conduct a performance audit of the system for overseeing the authorized entities that provide special education services to students with disabilities, as well as requiring school districts contracting with these authorized entities to report concerns about education overbilling to the office of the superintendent of public instruction and the office of the state auditor." [2023 c 436 § 1.]

**RCW 28A.300.700 Dyslexia screening tools.** (1) By September 1, 2019, the superintendent of public instruction, after considering recommendations from the dyslexia advisory council convened under *RCW 28A.300.710, must identify screening tools and resources that, at a minimum, meet the following best practices to:

(a) Satisfy developmental and academic criteria, including considerations of validity and reliability, that indicate typical literacy development or dyslexia, taking into account typical child neurological development; and

(b) Identify indicators and areas of weakness that are highly predictive of future reading difficulty, including phonological awareness, phonemic awareness, rapid naming skills, letter sound knowledge, and family history of difficulty with reading and language acquisition.

(2) Beginning September 1, 2019, the superintendent of public instruction must maintain on the agency's website the list of

screening tools and resources identified under this section and must include links to the tools and resources, when available.

(3) The superintendent of public instruction must review and update the list of screening tools and resources identified under this section as appropriate. [2018 c 75 § 3.]

***Reviser's note:** RCW 28A.300.710 expired August 1, 2023.

**RCW 28A.300.720 Dyslexia recommendations.** (1) By June 1, 2021, the superintendent of public instruction must review the dyslexia advisory council's recommendations required under *RCW 28A.300.710 and make available to school districts:

(a) Best practices for school district implementation of screenings as required under RCW 28A.320.260, including trainings for school district staff conducting the screenings;

(b) Best practices for using multitiered systems of support to provide interventions as required under RCW 28A.320.260, including trainings for school district staff in instructional methods specifically targeting students' areas of weakness;

(c) Sample educational information for parents and families related to dyslexia that includes a list of resources for parental support; and

(d) Best practices to address the needs of students above grade two who show indications of, or areas of weakness associated with, dyslexia.

(2) By February 15, 2022, the superintendent of public instruction must review the dyslexia advisory council's updated report required under *RCW 28A.300.710 and revise the best practices and sample educational information made available to school districts required under subsection (1) of this section.

(3) By November 1, 2022, and in compliance with RCW 43.01.036, the superintendent of public instruction must report to the house of representatives and senate education committees with the following information from the 2021-22 school year:

(a) The number of students: (i) Screened pursuant to RCW 28A.320.260; (ii) with indications of, or areas of weakness associated with, dyslexia identified under RCW 28A.300.700; and (iii) provided interventions pursuant to RCW 28A.320.260;

(b) Descriptions from school districts of the types of interventions used in accordance with RCW 28A.320.260 and rates of student progress, when available; and

(c) Descriptions from school districts of the issues districts had related to implementing the provisions of RCW 28A.320.260. [2018 c 75 § 5.]

***Reviser's note:** RCW 28A.300.710 expired August 1, 2023.

**RCW 28A.300.730 Dyslexia rules.** (1) The superintendent of public instruction may adopt rules to implement RCW 28A.300.700, *28A.300.710, 28A.300.720, 28A.320.250, 28A.320.260, 28A.320.270, and **28A.165.035.

(2) The rules may include, but are not limited to, the following:

(a) A timeline for school districts and charter schools to implement the screenings required under RCW 28A.320.260;

(b) The frequency of conducting the screenings;

(c) Best practices for identifying screening tools and resources in accordance with RCW 28A.300.700;

(d) Training for school district staff conducting the screenings; and

(e) The members and scope of work for the dyslexia advisory council convened under *RCW 28A.300.710. [2018 c 75 § 8.]

**Reviser's note:** *(1) RCW 28A.300.710 expired August 1, 2023.

**(2) RCW 28A.165.035 was repealed by 2021 c 111 § 13.

**RCW 28A.300.750 Basic education waivers for school districts.** (1)(a) In accordance with the criteria adopted by the state board of education under subsection (2) of this section, the superintendent of public instruction may grant waivers to school districts from the provisions of RCW 28A.150.200 through 28A.150.220, except as provided in (b) of this subsection, on the basis that such waiver or waivers are necessary to implement successfully a local plan to provide for all students in the district an effective education system that is designed to enhance the educational program for each student. The local plan may include alternative ways to provide effective educational programs for students who experience difficulty with the regular education program.

(b) The state board of education shall have authority to grant waivers from the provisions of RCW 28A.150.220(3)(b) and to grant the waivers set forth in RCW *28A.230.090(1)(e)(ii) and 28A.655.180.

(2) The state board of education shall adopt rules establishing the criteria to evaluate the need for a waiver or waivers under this section. [2018 c 177 § 502; 2018 c 177 § 501; (2012 c 53 § 8 expired June 30, 2019); (2011 c 260 § 8 expired June 30, 2019); (1992 c 141 § 302 expired September 1, 2000); 1990 c 33 § 267; 1985 c 349 § 6. Formerly RCW 28A.305.140, 28A.04.127.]

***Reviser's note:** RCW 28A.230.090 was amended by 2023 c 271 § 2, changing subsection (1)(e)(ii) to subsection (1)(d)(ii).

**Effective dates—2018 c 177 §§ 201, 202, 501-504, 507, and 701:** See note following RCW 28A.150.222.

**Finding—Intent—2018 c 177:** See note following RCW 28A.305.905.

**Contingent expiration date—1992 c 141 § 302:** "Section 302, chapter 141, Laws of 1992 shall expire September 1, 2000, unless by September 1, 2000, a law is enacted stating that a school accountability and academic assessment system is not in place." [1994 c 245 § 11; 1992 c 141 § 508.] That law was not enacted by September 1, 2000.

**Severability—1985 c 349:** See note following RCW 28A.150.260.

**RCW 28A.300.760 Waiver applications annual report.** Beginning September 1, 2019, the superintendent of public instruction shall annually report to the state board of education and education committees of the house of representatives and the senate summaries of all waiver applications submitted to the superintendent of public instruction for the prior school year under RCW 28A.150.222,

28A.150.290, 28A.230.015, and 28A.300.750, including the following information for each type of waiver:

(1) The annual number of waiver applications the superintendent approved and did not approve;

(2) A brief summary of each waiver request;

(3) The reasons the superintendent approved or did not approve each waiver application; and

(4) Links to the waiver applications posted on the superintendent's website. [2018 c 177 § 508.]

**Finding—Intent—2018 c 177:** See note following RCW 28A.305.905.

**RCW 28A.300.770 Highly capable students—Identification procedures.** (1) The superintendent of public instruction must require school districts to have identification procedures for their highly capable programs that are clearly stated and implemented by school districts using the following criteria:

(a) Districts must use multiple objective criteria to identify students who are among the most highly capable. Multiple pathways for qualifications must be available and no single criterion may disqualify a student from identification;

(b) Highly capable selection decisions must be based on consideration of criteria benchmarked on local norms, but local norms may not be used as a more restrictive criteria than national norms at the same percentile;

(c) Subjective measures such as teacher recommendations or report card grades may not be used to screen out a student from assessment. These data points may be used alongside other criteria during selection to support identification, but may not be used to disqualify a student from being identified; and

(d) To the extent practicable, screening and assessments must be given in the native language of the student. If native language screening and assessments are not available, a nonverbal screening and assessment must be used.

(2) The superintendent of public instruction must disseminate guidance on referral, screening, assessment, selection, and placement best practices for highly capable programs. The guidance must be regularly updated and aligned with evidence-based practices. [2018 c 266 § 105.]

**RCW 28A.300.790 Outdoor-based activities—Instructional days.** (1) The superintendent of public instruction, subject to conformity with application or other requirements adopted by rule, shall approve requests by public schools as provided in RCW 28A.320.173 to consider student participation in seasonal or nonseasonal outdoor-based activities, including programs established in accordance with RCW 28A.300.793, and the outdoor education experiences program established in RCW 28A.300.795, as instructional days for the purposes of basic education requirements established in RCW 28A.150.220(5).

(2) The superintendent of public instruction shall adopt rules to implement this section. [2022 c 112 § 4; 2018 c 266 § 410.]

**Findings—Intent—2022 c 112:** See note following RCW 28A.300.793.

**RCW 28A.300.793 Outdoor learning grant program.** (1) Subject to the availability of amounts appropriated for this specific purpose, or within funding made available, the outdoor learning grant program is established. The purpose of the grant program is to develop and support educational experiences for students in Washington public schools.

(2) The office of the superintendent of public instruction shall administer the grant program in accordance with this section.

(3) Within existing resources, the Washington state parks and recreation commission, the department of natural resources, the Washington department of fish and wildlife, the Washington department of agriculture, and the Washington conservation commission may partner with the office of the superintendent of public instruction to provide relevant expertise on land management and work-integrated learning experiences and opportunities.

(4) Beginning in the 2022-23 school year, the office of the superintendent of public instruction shall award grants to eligible school districts, federally recognized tribes, and outdoor education program providers. The office may consult with the Washington recreation and conservation office in awarding grants under this section.

(5)(a) The grant program must consist of two types of grants, including:

(i) Allocation-based grants for school districts to develop or support educational experiences; and

(ii) Competitive grants for federally recognized tribes and outdoor education providers to support existing capacity and to increase future capacity for outdoor learning experiences.

(b) In implementing student educational experiences under this section, school districts and outdoor education providers should ensure equitable access for students in all geographic regions, and high levels of accessibility for students with disabilities.

(6) Beginning in 2024, the office of the superintendent of public instruction, in accordance with RCW 43.01.036, must submit an annual report to the appropriate committees of the legislature with an evaluation of the program established by this section. The report may include information on other outdoor education and instructional time efforts and how they compare with programs funded through the outdoor learning grant program.

(7) For the purposes of this section, "school districts" includes state-tribal education compact schools established under chapter 28A.715 RCW. [2022 c 112 § 2.]

**Findings—Intent—2022 c 112:** "(1) The legislature finds that time outdoors helps children thrive physically, emotionally, and academically, yet over the past few generations, childhood has moved indoors. On average, today's kids spend up to 44 hours per week in front of a screen, and less than 10 minutes a day doing activities outdoors. For too many kids, access to the outdoors is determined by race, income, ability, and zip code. All children deserve equitable access to outdoor spaces where they can learn, play, and grow, but current access to outdoor educational opportunities is inequitable.

(2) From stress reduction to improved focus and engagement, and better academic performance, outdoor-based learning helps kids thrive. Research shows participants in outdoor educational activities have higher graduation rates, improved behavior in school and relationships

with peers, higher academic achievement, critical thinking skills, direct experience of scientific concepts in the field, leadership and collaboration skills, and a deeper engagement with learning, place, and community. Outdoor educational programs also offer new opportunities for work-integrated learning in science, natural resources, education, land management, agriculture, outdoor recreation, and other employment sectors. Outdoor-based learning activities can also be a key element in the larger system of regular outdoor instructional time and outdoor experiences that includes STEM fields, after-school programs, summer camps, 4-H, scouting, and related programs which can spark a lifelong appreciation for the natural world.

(3) The legislature further finds that accessibility is a major obstacle to universal outdoor education. Most sites lack accommodation for children with disabilities and support staff for children who need social and emotional support. In addition, some youth may experience cultural barriers to outdoor learning experiences.

(4) Therefore, the legislature intends to establish a statewide grant program and corresponding outdoor education experiences program to address these needs and to ensure that all students have a chance to benefit from outdoor education." [2022 c 112 § 1.]

**RCW 28A.300.795 Outdoor learning grant program——Outdoor education experiences program.** (1) Subject to the availability of amounts appropriated for this specific purpose, the outdoor education experiences program is established as a program within the outdoor learning grant program established in RCW 28A.300.793. The purpose of the outdoor education experiences program is to develop and support outdoor learning opportunities for 5th and 6th grade students in Washington public schools, with related opportunities for high school students to volunteer as counselors. The program will consist of hands-on learning experiences that: Are three to five days in duration and up to four nights; are overnight or day programs when overnight programs are impractical due to health, cultural, or capacity considerations; and have a focus on environmental education aligned with the Washington state learning standards and the development of social and emotional learning skills.

(2) The office of the superintendent of public instruction may work with a statewide nonprofit organization representing school principals to create guidelines for the program established by this section.

(3) In implementing the program established by this section, the priority focus of the office of the superintendent of public instruction must be given to schools that have been identified for improvement through the Washington school improvement framework and communities historically underserved by science education. These communities can include, but are not limited to, federally recognized tribes, including state-tribal education compact schools, migrant students, schools with high free and reduced-price lunch populations, rural and remote schools, students in alternative learning environments, students of color, English language learner students, and students receiving special education services. [2022 c 112 § 3.]

**Findings——Intent——2022 c 112:** See note following RCW 28A.300.793.

**RCW 28A.300.802 Advisory groups—Travel—Compensation.** In addition to any board, commission, council, committee, or other similar group established by statute or executive order, the superintendent of public instruction may appoint advisory groups on subject matters within the superintendent's responsibilities or as may be required by any federal legislation as a condition to the receipt of federal funds by the federal department. The advisory groups shall be constituted as required by federal law or as the superintendent may determine.

Members of advisory groups under the authority of the superintendent may be paid their travel expenses in accordance with RCW 43.03.050 and 43.03.060.

Except as provided in this section or as authorized by RCW 43.03.220, members of advisory groups under the authority of the superintendent are volunteering their services and are not eligible for compensation. A person is eligible to receive compensation in an amount not to exceed one hundred dollars for each day during which the member attends an official meeting of the group or performs statutorily prescribed duties approved by the chairperson of the group if the person (1) occupies a position, normally regarded as full-time in nature, as a certificated employee of a local school district; (2) is participating as part of their employment with the local school district; and (3) the meeting or duties are performed outside the period in which school days as defined by *RCW 28A.150.030 are conducted. The superintendent may reimburse local school districts for substitute certificated employees to enable members to meet or perform duties on school days. A person is eligible to receive compensation from federal funds in an amount to be determined by personal service contract for groups required by federal law. [2022 c 245 § 4; 2011 1st sp.s. c 21 § 53.]

***Reviser's note:** RCW 28A.150.030 expired September 1, 2011. See RCW 28A.150.203.

**Findings—2022 c 245:** See note following RCW 43.03.220.

**RCW 28A.300.803 Openly licensed courseware—Identifying and developing library—Reports—Open educational resources account.** (1)(a) Subject to availability of amounts appropriated for this specific purpose, the superintendent of public instruction shall take the lead in identifying and developing a library of openly licensed courseware aligned with the common core state standards and placed under an attribution license, registered by a nonprofit or for-profit organization with domain expertise in open courseware, that allows others to use, distribute, and create derivative works based upon the digital material, while still allowing the authors or creators to retain the copyright and to receive credit for their efforts.

(b) During the course of identification and development of a library of openly licensed courseware, the superintendent:

(i) May contract with third parties for all or part of the development;

(ii) May adopt or adapt existing high quality openly licensed K-12 courseware aligned with the common core state standards;

(iii) May consider multiple sources of openly licensed courseware;

(iv) Must use best efforts to seek additional outside funding by actively partnering with private organizations;

(v) Must work collaboratively with other states that have adopted the common core state standards and collectively share results; and

(vi) Must include input from classroom practitioners, including teacher-librarians as defined by RCW 28A.320.240, in the results reported under subsection (2)(d) of this section.

(2) The superintendent of public instruction must also:

(a) Advertise to school districts the availability of openly licensed courseware, with an emphasis on the fact that the courseware is available at no cost to the districts;

(b) Identify an open courseware repository to which openly licensed courseware identified and developed under this section may be submitted, in which openly licensed courseware may be housed, and from which openly licensed courseware may be easily accessed, all at no cost to school districts;

(c) Provide professional development programs that offer support, guidance, and instruction regarding the creation, use, and continuous improvement of open courseware; and

(d) Report to the governor and the education committees of the legislature on a biennial basis, beginning December 1, 2013, and ending December 1, 2017, regarding identification and development of a library of openly licensed courseware aligned with the common core state standards and placed under an attribution license, use by school districts of openly licensed courseware, and professional development programs provided.

(3) School districts may, but are not required to, use any of the openly licensed courseware.

(4) As used in this section, "courseware" includes the course syllabus, scope and sequence, instructional materials, modules, textbooks, including the teacher's edition, student guides, supplemental materials, formative and summative assessment supports, research articles, research data, laboratory activities, simulations, videos, open-ended inquiry activities, and any other educationally useful materials.

(5) The open educational resources account is created in the custody of the state treasurer. All receipts from funds collected under this section must be deposited into the account. Expenditures from the account may be used only for the development of openly licensed courseware as described in this section. Only the superintendent of public instruction or the superintendent's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures. [2018 c 268 § 2; 2012 c 178 § 2.]

**Finding—2012 c 178:** "The legislature finds the state's recent adoption of common core K-12 standards provides an opportunity to develop a library of high quality, openly licensed K-12 courseware that is aligned with these standards. By developing this library of openly licensed courseware and making it available to school districts free of charge, the state and school districts will be able to provide students with curricula and texts while substantially reducing the expenses that districts would otherwise incur in purchasing these materials. In addition, this library of openly licensed courseware will provide districts and students with a broader selection of materials, and materials that are more up-to-date." [2012 c 178 § 1.]

**RCW 28A.300.805 K-3 class size reduction construction grant pilot program—Classroom counting method and funding formula—Prioritizing grant applications—Recommendations—Annual reports.** (1) The legislature recognizes that the provisions of the K-3 class size reduction construction grant pilot program will need modifications to (a) ensure that the grant program will meet the program's objectives for all school districts needing additional classrooms, and (b) identify changes to the school construction assistance program to improve appropriate coordination between the two grant programs.

(2) In consultation with stakeholders, the office of financial management, and the appropriate committees of the legislature, the superintendent of public instruction shall develop (a) an improved method for calculating needed classrooms, and (b) an improved funding formula for calculating grant awards to meet the objectives of this section and *RCW 28A.525.058. The classroom counting method and funding formula must be informed by data collected in state studies and surveys or through inventory and condition assessments conducted by the Washington State University extension energy office. The improved classroom counting method and improved funding formula, and any other requirements of this section, must be reported to the office of financial management and the appropriate committees of the legislature by December 1, 2015.

(3)(a) The improved classroom counting method must:

(i) Demonstrate a lack of sufficient classroom space district-wide to meet K-3 class size ratios as funded pursuant to average class size objectives for the 2017-18 school year enumerated in RCW 28A.150.260 in effect as of October 31, 2014, and to provide all-day kindergarten as funded pursuant to RCW 28A.150.315. The determination that there is a lack of sufficient space must be based on data collected in a state study and survey conducted within the preceding six years from the date of grant application or data collected through an inventory and condition assessment validated by the Washington State University extension energy office within the preceding six years from the date of grant application;

(ii) For school districts with student head count enrollments more than forty-eight thousand, the improved classroom counting method must demonstrate a lack of sufficient classroom space within subdistrict areas in order to account for rapid growth in certain areas of a district that should be met with classroom capacity in those certain areas to avoid prolonged bussing of elementary students.

(b) The improved classroom counting method must be designed to ensure that additional classrooms will achieve average class size objectives for the 2017-18 school year enumerated in RCW 28A.150.260 in effect as of October 31, 2014, and all-day kindergarten as funded pursuant to RCW 28A.150.315.

(4)(a) In consultation with stakeholders, the office of financial management, and the appropriate committees of the legislature, the superintendent of public instruction must also recommend a process for prioritizing grant applications. The prioritization process must produce one prioritized list of grant recipients that includes all of the projects requested by school districts, and report the list, including preliminary estimates of necessary added classrooms, to the office of financial management and the appropriate committees of the legislature.

(b) The prioritized list must consider the following priorities:

(i) Applicants with high student to teacher ratios in kindergarten through third grades;

(ii) Applicants with a high percentage of students who are eligible and enrolled in the free and reduced-price meals program;

(iii) Applicants that have not raised capital funds through levies or bonds in the prior ten-year period;

(iv) Other criteria that relate to the objectives of the grant program.

(5) The improved funding formula must consider options for enhanced state funding for school districts that have not raised capital funds through levies or bonds in the prior ten-year period.

(6) In consultation with stakeholders, the office of financial management, and the appropriate committees of the legislature, the office of the superintendent of public instruction must recommend statutory and rule changes to ensure appropriate coordination between the K-3 class size reduction construction grant program and the school construction assistance program. The recommendation must include ways to ensure that new square footage funded through this grant program does not impair a school district's eligibility for modernization or replacement grants through the school construction assistance program eligibility under RCW 28A.525.166.

(7) In consultation with stakeholders, the office of financial management, and the appropriate committees of the legislature, the superintendent of public instruction must recommend the content and method for reporting annually on the grants awarded during each fiscal year. The report must include, at least, the grant amounts and the status of all awarded grants by school district. The annual report must also include data documenting actual class size reductions and all-day kindergarten achieved in school districts that have received grants provided under this section. Beginning in 2016, the report must be submitted to the office of financial management and the appropriate committees of the legislature by October 1st for the preceding fiscal year and made available to the public on a website maintained by the superintendent of public instruction.

(8) In consultation with stakeholders, the office of financial management, and the appropriate committees of the legislature, the superintendent of public instruction must recommend statutory and rule changes for awarding grants for construction, modernization, or replacement of school facilities with an expected useful life of less than thirty years. [2015 3rd sp.s. c 41 § 301.]

***Reviser's note:** RCW 28A.525.058 expired July 1, 2017.

**Findings——Intent——2015 3rd sp.s. c 41:** "(1) The legislature finds that local school districts design, build, own, and manage public school facilities. The Washington state Constitution provides two ways to fund construction of public school facilities. First, the state Constitution provides the means for school districts to finance school construction. Article VII, section 2 of the state Constitution authorizes school districts to collect capital levies to support the construction, remodeling, or modernization of school facilities. In addition, Article VIII, section 6 of the state Constitution authorizes school districts to incur debt up to eleven and one-half percent of the total assessed value of taxable property for school construction and Article VII, section 2 of the state Constitution authorizes school districts to pay for this debt by issuing general obligation bonds for these capital purposes. Second, Article IX, section 3 of the state

Constitution establishes the common school construction fund and dedicates revenues derived from school and state trust lands and earnings of the permanent common school fund to funding common school construction. Beyond these constitutional means, the legislature provides further state assistance to school districts through the issuance of general obligation bonds, the proceeds of which the state appropriates to support the state school construction assistance grant program established in chapter 28A.525 RCW. This state grant program is not intended to replace the financing provisions established in the state Constitution, but rather to provide state assistance that supplements the constitutional financing provisions. The state grant program helps finance new school capacity to accommodate enrollment growth and to modernize and replace existing schools while respecting local decisions and control by locally elected school boards.

(2) The legislature also finds that some school districts may benefit from additional financial assistance to provide school facilities——beyond that which is provided through the school construction assistance grant program——for the purpose of constructing or acquiring additional classrooms to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade.

(3) For the 2015-2017 biennium, the legislature intends to provide additional state financial assistance to help school districts in funding public school facilities necessary to support state-funded all-day kindergarten and class size reduction in kindergarten through third grade." [2015 3rd sp.s. c 41 § 101.]

**Effective date——2015 3rd sp.s. c 41:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [July 14, 2015]." [2015 3rd sp.s. c 41 § 403.]

**RCW 28A.300.807 Task force——Review of federal 2007 race and ethnicity reporting guidelines——Development of state guidelines.** Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall convene a task force to review the United States department of education 2007 race and ethnicity reporting guidelines and develop race and ethnicity guidance for the state. The task force must include representatives from the educational opportunity gap oversight and accountability committee, the ethnic commissions, the governor's office of Indian affairs, and a diverse group of parents. The guidance must clarify for students and families why information about race and ethnicity is collected and how students and families can help school administrators properly identify them. The guidance must also describe the best practices for school administrators to use when identifying the race and ethnicity of students and families. The task force must use the United States census and the American community survey in the development of the guidance. [2016 c 72 § 502.]

**Finding——Intent——2016 c 72:** See note following RCW 28A.600.015.

**RCW 28A.300.810 Innovative learning pilot program.** (1) By July 1, 2020, the office of the superintendent of public instruction shall create and administer an innovative learning pilot program to authorize full-time enrollment funding for students participating in mastery-based learning programs.

(2) To participate in the innovative learning pilot program, school districts must have a waiver from the credit unit graduation requirements, granted by the state board of education, for the 2019-20 school year. Districts wishing to participate must submit to the office of the superintendent of public instruction, in a manner determined by the office, the following information:

(a) Affirmation that the district wishes to participate in the pilot program and the specific schools with a waiver within the district that would participate in the pilot program;

(b) A description of the mastery-based learning program that the school district intends to implement and the number of students that are expected to participate; and

(c) An explanation of the goals of the mastery-based learning program and how the school district intends to measure and assess attainment of the goals.

(3) The pilot program must be in effect through the 2022-23 school year.

(4) The office of the superintendent of public instruction may adopt rules necessary for the effective and efficient implementation of this section, including rules that define full-time enrollment standards for students based on regular participation in an approved mastery-based learning program rather than hours of seat time. Rules adopted pursuant to this section must permit participating school districts to report full-time equivalent students in an approved mastery-based learning program for general apportionment funding.

(5) By December 1, 2022, the office of the superintendent of public instruction, in collaboration with the state board of education, must report to the legislature regarding the efficiency, cost, and impacts of the funding model or models used under the pilot program.

(6) For purposes of this section, "mastery-based learning program" means an educational program where:

(a) Students advance upon demonstrated mastery of content;

(b) Competencies include explicit, measurable, transferable learning objectives that empower students;

(c) Assessments are meaningful and a positive learning experience for students;

(d) Students receive rapid, differentiated support based on their individual learning needs; and

(e) Learning outcomes emphasize competencies that include application and creation of knowledge along with the development of important skills and dispositions. [2020 c 353 § 2.]

**Intent——2020 c 353:** "The legislature intends to explore new school funding models that would permit and promote equitable access to innovative modes of instruction which allow students to earn credit through demonstration of mastery learning standards instead of completion of hours of classroom instruction. Therefore, the legislature intends to create a pilot program which authorizes full-time enrollment funding for students participating in established

mastery-based learning programs and to examine the efficiency, cost, and impacts of these funding models." [2020 c 353 § 1.]

**Effective date——2020 c 353:** "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately [April 3, 2020]." [2020 c 353 § 3.]

**RCW 28A.300.815 Financial aid advising day.** (1)(a) Beginning with the 2020-21 school year, within existing resources, and in collaboration with the Washington student achievement council, the office of the superintendent of public instruction shall coordinate a financial aid advising day with all school districts with a high school.

(b) For the purposes of this section and RCW 28A.230.310, a "financial aid advising day" means a day or series of days between September 1st and December 1st of each year that includes, but is not limited to, dedicated time during regular school hours for staff to:

(i) Provide information to twelfth grade students on the free application for federal student aid, the Washington application for state financial aid, and the college board's CSS profile;

(ii) As appropriate and whenever possible, assist twelfth grade students in completing the free application for federal student aid and the Washington application for state financial aid; and

(iii) In conjunction with the Washington student achievement council, distribute information on the Washington college grant and demonstrate the use of the college financial aid calculator created in RCW 28B.77.280.

(c) Each school district may choose the date or series of dates on which to hold a financial aid advising day.

(2) The office of the superintendent of public instruction shall coordinate with the Washington student achievement council whenever possible to assist districts in facilitating opportunities outside of regular school hours for parents to take part in seminars on completing the free application for federal student aid and the Washington application for state financial aid. Whenever possible, districts shall provide spoken language interpreter services for limited English-speaking families.

(3) Schools must allow students over the age of eighteen to opt out and parents or guardians of students under the age of eighteen to opt their student out of scheduled financial aid advising day activities.

(4) A student may not be penalized for failing to complete financial aid applications or for opting out of activities under subsection (3) of this section.

(5) Educational staff, including instructional, administrative, and counseling staff, may not be assessed or penalized on the basis of students' completion of financial aid forms or students' decisions to opt out under subsection (3) of this section.

(6) In the administration of the financial aid advising day, personally identifiable student or family information must be protected in accordance with state and federal privacy laws. [2020 c 307 § 5.]

**Intent—Conflict with federal requirements—2020 c 307:** See notes following RCW 28B.77.290.

**RCW 28A.300.820 Elementary and secondary school emergency relief III account.** The elementary and secondary school emergency relief III account is created in the state treasury. Revenues attributable to section 2001, the American rescue plan act of 2021, P.L. 117-2 must be deposited into the account. Moneys in the account may be spent only after appropriation. [2022 c 157 § 8. Prior: 2021 c 334 § 1901.]

**Conflict with federal requirements—Effective date—2021 c 334:** See notes following RCW 43.79.555.

**RCW 28A.300.825 Secondary traumatic stress—Resources.** The office of the superintendent of public instruction must publish on its website links to resources, self-assessments, and best practices for educators and local policymakers to prevent and address secondary traumatic stress in the workforce. The office of the superintendent of public instruction must collaborate with the Washington state school directors' association, the educational service districts, and the school employees' benefits board created in RCW 41.05.740 and provide links to any resources on secondary traumatic stress available through these organizations. [2021 c 129 § 2.]

**Finding—Intent—2021 c 129:** "(1)(a) The legislature acknowledges that secondary traumatic stress, also called compassion fatigue, is a natural but disruptive set of symptoms that may result when one person learns firsthand of the traumatic experiences of another. Symptoms of secondary traumatic stress may include feelings of isolation, anxiety, dissociation, physical ailments, and sleep disturbances. In addition, those affected by secondary traumatic stress may experience: Changes in memory and perception; alterations in their sense of self-efficacy; a depletion of personal resources; and disruption in their perceptions of safety, trust, and independence.

(b) Secondary traumatic stress may be experienced by teachers, school counselors, administrators, or other school staff. Everyday these school staff work with students experiencing trauma and loss. In addition, many students have experienced additional trauma due to the effects of the COVID-19 pandemic on themselves and their families.

(2) The legislature finds that secondary traumatic stress is preventable and treatable. Therefore, the legislature intends to require school districts to adopt a policy and procedure to prevent and address secondary traumatic stress in the workforce and to make resources on secondary traumatic stress publicly available." [2021 c 129 § 1.]

**RCW 28A.300.830 Funding, services, and outcomes for children and youth who are neglected, delinquent, or at risk—Report.** (1)(a) Beginning July 1, 2022, and every three years thereafter, the office of the superintendent of public instruction shall report on the funding and services provided in support of youth pursuant to Washington's every student succeeds act consolidated plan, Title I, part D: Prevention and intervention programs for children and youth

who are neglected, delinquent, or at risk, and the education outcomes resulting from the funding and provided services.

(b) The purpose of the report is to inform the legislature of progress toward the goals established in the consolidated plan and provide the legislature with the opportunity to determine whether subsequent legislation should be enacted to ensure the education needs of youth and postresident youth.

(2) Reports required by this section, which must delineate the recipients of the federal funds and how they are being used to support the education needs of youth and postresident youth, must be submitted to the appropriate committees of the house of representatives and the senate in accordance with RCW 43.01.036.

(3) For purposes of this section, "postresident youth" and "youth" have the same meanings as in RCW 28A.190.005. [2021 c 164 § 10.]

**Findings—Intent—2021 c 164:** See note following RCW 28A.190.005.

**RCW 28A.300.840 Media literacy and digital citizenship—Grant program.** ***(Expires July 31, 2031.)*** (1)(a) The office of the superintendent of public instruction shall establish a grant program for the purposes of supporting media literacy and digital citizenship through school district leadership teams. The office of the superintendent of public instruction shall establish and publish criteria for the grant program, and may accept gifts, grants, or endowments from public or private sources for the grant program.

(b) A school district that receives a grant under this section is not prohibited from receiving a grant in subsequent grant cycles.

(2)(a) For a school district to qualify for a grant under this section, the grant proposal must provide that the grantee create a district leadership team that develops a curriculum unit on media literacy or digital citizenship, or both, that may be integrated into one of the following areas:

(i) Social studies;

(ii) English language arts; or

(iii) Health.

(b) School districts selected under the grant program are expected to evaluate the curriculum unit they develop under this subsection (2).

(c) In developing their curriculum unit, school districts selected under the grant program are encouraged to work with school district teacher-librarians or a school district library information technology program, if applicable.

(3) The establishment of the grant program under this section is subject to the availability of amounts appropriated for this specific purpose.

(4) The curriculum unit developed under this section must be made available as an open educational resource.

(5)(a) Up to 10 grants a year awarded under this section must be for establishing media literacy professional learning communities with the purpose of sharing best practices in the subject of media literacy.

(b)(i) Grant recipients under this subsection (5) are required to develop an online presence for their community to model new strategies and to share ideas, challenges, and successful practices.

(ii) Grant recipients shall attend the group meetings created by the office of the superintendent of public instruction under (c) of this subsection (5).

(c) The office of the superintendent of public instruction shall convene group meetings for the purpose of sharing best practices and strategies in media literacy education.

(d) Additional activities permitted for the use of these grants include, but are not limited to:

(i) Organizing teachers from across a school district to develop new instructional strategies and to share successful strategies;

(ii) Sharing successful practices across a group of school districts; and

(iii) Facilitating coordination between educational service districts and school districts to provide training.

(6)(a) At least one grant awarded in each award cycle must be for developing and using a curriculum that contains a focus on synthetic media as a major component.

(b) For the purposes of this section, "synthetic media" means an image, an audio recording, or a video recording of an individual's appearance, speech, or conduct that has been intentionally manipulated with the use of digital technology in a manner to create a realistic but false image, audio, or video.

(7) This section expires July 31, 2031. [2021 c 301 § 6.]

**Finding—Purpose—2021 c 301:** See note following RCW 28A.650.060.

**RCW 28A.300.845 Media literacy and digital citizenship—Regional conferences.** ***(Expires July 31, 2031.)*** (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction shall convene two regional conferences on the subject of media literacy and digital citizenship.

(2) The conferences in this section should highlight the work performed by the recipients of the grant program established under RCW 28A.300.840, as well as best practices in media literacy and digital citizenship.

(3) The locations for conferences convened under this section must include one site in western Washington and one site in eastern Washington.

(4) This section expires July 31, 2031. [2021 c 301 § 7.]

**Finding—Purpose—2021 c 301:** See note following RCW 28A.650.060.

**RCW 28A.300.850 Institutional education programs—Timeline and plan.** ***(Expires June 30, 2027.)*** (1) The office of the superintendent of public instruction shall develop a timeline and plan for assuming, by September 1, 2027, responsibility for the delivery of basic education services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services or the department of corrections. The timeline and plan shall consider: The findings and recommendations produced in accordance with section 2, chapter 303, Laws of 2023; recommendations provided in the December 1, 2022, improving institutional education outcomes final report of the office of the

superintendent of public instruction and the department of children, youth, and families; staffing transitions for educators and staff that, as of July 23, 2023, deliver education programming and services to the justice-involved students; and legislation enacted in 2024 and in subsequent years relating to the superintendent's requirements under RCW 28A.190.150.

(2) Beginning December 15, 2023, and annually thereafter through 2026, the office of the superintendent of public instruction shall, in accordance with RCW 43.01.036, provide an interim report on progress made in achieving the requirements of this section to the governor and the education and fiscal committees of the legislature.

(3) In meeting the requirements of this section, the office of the superintendent of public instruction shall consult with organizations representing educators and staff that deliver education programming and services to justice-involved students who are under the age of 21 and served through institutional education programs in facilities that are not under the jurisdiction of the department of social and health services or the department of corrections.

(4) This section expires June 30, 2027. [2023 c 303 § 4.]

**Findings——Intent——2023 c 303:** See note following RCW 28A.190.150.

**RCW 28A.300.900 Registered preapprenticeship and youth apprenticeship recommendations.** (1) Subject to the availability of amounts appropriated for this specific purpose, the office of the superintendent of public instruction, in consultation with the state board for community and technical colleges and the Washington state apprenticeship and training council, shall examine opportunities for promoting recognized preapprenticeship and registered youth apprenticeship opportunities for high school students.

(2) In accordance with this section, by November 1, 2018, the office of the superintendent of public instruction shall solicit input from persons and organizations with an interest or relevant expertise in registered preapprenticeship programs, registered youth apprenticeship programs, or both, and employer-based preapprenticeship and youth apprenticeship programs, and provide a report to the governor and the education committees of the house of representatives and the senate that includes recommendations for:

(a) Improving alignment between college-level vocational courses at institutions of higher education and high school curriculum and graduation requirements, including high school and beyond plans required by RCW 28A.230.090 and in accordance with RCW 28A.230.212 and 28A.230.215. Recommendations provided under this subsection may include recommendations for the development or revision of career and technical education course equivalencies established in accordance with RCW 28A.700.080(1)(b) for college-level vocational courses successfully completed by a student while in high school and taken for dual credit;

(b) Identifying and removing barriers that prevent the wider exploration and use of registered preapprenticeship and registered youth apprenticeship opportunities by high school students and opportunities for registered apprenticeships by graduating secondary students; and

(c) Increasing awareness among teachers, counselors, students, parents, principals, school administrators, and the public about the

opportunities offered by registered preapprenticeship and registered youth apprenticeship programs.

(3) As used in this section, "institution of higher education" has the same meaning as defined in RCW 28A.600.300. [2023 c 271 § 9; 2018 c 228 § 1.]

**Intent——2023 c 271:** See note following RCW 28A.230.215.