
HOUSE BILL 1475

State of Washington

63rd Legislature

2013 Regular Session

By Representatives Magendanz, Dahlquist, Haigh, Zeiger, Hargrove, and Fagan

Read first time 01/28/13. Referred to Committee on Education.

1 AN ACT Relating to authorizing waivers of state requirements for
2 school districts; adding new sections to chapter 28A.320 RCW; adding a
3 new section to chapter 28A.150 RCW; adding a new section to chapter
4 28A.160 RCW; adding a new section to chapter 28A.165 RCW; adding a new
5 section to chapter 28A.170 RCW; adding a new section to chapter 28A.175
6 RCW; adding a new section to chapter 28A.180 RCW; adding a new section
7 to chapter 28A.185 RCW; adding a new section to chapter 28A.190 RCW;
8 adding a new section to chapter 28A.193 RCW; adding a new section to
9 chapter 28A.194 RCW; adding a new section to chapter 28A.215 RCW;
10 adding a new section to chapter 28A.220 RCW; adding a new section to
11 chapter 28A.225 RCW; adding a new section to chapter 28A.230 RCW;
12 adding a new section to chapter 28A.235 RCW; adding a new section to
13 chapter 28A.245 RCW; adding a new section to chapter 28A.250 RCW;
14 adding a new section to chapter 28A.300 RCW; adding a new section to
15 chapter 28A.305 RCW; adding a new section to chapter 28A.325 RCW;
16 adding a new section to chapter 28A.335 RCW; adding a new section to
17 chapter 28A.340 RCW; adding a new section to chapter 28A.345 RCW;
18 adding a new section to chapter 28A.400 RCW; adding a new section to
19 chapter 28A.405 RCW; adding a new section to chapter 28A.410 RCW;
20 adding a new section to chapter 28A.415 RCW; adding a new section to
21 chapter 28A.600 RCW; adding a new section to chapter 28A.605 RCW;

1 adding a new section to chapter 28A.620 RCW; adding a new section to
2 chapter 28A.623 RCW; adding a new section to chapter 28A.625 RCW;
3 adding a new section to chapter 28A.630 RCW; adding a new section to
4 chapter 28A.635 RCW; adding a new section to chapter 28A.650 RCW;
5 adding a new section to chapter 28A.655 RCW; adding a new section to
6 chapter 28A.700 RCW; and creating new sections.

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

8 NEW SECTION. **Sec. 1.** The legislature finds that many state
9 requirements, while well-intentioned, do not necessarily fit the unique
10 circumstances of the diverse array of school districts in the state.
11 Washington state has a strong tradition of local control in the public
12 school system, and the legislature should trust the judgment of and
13 provide authority to locally elected officials wherever feasible.
14 Therefore, the legislature intends to provide a process for school
15 district boards of directors to waive certain state education
16 requirements when the local board determines it is necessary to do so.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.320
18 RCW to read as follows:

19 (1) Any school district board of directors may, as provided in this
20 section, waive the requirements of state statutes under this title or
21 administrative rules adopted under those statutes.

22 (2) To waive state requirements under this section, a school
23 district board of directors must:

24 (a) Hold a public hearing on the statutes or rules proposed to be
25 waived;

26 (b) Adopt a resolution that specifies the statutes or rules to be
27 waived, the duration of the waiver, the problem or barrier that will be
28 alleviated as a result of each waiver, and the expected administrative
29 or operational efficiency or improvement in student learning as a
30 result of each waiver; and

31 (c) Transmit a copy of the adopted resolution to the state board of
32 education, the office of the superintendent of public instruction, and
33 the office of the state auditor.

34 (3) A school district board of directors may waive state

1 requirements under this section for a period not to exceed two school
2 years, at which time the board of directors may adopt new waivers under
3 the procedures specified in this section.

4 (4) Statutes or administrative rules pertaining to the following
5 state requirements may not be waived under this section:

6 (a) To hire, manage, and discharge any school employee in
7 accordance with the terms of the relevant state law and rules and the
8 local collective bargaining agreement, including chapters 41.56, 41.58,
9 and 41.59 RCW; including employing certificated instructional staff as
10 required in RCW 28A.410.025; and including educator evaluation
11 requirements under RCW 28A.405.100;

12 (b) To comply with the employee record check requirements in RCW
13 28A.400.303;

14 (c) To adhere to the state and federal health, safety, parents' and
15 students' rights, civil rights, special education, privacy, and
16 nondiscrimination laws, rules, and regulations;

17 (d) To participate in free and reduced priced meal programs to the
18 extent required by law;

19 (e) To provide the program of basic education required under RCW
20 28A.150.200 and 28A.150.220 as it applies to schools and school
21 districts, and administer the statewide assessments required under
22 chapter 28A.655 RCW to assess whether a student has met the state
23 standards;

24 (f) To adhere to statutes or rules associated with determining a
25 school district's eligibility for disbursements of state funds,
26 including capital funds, through state funding formulas;

27 (g) To adhere to laws or rules pertaining to bonded indebtedness;

28 (h) To meet the terms of the performance goals and reporting
29 requirements under RCW 28A.655.100 and 28A.655.110;

30 (i) To comply with state and federal student accountability
31 requirements;

32 (j) To annually adopt and file the district budget and financial
33 statements;

34 (k) To be subject to financial examinations and audits as
35 determined by the state auditor and the office of the superintendent of
36 public instruction, including audits for legal and fiscal compliance;

37 (l) To follow the requirements of chapter 28A.500 RCW for local
38 effort assistance;

1 (m) To adhere to the requirements for the election of school
2 district directors as provided in chapter 28A.343 RCW and the
3 requirements for school district boundaries and organization as
4 provided under chapter 28A.315 RCW;

5 (n) To adhere to the provisions of the interstate compact on
6 educational opportunity for military children; and

7 (o) To comply with state laws and administrative rules pertaining
8 to alternative learning experience programs.

9 (5) By August 1, 2013, the office of the superintendent of public
10 instruction, the professional educator standards board, and the state
11 board of education shall jointly publish a list of each of the statutes
12 under this title and administrative rules adopted under those statutes
13 that may be waived under this section. The list shall be updated by
14 August 1st of each year thereafter.

15 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.150
16 RCW to read as follows:

17 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
18 the period of time that a school district board of directors exercises
19 its waiver authority under section 2 of this act, that school district
20 is not subject to the requirements of this chapter and any related
21 rules that have been waived.

22 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.160
23 RCW to read as follows:

24 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
25 the period of time that a school district board of directors exercises
26 its waiver authority under section 2 of this act, that school district
27 is not subject to the requirements of this chapter and any related
28 rules that have been waived.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.165
30 RCW to read as follows:

31 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
32 the period of time that a school district board of directors exercises
33 its waiver authority under section 2 of this act, that school district
34 is not subject to the requirements of this chapter and any related
35 rules that have been waived.

1 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.170
2 RCW to read as follows:

3 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
4 the period of time that a school district board of directors exercises
5 its waiver authority under section 2 of this act, that school district
6 is not subject to the requirements of this chapter and any related
7 rules that have been waived.

8 NEW SECTION. **Sec. 7.** A new section is added to chapter 28A.175
9 RCW to read as follows:

10 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
11 the period of time that a school district board of directors exercises
12 its waiver authority under section 2 of this act, that school district
13 is not subject to the requirements of this chapter and any related
14 rules that have been waived.

15 NEW SECTION. **Sec. 8.** A new section is added to chapter 28A.180
16 RCW to read as follows:

17 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
18 the period of time that a school district board of directors exercises
19 its waiver authority under section 2 of this act, that school district
20 is not subject to the requirements of this chapter and any related
21 rules that have been waived.

22 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.185
23 RCW to read as follows:

24 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
25 the period of time that a school district board of directors exercises
26 its waiver authority under section 2 of this act, that school district
27 is not subject to the requirements of this chapter and any related
28 rules that have been waived.

29 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.190
30 RCW to read as follows:

31 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
32 the period of time that a school district board of directors exercises
33 its waiver authority under section 2 of this act, that school district

1 is not subject to the requirements of this chapter and any related
2 rules that have been waived.

3 NEW SECTION. **Sec. 11.** A new section is added to chapter 28A.193
4 RCW to read as follows:

5 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
6 the period of time that a school district board of directors exercises
7 its waiver authority under section 2 of this act, that school district
8 is not subject to the requirements of this chapter and any related
9 rules that have been waived.

10 NEW SECTION. **Sec. 12.** A new section is added to chapter 28A.194
11 RCW to read as follows:

12 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
13 the period of time that a school district board of directors exercises
14 its waiver authority under section 2 of this act, that school district
15 is not subject to the requirements of this chapter and any related
16 rules that have been waived.

17 NEW SECTION. **Sec. 13.** A new section is added to chapter 28A.215
18 RCW to read as follows:

19 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
20 the period of time that a school district board of directors exercises
21 its waiver authority under section 2 of this act, that school district
22 is not subject to the requirements of this chapter and any related
23 rules that have been waived.

24 NEW SECTION. **Sec. 14.** A new section is added to chapter 28A.220
25 RCW to read as follows:

26 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
27 the period of time that a school district board of directors exercises
28 its waiver authority under section 2 of this act, that school district
29 is not subject to the requirements of this chapter and any related
30 rules that have been waived.

31 NEW SECTION. **Sec. 15.** A new section is added to chapter 28A.225
32 RCW to read as follows:

33 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for

1 the period of time that a school district board of directors exercises
2 its waiver authority under section 2 of this act, that school district
3 is not subject to the requirements of this chapter and any related
4 rules that have been waived.

5 NEW SECTION. **Sec. 16.** A new section is added to chapter 28A.230
6 RCW to read as follows:

7 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
8 the period of time that a school district board of directors exercises
9 its waiver authority under section 2 of this act, that school district
10 is not subject to the requirements of this chapter and any related
11 rules that have been waived.

12 NEW SECTION. **Sec. 17.** A new section is added to chapter 28A.235
13 RCW to read as follows:

14 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
15 the period of time that a school district board of directors exercises
16 its waiver authority under section 2 of this act, that school district
17 is not subject to the requirements of this chapter and any related
18 rules that have been waived.

19 NEW SECTION. **Sec. 18.** A new section is added to chapter 28A.245
20 RCW to read as follows:

21 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
22 the period of time that a school district board of directors exercises
23 its waiver authority under section 2 of this act, that school district
24 is not subject to the requirements of this chapter and any related
25 rules that have been waived.

26 NEW SECTION. **Sec. 19.** A new section is added to chapter 28A.250
27 RCW to read as follows:

28 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
29 the period of time that a school district board of directors exercises
30 its waiver authority under section 2 of this act, that school district
31 is not subject to the requirements of this chapter and any related
32 rules that have been waived.

1 NEW SECTION. **Sec. 20.** A new section is added to chapter 28A.300
2 RCW to read as follows:

3 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
4 the period of time that a school district board of directors exercises
5 its waiver authority under section 2 of this act, that school district
6 is not subject to the requirements of this chapter and any related
7 rules that have been waived.

8 NEW SECTION. **Sec. 21.** A new section is added to chapter 28A.305
9 RCW to read as follows:

10 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
11 the period of time that a school district board of directors exercises
12 its waiver authority under section 2 of this act, that school district
13 is not subject to the requirements of this chapter and any related
14 rules that have been waived.

15 NEW SECTION. **Sec. 22.** A new section is added to chapter 28A.320
16 RCW to read as follows:

17 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
18 the period of time that a school district board of directors exercises
19 its waiver authority under section 2 of this act, that school district
20 is not subject to the requirements of this chapter and any related
21 rules that have been waived.

22 NEW SECTION. **Sec. 23.** A new section is added to chapter 28A.325
23 RCW to read as follows:

24 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
25 the period of time that a school district board of directors exercises
26 its waiver authority under section 2 of this act, that school district
27 is not subject to the requirements of this chapter and any related
28 rules that have been waived.

29 NEW SECTION. **Sec. 24.** A new section is added to chapter 28A.335
30 RCW to read as follows:

31 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
32 the period of time that a school district board of directors exercises
33 its waiver authority under section 2 of this act, that school district

1 is not subject to the requirements of this chapter and any related
2 rules that have been waived.

3 NEW SECTION. **Sec. 25.** A new section is added to chapter 28A.340
4 RCW to read as follows:

5 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
6 the period of time that a school district board of directors exercises
7 its waiver authority under section 2 of this act, that school district
8 is not subject to the requirements of this chapter and any related
9 rules that have been waived.

10 NEW SECTION. **Sec. 26.** A new section is added to chapter 28A.345
11 RCW to read as follows:

12 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
13 the period of time that a school district board of directors exercises
14 its waiver authority under section 2 of this act, that school district
15 is not subject to the requirements of this chapter and any related
16 rules that have been waived.

17 NEW SECTION. **Sec. 27.** A new section is added to chapter 28A.400
18 RCW to read as follows:

19 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
20 the period of time that a school district board of directors exercises
21 its waiver authority under section 2 of this act, that school district
22 is not subject to the requirements of this chapter and any related
23 rules that have been waived.

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

26 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
27 the period of time that a school district board of directors exercises
28 its waiver authority under section 2 of this act, that school district
29 is not subject to the requirements of this chapter and any related
30 rules that have been waived.

31 NEW SECTION. **Sec. 29.** A new section is added to chapter 28A.410
32 RCW to read as follows:

33 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for

1 the period of time that a school district board of directors exercises
2 its waiver authority under section 2 of this act, that school district
3 is not subject to the requirements of this chapter and any related
4 rules that have been waived.

5 NEW SECTION. **Sec. 30.** A new section is added to chapter 28A.415
6 RCW to read as follows:

7 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
8 the period of time that a school district board of directors exercises
9 its waiver authority under section 2 of this act, that school district
10 is not subject to the requirements of this chapter and any related
11 rules that have been waived.

12 NEW SECTION. **Sec. 31.** A new section is added to chapter 28A.600
13 RCW to read as follows:

14 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
15 the period of time that a school district board of directors exercises
16 its waiver authority under section 2 of this act, that school district
17 is not subject to the requirements of this chapter and any related
18 rules that have been waived.

19 NEW SECTION. **Sec. 32.** A new section is added to chapter 28A.605
20 RCW to read as follows:

21 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
22 the period of time that a school district board of directors exercises
23 its waiver authority under section 2 of this act, that school district
24 is not subject to the requirements of this chapter and any related
25 rules that have been waived.

26 NEW SECTION. **Sec. 33.** A new section is added to chapter 28A.620
27 RCW to read as follows:

28 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
29 the period of time that a school district board of directors exercises
30 its waiver authority under section 2 of this act, that school district
31 is not subject to the requirements of this chapter and any related
32 rules that have been waived.

1 NEW SECTION. **Sec. 34.** A new section is added to chapter 28A.623
2 RCW to read as follows:

3 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
4 the period of time that a school district board of directors exercises
5 its waiver authority under section 2 of this act, that school district
6 is not subject to the requirements of this chapter and any related
7 rules that have been waived.

8 NEW SECTION. **Sec. 35.** A new section is added to chapter 28A.625
9 RCW to read as follows:

10 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
11 the period of time that a school district board of directors exercises
12 its waiver authority under section 2 of this act, that school district
13 is not subject to the requirements of this chapter and any related
14 rules that have been waived.

15 NEW SECTION. **Sec. 36.** A new section is added to chapter 28A.630
16 RCW to read as follows:

17 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
18 the period of time that a school district board of directors exercises
19 its waiver authority under section 2 of this act, that school district
20 is not subject to the requirements of this chapter and any related
21 rules that have been waived.

22 NEW SECTION. **Sec. 37.** A new section is added to chapter 28A.635
23 RCW to read as follows:

24 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
25 the period of time that a school district board of directors exercises
26 its waiver authority under section 2 of this act, that school district
27 is not subject to the requirements of this chapter and any related
28 rules that have been waived.

29 NEW SECTION. **Sec. 38.** A new section is added to chapter 28A.650
30 RCW to read as follows:

31 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
32 the period of time that a school district board of directors exercises
33 its waiver authority under section 2 of this act, that school district

1 is not subject to the requirements of this chapter and any related
2 rules that have been waived.

3 NEW SECTION. **Sec. 39.** A new section is added to chapter 28A.655
4 RCW to read as follows:

5 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
6 the period of time that a school district board of directors exercises
7 its waiver authority under section 2 of this act, that school district
8 is not subject to the requirements of this chapter and any related
9 rules that have been waived.

10 NEW SECTION. **Sec. 40.** A new section is added to chapter 28A.700
11 RCW to read as follows:

12 APPLICATION OF CHAPTER--GENERAL PROVISIONS. To the extent and for
13 the period of time that a school district board of directors exercises
14 its waiver authority under section 2 of this act, that school district
15 is not subject to the requirements of this chapter and any related
16 rules that have been waived.

17 NEW SECTION. **Sec. 41.** If any provision of this act or its
18 application to any person or circumstance is held invalid, the
19 remainder of the act or the application of the provision to other
20 persons or circumstances is not affected.

21 NEW SECTION. **Sec. 42.** If any part of this act is found to be in
22 conflict with federal requirements that are a prescribed condition to
23 the allocation of federal funds to the state, the conflicting part of
24 this act is inoperative solely to the extent of the conflict and with
25 respect to the agencies directly affected, and this finding does not
26 affect the operation of the remainder of this act in its application to
27 the agencies concerned. Rules adopted under this act must meet federal
28 requirements that are a necessary condition to the receipt of federal
29 funds by the state.

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