
SENATE BILL 6079

State of Washington 64th Legislature 2015 Regular Session

By Senators Baumgartner, Ericksen, Padden, Braun, Angel, and Bailey

Read first time 03/09/15. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to basic education; amending RCW 28A.150.200;
2 adding a new chapter to Title 28A RCW; and repealing RCW 28A.150.260.

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

4 NEW SECTION. **Sec. 1.** INTENT. The legislature intends to improve
5 the education of children by enabling parents to independently
6 determine which school best meets their child's educational needs and
7 empowering parents to be able to send their child to their school of
8 choice. The legislature further intends to support parental school
9 choice by making state-funded vouchers a necessary component to
10 fulfill the state's constitutional obligation under Article IX to
11 amply fund a program of basic education. The legislature also intends
12 to provide the legislature flexibility to determine the levels of
13 K-12 funding in the omnibus appropriations act by repealing the
14 prescriptive K-12 prototypical school funding model enacted in
15 statute by chapter 236, Laws of 2010 (Substitute House Bill No.
16 2776). Furthermore, the legislature intends to continue to exercise
17 its policy-making prerogative to change aspects of the basic
18 education program and funding by repealing the four funding
19 enhancements, also enacted by chapter 236, Laws of 2010 (Substitute
20 House Bill No. 2776).

1 NEW SECTION. **Sec. 2.** DEFINITIONS. The definitions in this
2 section apply throughout this chapter unless the context clearly
3 requires otherwise.

4 (1) "Eligible child" or "eligible student" means a person
5 eligible to attend kindergarten or grades one through twelve in
6 Washington state.

7 (2) "Eligible person" means a full-time student otherwise
8 qualified who is attending any school for their education.

9 (3) "Private school" means an approved private school under
10 chapter 28A.195 RCW.

11 (4) "Public school" means a public school as defined by RCW
12 28A.150.010.

13 (5) "Voucher" or "K-12 education voucher" is a payment of five
14 thousand dollars to a child through his or her parent, which shall be
15 considered basic education funding under Article IX of the state
16 Constitution.

17 (6) "Voucher-redeeming school" means any public school including
18 a public charter school and any approved private school, located
19 within Washington.

20 NEW SECTION. **Sec. 3.** K-12 EDUCATION VOUCHERS—EMPOWERMENT OF
21 PARENTS. (1) Beginning with the 2015-16 school year, the state shall
22 annually provide a K-12 education voucher to every eligible child
23 whose parent applies for a K-12 education voucher. Vouchers may be
24 redeemed at any voucher-redeeming school.

25 (2) The K-12 education voucher for each eligible child shall be
26 not less than five thousand dollars beginning in the 2015-16 school
27 year and annually adjusted thereafter for inflation as specified in
28 the omnibus appropriations act.

29 (3) To obtain a K-12 education voucher for his or her eligible
30 child, a parent or guardian must apply to the office of the
31 superintendent of public instruction by August 1st of each year.

32 (4) K-12 education vouchers are not taxable income of the child
33 or the parent of the child receiving the K-12 education voucher. The
34 parents of the child receiving a K-12 education voucher shall be free
35 to choose any voucher-redeeming school, and this selection does not
36 constitute a decision or act of the state or any of its subdivisions.

37 (5) After the parent designates the enrolling school to receive
38 the K-12 education voucher funds, the office of the superintendent of
39 public instruction shall disburse the K-12 education voucher funds in

1 equal monthly amounts, directly to the school for the education of
2 the child for which the K-12 education voucher is provided.

3 (6) Expenditures for K-12 education vouchers issued under this
4 chapter count toward the minimum state funding requirements for basic
5 education established under Article IX of the Washington state
6 Constitution.

7 (7) For fiscal purposes, a child who receives a K-12 education
8 voucher shall be deemed a resident of the school district in which
9 the child is enrolled.

10 NEW SECTION. **Sec. 4.** HOME-BASED INSTRUCTION. Nothing in this
11 chapter affects the laws and rules in existence on the effective date
12 of this section pertaining to home-based instruction, including
13 chapter 28A.200 RCW.

14 NEW SECTION. **Sec. 5.** RULE-MAKING AUTHORITY. The office of the
15 superintendent of public instruction shall adopt rules to implement
16 sections 2 through 5 of this act.

17 **Sec. 6.** RCW 28A.150.200 and 2009 c 548 s 101 are each amended to
18 read as follows:

19 (1) The program of basic education established under this chapter
20 is deemed by the legislature to comply with the requirements of
21 Article IX, section 1 of the state Constitution, which states that
22 "It is the paramount duty of the state to make ample provision for
23 the education of all children residing within its borders, without
24 distinction or preference on account of race, color, caste, or
25 sex(~~(, " and is adopted pursuant to Article IX, section 2 of the state~~
26 ~~Constitution, which states that "The legislature shall provide for a~~
27 ~~general and uniform system of public schools))." The funding for the
28 program of basic education shall be determined in the omnibus
29 appropriations act.~~

30 (2) The legislature defines the program of basic education under
31 this chapter as that which is necessary to provide the opportunity to
32 develop the knowledge and skills necessary to meet the state-
33 established high school graduation requirements that are intended to
34 allow students to have the opportunity to graduate with a meaningful
35 diploma that prepares them for postsecondary education, gainful
36 employment, and citizenship. Basic education by necessity is an
37 evolving program of instruction intended to reflect the changing

1 educational opportunities that are needed to equip students for their
2 role as productive citizens and includes the following:

3 (a) The instructional program of basic education the minimum
4 components of which are described in RCW 28A.150.220;

5 (b) The program of education provided by chapter 28A.190 RCW for
6 students in residential schools as defined by RCW 28A.190.020 and for
7 juveniles in detention facilities as identified by RCW 28A.190.010;

8 (c) The program of education provided by chapter 28A.193 RCW for
9 individuals under the age of eighteen who are incarcerated in adult
10 correctional facilities; (~~and~~)

11 (d) Transportation and transportation services to and from school
12 for eligible students as provided under RCW 28A.160.150 through
13 28A.160.180; and

14 (e) Vouchers or K-12 education vouchers as defined in section 2
15 of this act, which shall support parental choice of schools for their
16 child.

17 NEW SECTION. **Sec. 7.** RCW 28A.150.260 (Allocation of state
18 funding to support instructional program of basic education—
19 Distribution formula—Prototypical schools—Enhancements and
20 adjustments—Review and approval—Enrollment calculation) and 2015 c 2
21 s 2 (Initiative Measure No. 1351), 2014 c 217 s 206, 2011 1st sp.s. c
22 27 s 2, 2010 c 236 s 2, 2009 c 548 s 106, 2006 c 263 s 322, 1997 c 13
23 s 2, 1995 c 77 s 3, 1992 c 141 s 507, 1992 c 141 s 303, 1991 c 116 s
24 10, 1990 c 33 s 108, 1987 1st ex.s. c 2 s 202, 1985 c 349 s 5, 1983 c
25 229 s 1, 1979 ex.s. c 250 s 3, 1979 c 151 s 12, 1977 ex.s. c 359 s 5,
26 & 1969 ex.s. c 244 s 14 are each repealed.

27 NEW SECTION. **Sec. 8.** Sections 1 through 5 of this act
28 constitute a new chapter in Title 28A RCW.

29 NEW SECTION. **Sec. 9.** If any provision of this act or its
30 application to any person or circumstance is held invalid, the
31 remainder of the act or the application of the provision to other
32 persons or circumstances is not affected.

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