

Chapter 28A.305 RCW
STATE BOARD OF EDUCATION

Sections

- 28A.305.011 Board membership—Terms—Compensation.
28A.305.021 Election of board members—Restrictions.
28A.305.035 Joint report to the legislature.
28A.305.045 Condensed compliance reports—Second-class districts.
28A.305.130 Powers and duties—Purpose.
28A.305.135 Rule making—School district fiscal impact statement required—Exceptions.
28A.305.190 Eligibility to take test to earn a high school equivalency certificate.
28A.305.215 Essential academic learning requirements and grade level expectations—Revised standards and curricula for mathematics and science—Duties of the state board of education and the superintendent of public instruction—Revised graduation requirements.
28A.305.902 Transfer of duties—Review and recommendation—2006 c 263.
28A.305.905 Transfer of duties between the state board of education and superintendent of public instruction—Validity of actions, funds apportionment, and collective bargaining.

Assistance of certificated or classified employee—Reimbursement for substitute: RCW 28A.300.035.

Corporal punishment prohibited—Adoption of policy: RCW 28A.150.300.

Reimbursement for substitute if employee serves state board or superintendent: RCW 28A.300.035.

Statewide student assessment system—Redesign—Reports to the legislature: RCW 28A.300.041.

- RCW 28A.305.011 Board membership—Terms—Compensation.** (1) The membership of the state board of education shall be composed of sixteen members who are residents of the state of Washington:
- (a) Seven shall be members representing the educational system, as follows:
 - (i) Five members elected by school district directors. Three of the members elected by school district directors shall be residents of western Washington and two members shall be residents of eastern Washington;
 - (ii) One member elected at large by the members of the boards of directors of all private schools in the state meeting the requirements of RCW 28A.195.010; and
 - (iii) The superintendent of public instruction;
 - (b) Seven members appointed by the governor; and
 - (c) Two students selected in a manner determined by the state board of education.
- (2) Initial appointments shall be for terms from one to four years in length, with the terms expiring on the second Monday of

January of the applicable year. As the terms of the first appointees expire or vacancies on the board occur, the governor shall appoint or reappoint members of the board to complete the initial terms or to four-year terms, as appropriate.

(a) Appointees of the governor must be individuals who have demonstrated interest in public schools and are supportive of educational improvement, have a positive record of service, and who will devote sufficient time to the responsibilities of the board.

(b) In appointing board members, the governor shall consider the diversity of the population of the state.

(c) All appointments to the board made by the governor are subject to confirmation by the senate.

(d) No person may serve as a member of the board, except the superintendent of public instruction, for more than two consecutive full four-year terms.

(3) The governor may remove an appointed member of the board for neglect of duty, misconduct, malfeasance, or misfeasance in office, or for incompetent or unprofessional conduct as defined in chapter 18.130 RCW. In such a case, the governor shall file with the secretary of state a statement of the causes for and the order of removal from office, and the secretary of state shall send a certified copy of the statement of causes and order of removal to the last known post office address of the member.

(4) (a) The chair of the board shall be elected by a majority vote of the members of the board. The chair of the board shall serve a term of two years, and may be reelected to an additional term. A member of the board may not serve as chair for more than two consecutive terms.

(b) Except as provided in (d) of this subsection, nine voting members of the board constitute a quorum for the transaction of business.

(c) All members are voting members.

(d) A student member selected under subsection (1)(c) of this section shall excuse themselves from voting on matters directly relating to graduation requirement changes that apply to the student's school and graduating class. In the event of a student member excusing themselves under this subsection, eight voting members of the board constitute a quorum for the transaction of business.

(5) Members of the board appointed by the governor who are not public employees shall be compensated in accordance with RCW 43.03.250 and shall be reimbursed for travel expenses incurred in carrying out the duties of the board in accordance with RCW 43.03.050 and 43.03.060. [2022 c 44 § 1; 2006 c 263 § 105; 2005 c 497 § 101.]

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

Intent—2005 c 497: "The legislature intends to reconstitute the state board of education and to refocus its purpose; to abolish the academic achievement and accountability commission; to assign policy and rule-making authority for educator preparation and certification to the professional educator standards board and to clearly define its purpose; and to align the missions of the state board of education and the professional educator standards board to create a collaborative and effective governance system that can accelerate progress towards achieving the goals in RCW 28A.150.210." [2005 c 497 § 1.]

Part headings not law—2005 c 497: "Part headings used in this act are not any part of the law." [2005 c 497 § 408.]

Effective date—2005 c 497 §§ 101, 103, 105, 106, 201 through 220, 301, 401, and 403: "Sections 101, 103, 105, 106, 201 through 220, 301, 401, and 403 through 405 of this act take effect January 1, 2006." [2005 c 497 § 409.]

RCW 28A.305.021 Election of board members—Restrictions. The election of state board of education members by school directors and private school board members shall be conducted by the Washington state school directors' association for the members of the state board who begin serving on January 1, 2006, and thereafter.

(1) The Washington state school directors' association shall adopt procedures for the conduct of elections, which shall include, but need not be limited to: The definition of the eastern Washington and western Washington geographic regions of the state for the purpose of determining board member positions; the weighting of votes cast by the number of students in the school director's school district or board member's private school; election and dispute resolution procedures; the process for filling vacancies; and election timelines. The election timeline shall include calling for elections no later than the 25th of August, and notification of the election results no later than the 15th of December.

(2) State board member positions one and two shall be filled by residents of the eastern Washington region and positions three, four, and five shall be filled by residents of the western Washington region.

(3) A school director shall be eligible to vote only for a candidate for each position in the geographic region within which the school director resides.

(4) Initial terms of the individuals elected by the school directors shall be for terms of two to four years in length as follows: Two members, one from eastern Washington and one from western Washington, shall be elected to two-year terms; two members, one from eastern Washington and one from western Washington, shall be elected to four-year terms; and one member from western Washington shall be elected to a three-year term. The term of the private school member shall be two years. All terms shall expire on the second Monday of January of the applicable year.

(5) No person employed in any public or private school, college, university, or other educational institution or any educational service district superintendent's office or in the office of the superintendent of public instruction is eligible for membership on the state board of education. No member of a board of directors of a local school district or private school may continue to serve in that capacity after having been elected to the state board. [2022 c 79 § 1; 2005 c 497 § 102.]

Effective date—2005 c 497 § 102: "Section 102 of 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 16, 2005]." [2005 c 497 § 411.]

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

RCW 28A.305.035 Joint report to the legislature. (1) By October 15th of each even-numbered year, the state board of education and the professional educator standards board shall submit a joint report to the legislative education committees, the governor, and the superintendent of public instruction. The report shall address the progress the boards have made and the obstacles they have encountered, individually and collectively, in the work of achieving the goals in RCW 28A.150.210.

(2) The state board of education shall include the chairs and ranking minority members of the legislative education committees in board communications so that the legislature can be kept apprised of the discussions and proposed actions of the board. [2006 c 263 § 103; 2005 c 497 § 103.]

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

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

RCW 28A.305.045 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 § 20.]

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

RCW 28A.305.130 Powers and duties—Purpose. The purpose of the state board of education is to provide advocacy and strategic oversight of public education; implement a standards-based accountability framework that creates a unified system of increasing levels of support for schools in order to improve student academic achievement; provide leadership in the creation of a system that personalizes education for each student and respects diverse cultures, abilities, and learning styles; and promote achievement of the goals of RCW 28A.150.210. In addition to any other powers and duties as provided by law, the state board of education shall:

(1) Hold regularly scheduled meetings at such time and place within the state as the board shall determine and may hold such special meetings as may be deemed necessary for the transaction of public business;

(2) Form committees as necessary to effectively and efficiently conduct the work of the board;

(3) Seek advice from the public and interested parties regarding the work of the board;

(4) For purposes of statewide accountability:

(a) Adopt and revise performance improvement goals in reading, writing, science, and mathematics, by subject and grade level, once assessments in these subjects are required statewide; academic and

technical skills, as appropriate, in secondary career and technical education programs; and student attendance, as the board deems appropriate to improve student learning. The goals shall be consistent with student privacy protection provisions of RCW 28A.655.090(7) and shall not conflict with requirements contained in Title I of the federal elementary and secondary education act of 1965, or the requirements of the Carl D. Perkins vocational education act of 1998, each as amended. The goals may be established for all students, economically disadvantaged students, limited English proficient students, students with disabilities, and students who are not meeting academic standards as defined in RCW 28A.165.015, disaggregated as described in RCW 28A.300.042(1) for student-level data. The board may establish school and school district goals addressing high school graduation rates and dropout reduction goals for students in grades seven through twelve. The board shall adopt the goals by rule. However, before each goal is implemented, the board shall present the goal to the education committees of the house of representatives and the senate for the committees' review and comment in a time frame that will permit the legislature to take statutory action on the goal if such action is deemed warranted by the legislature;

(b) (i) (A) Identify the scores students must achieve in order to meet the standard on the statewide student assessment, and the SAT or the ACT if used to demonstrate career and college readiness under RCW 28A.655.250. The board shall also determine student scores that identify levels of student performance below and beyond the standard. The board shall set such performance standards and levels in consultation with the superintendent of public instruction and after consideration of any recommendations that may be developed by any advisory committees that may be established for this purpose;

(B) To permit the legislature to take any statutory action it deems warranted before modified or newly established scores are implemented, the board shall notify the education committees of the house of representatives and the senate of any scores that are modified or established under (b) (i) (A) of this subsection on or after July 28, 2019. The notifications required by this subsection (4) (b) (i) (B) must be provided by November 30th of the year proceeding the beginning of the school year in which the modified or established scores will take effect;

(ii) The legislature intends to continue the implementation of chapter 22, Laws of 2013 2nd sp. sess. when the legislature expressed the intent for the state board of education to identify the student performance standard that demonstrates a student's career and college readiness for the eleventh grade consortium-developed assessments. Therefore, by December 1, 2018, the state board of education, in consultation with the superintendent of public instruction, must identify and report to the governor and the education policy and fiscal committees of the legislature on the equivalent student performance standard that a tenth grade student would need to achieve on the state assessments to be on track to be career and college ready at the end of the student's high school experience;

(iii) The legislature shall be advised of the initial performance standards and any changes made to the elementary, middle, and high school level performance standards. The board must provide an explanation of and rationale for all initial performance standards and any changes, for all grade levels of the statewide student assessment. If the board changes the performance standards for any grade level or subject, the superintendent of public instruction must recalculate the

results from the previous ten years of administering that assessment regarding students below, meeting, and beyond the state standard, to the extent that this data is available, and post a comparison of the original and recalculated results on the superintendent's website;

(c) Annually review the assessment reporting system to ensure fairness, accuracy, timeliness, and equity of opportunity, especially with regard to schools with special circumstances and unique populations of students, and a recommendation to the superintendent of public instruction of any improvements needed to the system; and

(d) Include in the biennial report required under RCW 28A.305.035, information on the progress that has been made in achieving goals adopted by the board;

(5) Accredite, subject to such accreditation standards and procedures as may be established by the state board of education, all private schools that apply for accreditation, and approve, subject to the provisions of RCW 28A.195.010, private schools carrying out a program for any or all of the grades kindergarten through twelve. However, no private school may be approved that operates a kindergarten program only and no private school shall be placed upon the list of accredited schools so long as secret societies are knowingly allowed to exist among its students by school officials;

(6) Articulate with the institutions of higher education, workforce representatives, and early learning policymakers and providers to coordinate and unify the work of the public school system;

(7) Hire an executive director and an administrative assistant to reside in the office of the superintendent of public instruction for administrative purposes. Any other personnel of the board shall be appointed as provided by RCW 28A.300.020. The board may delegate to the executive director by resolution such duties as deemed necessary to efficiently carry on the business of the board including, but not limited to, the authority to employ necessary personnel and the authority to enter into, amend, and terminate contracts on behalf of the board. The executive director, administrative assistant, and all but one of the other personnel of the board are exempt from civil service, together with other staff as now or hereafter designated as exempt in accordance with chapter 41.06 RCW; and

(8) Adopt a seal that shall be kept in the office of the superintendent of public instruction. [2021 c 111 § 10; 2019 c 252 § 112; 2017 3rd sp.s. c 31 § 3; 2013 2nd sp.s. c 22 § 7; 2011 1st sp.s. c 6 § 1; 2009 c 548 § 502; 2008 c 27 § 1; 2006 c 263 § 102; 2005 c 497 § 104; 2002 c 205 § 3; 1997 c 13 § 5; 1996 c 83 § 1; 1995 c 369 § 9; 1991 c 116 § 11; 1990 c 33 § 266. Prior: 1987 c 464 § 1; 1987 c 39 § 1; prior: 1986 c 266 § 86; 1986 c 149 § 3; 1984 c 40 § 2; 1979 ex.s. c 173 § 1; 1975-'76 2nd ex.s. c 92 § 1; 1975 1st ex.s. c 275 § 50; 1974 ex.s. c 92 § 1; 1971 ex.s. c 215 § 1; 1971 c 48 § 2; 1969 ex.s. c 223 § 28A.04.120; prior: 1963 c 32 § 1; 1961 c 47 § 1; prior: (i) 1933 c 80 § 1; 1915 c 161 § 1; 1909 c 97 p 236 § 5; 1907 c 240 § 3; 1903 c 104 § 12; 1897 c 118 § 27; 1895 c 150 § 1; 1890 p 352 § 8; Code 1881 § 3165; RRS § 4529. (ii) 1919 c 89 § 3; RRS § 4684. (iii) 1909 c 97 p 238 § 6; 1897 c 118 § 29; RRS § 4530. Formerly RCW 28A.04.120, 28.04.120, 28.58.280, 28.58.281, 28.58.282, 43.63.140.]

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

Intent—2019 c 252: See note following RCW 28A.655.250.

Effective date—2017 3rd sp.s. c 31: "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 7, 2017]." [2017 3rd sp.s. c 31 § 8.]

Findings—Intent—2013 2nd sp.s. c 22: See note following RCW 28A.655.068.

Effective date—2011 1st sp.s. c 6: "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 31, 2011]." [2011 1st sp.s. c 6 § 2.]

Intent—Finding—2009 c 548: "(1) (a) The legislature intends to develop a system in which the state and school districts share accountability for achieving state educational standards and supporting continuous school improvement. The legislature recognizes that comprehensive education finance reform and the increased investment of public resources necessary to implement that reform must be accompanied by a new mechanism for clearly defining the relationships and expectations for the state, school districts, and schools. It is the legislature's intent that this be accomplished through the development of a proactive, collaborative accountability system that focuses on a school improvement system that engages and serves the local school board, parents, students, staff in the schools and districts, and the community. The improvement system shall be based on progressive levels of support, with a goal of continuous improvement in student achievement and alignment with the federal system of accountability.

(b) The legislature further recognizes that it is the state's responsibility to provide schools and districts with the tools and resources necessary to improve student achievement. These tools include the necessary accounting and data reporting systems, assessment systems to monitor student achievement, and a system of general support, targeted assistance, recognition, and, if necessary, state intervention.

(2) The legislature has already charged the state board of education to develop criteria to identify schools and districts that are successful, in need of assistance, and those where students persistently fail, as well as to identify a range of intervention strategies and a performance incentive system. The legislature finds that the state board of education should build on the work that the board has already begun in these areas. As development of these formulas, processes, and systems progresses, the legislature should monitor the progress." [2009 c 548 § 501.]

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

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

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

Effective date—2005 c 497 §§ 104, 302, 402, and 406 through 408: "Sections 104, 302, 402, and 406 through 408 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 July 1, 2005." [2005 c 497 § 410.]

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

Findings—Severability—Effective dates—2002 c 205 §§ 2, 3, and 4: See notes following RCW 28A.320.125.

Effective date—1995 c 369: See note following RCW 43.43.930.

Severability—1986 c 266: See note following RCW 38.52.005.

Severability—1984 c 40: See note following RCW 28A.195.050.

Severability—1975-'76 2nd ex.s. c 92: "If any provision of this 1976 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." [1975-'76 2nd ex.s. c 92 § 6.]

Districts to develop programs and establish programs regarding child abuse and neglect prevention: RCW 28A.225.200.

Professional certification not required of superintendents or deputy or assistant superintendents: RCW 28A.410.120.

Sexual abuse of students, child abuse, and neglect—Coordinated prevention program: RCW 28A.300.160.

Use of force on children—Policy—Actions presumed unreasonable: RCW 9A.16.100.

RCW 28A.305.135 Rule making—School district fiscal impact statement required—Exceptions. (1) The state board of education must provide a school district fiscal impact statement prepared by the office of the superintendent of public instruction with the published notice of a rule-making hearing required under RCW 34.05.320 on rules proposed by the board. At the rule-making hearing, the board must also hear a presentation from the office of the superintendent of public instruction and take public testimony on the fiscal impact statement. A copy of the fiscal impact statement must be forwarded to the education committees of the legislature.

(2) The office of the superintendent of public instruction must solicit fiscal impact estimates from a representative sample of school districts across the state when preparing a fiscal impact statement.

(3) This section does not apply to the following rules:

(a) Emergency rules adopted under RCW 34.05.350;

(b) Rules adopting or incorporating by reference without material change federal statutes or regulations, Washington state statutes, or rules of other Washington state agencies;

(c) Rules that adopt, amend, or repeal a procedure or practice related only to the operation of the state board of education and not to any external parties;

(d) Rules that only correct typographical errors, make address or name changes, or clarify language of a rule without changing its effect; or

(e) Rules the content of which is explicitly and specifically dictated by statute. [2012 c 210 § 1.]

RCW 28A.305.190 Eligibility to take test to earn a high school equivalency certificate. The state board of education shall adopt rules governing the eligibility of a child sixteen years of age and under nineteen years of age to take a test to earn a high school equivalency certificate as provided in RCW 28B.50.536 if the child provides a substantial and warranted reason for leaving the regular high school education program, if the child was home-schooled, or if the child is an eligible student enrolled in a dropout reengagement program under RCW 28A.175.100 through 28A.175.110. [2013 c 39 § 8; 2010 c 20 § 6; 1993 c 218 § 1; 1991 c 116 § 5; 1973 c 51 § 2. Formerly RCW 28A.04.135.]

Intent—2010 c 20: See note following RCW 28A.175.100.

Severability—1973 c 51: See note following RCW 28A.225.010.

Waiver of fees or residency requirements at community or technical colleges for students completing a high school education: RCW 28B.15.520.

RCW 28A.305.215 Essential academic learning requirements and grade level expectations—Revised standards and curricula for mathematics and science—Duties of the state board of education and the superintendent of public instruction—Revised graduation requirements. (1) The activities in this section revise and strengthen the state learning standards that implement the *goals of RCW 28A.150.210, known as the essential academic learning requirements, and improve alignment of school district curriculum to the standards.

(2) The state board of education shall be assisted in its work under subsections (3), (4), and (5) of this section by: (a) An expert national consultant in each of mathematics and science retained by the state board; and (b) the mathematics and science advisory panels created under **RCW 28A.305.219, as appropriate, which shall provide review and formal comment on proposed recommendations to the superintendent of public instruction and the state board of education on new revised standards and curricula.

(3) By September 30, 2007, the state board of education shall recommend to the superintendent of public instruction revised essential academic learning requirements and grade level expectations in mathematics. The recommendations shall be based on:

(a) Considerations of clarity, rigor, content, depth, coherence from grade to grade, specificity, accessibility, and measurability;

(b) Study of:

(i) Standards used in countries whose students demonstrate high performance on the trends in international mathematics and science study and the programme for international student assessment;

(ii) College readiness standards;

(iii) The national council of teachers of mathematics focal points and the national assessment of educational progress content frameworks; and

(iv) Standards used by three to five other states, including California, and the nation of Singapore; and

(c) Consideration of information presented during public comment periods.

(4) (a) By February 29, 2008, the superintendent of public instruction shall revise the essential academic learning requirements and the grade level expectations for mathematics and present the revised standards to the state board of education and the education committees of the senate and the house of representatives as required by RCW 28A.655.070(4).

(b) The state board of education shall direct an expert national consultant in mathematics to:

(i) Analyze the February 2008 version of the revised standards, including a comparison to exemplar standards previously reviewed under this section;

(ii) Recommend specific language and content changes needed to finalize the revised standards; and

(iii) Present findings and recommendations in a draft report to the state board of education.

(c) By May 15, 2008, the state board of education shall review the consultant's draft report, consult the mathematics advisory panel, hold a public hearing to receive comment, and direct any subsequent modifications to the consultant's report. After the modifications are made, the state board of education shall forward the final report and recommendations to the superintendent of public instruction for implementation.

(d) By July 1, 2008, the superintendent of public instruction shall revise the mathematics standards to conform precisely to and incorporate each of the recommendations of the state board of education under (c) of this subsection and submit the revisions to the state board of education.

(e) By July 31, 2008, the state board of education shall either approve adoption by the superintendent of public instruction of the final revised standards as the essential academic learning requirements and grade level expectations for mathematics, or develop a plan for ensuring that the recommendations under (c) of this subsection are implemented so that final revised mathematics standards can be adopted by September 25, 2008.

(5) By June 30, 2008, the state board of education shall recommend to the superintendent of public instruction revised essential academic learning requirements and grade level expectations in science. The recommendations shall be based on:

(a) Considerations of clarity, rigor, content, depth, coherence from grade to grade, specificity, accessibility, and measurability;

(b) Study of standards used by three to five other states and in countries whose students demonstrate high performance on the trends in international mathematics and science study and the programme for international student assessment; and

(c) Consideration of information presented during public comment periods.

(6) By December 1, 2008, the superintendent of public instruction shall revise the essential academic learning requirements and the grade level expectations for science and present the revised standards to the state board of education and the education committees of the senate and the house of representatives as required by RCW 28A.655.070(4). The superintendent shall adopt the revised essential academic learning requirements and grade level expectations unless otherwise directed by the legislature during the 2009 legislative session.

(7)(a) Within six months after the standards under subsection (4) of this section are adopted, the superintendent of public instruction shall present to the state board of education recommendations for no more than three basic mathematics curricula each for elementary, middle, and high school grade spans.

(b) Within two months after the presentation of the recommended curricula, the state board of education shall provide official comment and recommendations to the superintendent of public instruction regarding the recommended mathematics curricula. The superintendent of public instruction shall make any changes based on the comment and recommendations from the state board of education and adopt the recommended curricula.

(c) By June 30, 2009, the superintendent of public instruction shall present to the state board of education recommendations for no more than three basic science curricula each for elementary and middle school grade spans and not more than three recommendations for each of the major high school courses within the following science domains: Earth and space science, physical science, and life science.

(d) Within two months after the presentation of the recommended curricula, the state board of education shall provide official comment and recommendations to the superintendent of public instruction regarding the recommended science curricula. The superintendent of public instruction shall make any changes based on the comment and recommendations from the state board of education and adopt the recommended curricula.

(e) In selecting the recommended curricula under this subsection (7), the superintendent of public instruction shall provide information to the mathematics and science advisory panels created under **RCW 28A.305.219, as appropriate, and seek the advice of the appropriate panel regarding the curricula that shall be included in the recommendations.

(f) The recommended curricula under this subsection (7) shall align with the revised essential academic learning requirements and grade level expectations. In addition to the recommended basic curricula, appropriate diagnostic and supplemental materials shall be identified as necessary to support each curricula.

(g) Subject to funds appropriated for this purpose and availability of the curricula, at least one of the curricula in each grade span and in each of mathematics and science shall be available to schools and parents online at no cost to the school or parent.

(8) By December 1, 2007, the state board of education shall revise the high school graduation requirements under RCW 28A.230.090 to include a minimum of three credits of mathematics, one of which may be a career and technical course equivalent in mathematics, and prescribe the mathematics content in the three required credits.

(9) Nothing in this section requires a school district to use one of the recommended curricula under subsection (7) of this section. However, the statewide accountability plan adopted by the state board

of education under RCW 28A.305.130 shall recommend conditions under which school districts should be required to use one of the recommended curricula. The plan shall also describe the conditions for exception to the curriculum requirement, such as the use of integrated academic and career and technical education curriculum. Required use of the recommended curricula as an intervention strategy must be authorized by the legislature as required by ***RCW 28A.305.130(4)(e) before implementation.

(10) The superintendent of public instruction shall conduct a comprehensive survey of the mathematics curricula being used by school districts at all grade levels and the textbook and curriculum purchasing cycle of the districts and report the results of the survey to the education committees of the legislature by November 15, 2008. [2009 c 310 § 5. Prior: 2008 c 274 § 2; 2008 c 172 § 2; 2007 c 396 § 1.]

Reviser's note: *(1) Reference to "goals" was deleted by 2009 c 548 § 101.

** (2) RCW 28A.305.219 expired June 30, 2012.

*** (3) RCW 28A.305.130 was amended by 2009 c 548 § 502, deleting subsection (4)(e).

Effective date—2009 c 310 § 5: "Section 5 of 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 30, 2009]." [2009 c 310 § 6.]

Intent—2008 c 172: "The legislature intends that the revised mathematics standards by the office of the superintendent of public instruction will set higher expectations for Washington's students by fortifying content and increasing rigor; provide greater clarity, specificity, and measurability about what is expected of students in each grade; supply more explicit guidance to educators about what to teach and when; enhance the relevance of mathematics to students' lives; and ultimately result in more Washington students having the opportunity to be successful in mathematics. Additionally, the revised mathematics standards should restructure the standards to make clear the importance of all aspects of mathematics: Mathematics content including the standard algorithms, conceptual understanding of the content, and the application of mathematical processes within the content." [2008 c 172 § 1.]

Effective date—2008 c 172: "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 [March 26, 2008]." [2008 c 172 § 3.]

Effective date—2007 c 396 §§ 1 and 2: "Sections 1 and 2 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 [May 9, 2007]." [2007 c 396 § 22.]

Captions not law—2007 c 396: "Captions used in this act are not any part of the law." [2007 c 396 § 19.]

Finding—Intent—2007 c 396: See note following RCW 28A.188.020.

RCW 28A.305.902 Transfer of duties—Review and recommendation—2006 c 263. The legislature encourages the members of the new state board of education to review the transfer of duties from the state board to other entities made in chapter 263, Laws of 2006 and if any of the duties that were transferred away from the state board are necessary for the board to accomplish the purpose set out in chapter 263, Laws of 2006 then the state board shall come back to the legislature to request those necessary duties to be returned to the state board of education. The state board of education is encouraged to make such a request by January 15, 2007. [2006 c 263 § 101.]

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

RCW 28A.305.905 Transfer of duties between the state board of education and superintendent of public instruction—Validity of actions, funds apportionment, and collective bargaining. (1) The transfer of powers, duties, and functions of the superintendent of public instruction and the state board of education pursuant to chapter 177, Laws of 2018 do not affect the validity of any superintendent of public instruction or state board of education action performed before June 7, 2018.

(2) If apportionments of budgeted funds are required because of the transfer of powers, duties, and functions directed by chapter 177, Laws of 2018, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the director's certification.

(3) Unless otherwise provided, nothing contained in chapter 177, Laws of 2018 may be construed to alter any existing collective bargaining unit or provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel resources board as provided by law. [2018 c 177 § 702.]

Finding—Intent—2018 c 177: "The legislature finds that specific powers, duties, and functions of the state board of education and the superintendent of public instruction should be realigned to better serve students and families, educators, school districts, and schools both public and private.

The legislature recognizes that the state board of education and the superintendent of public instruction, with the support of the governor's office, convened a roles and responsibilities task force to review their authorities and made recommendations to clarify and realign responsibilities among the agencies.

The legislature, therefore, intends to clarify, and in some cases shift, responsibilities related to private schools, educational service district boundaries, career and technical education equivalencies, adoption of learning standards, waiver of school district requirements, and compliance with basic education requirements." [2018 c 177 § 1.]