Chapter 28A.345 RCW
WASHINGTON STATE SCHOOL DIRECTORS' ASSOCIATION

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28A.345.902 Effective date—1983 c 187.

Motor vehicle transportation services—Washington state school directors' association defined as state agency for purposes of: RCW 43.19.560.

RCW 28A.345.010 Association created. The public necessity for the coordination of programs and procedures pertaining to policy making and to control and management among the school districts of the state is hereby recognized, and in the furtherance of such coordination there is hereby created for said purpose an agency of the state to be known as the Washington state school directors' association, hereinafter designated as the school directors' association. [1969 ex.s. c 223 s 28A.61.010. Prior: 1947 c 169 s 1; Rem. Supp. 1947 s 4709-20. Formerly RCW 28A.61.010, 28.58.320.]

RCW 28A.345.020 Membership. The membership of the school directors' association shall comprise the members of the boards of directors of the school districts of the state. [1969 ex.s. c 223 s 28A.61.020. Prior: 1947 c 169 s 2; Rem. Supp. 1947 s 4709-21. Formerly RCW 28A.61.020, 28.58.330.]

RCW 28A.345.030 Powers of association. The school directors' association shall have the power:

(1) To prepare and adopt, amend, and repeal a constitution, rules and regulations, and bylaws for its own organization including county or regional units, for its government and guidance, for the election of state board of education members, and for educational service district elections: PROVIDED, That action taken with respect thereto is consistent with the provisions of this chapter or with other provisions of law;

(2) To arrange for and call such meetings of the association or of the officers and committees thereof as are deemed essential to the performance of its duties;

(3) To provide for the compensation of members of the board of directors in accordance with RCW 43.03.240, and for payment of travel and subsistence expenses incurred by members and/or officers of the association and association staff while engaged in the performance of duties under direction of the association in the manner provided by RCW 28A.320.050;

(4) To employ an executive director and other staff and pay such employees out of the funds of the association;

(5) To conduct studies and disseminate information therefrom relative to increased efficiency in local school board administration;

(6) To buy, lease, sell, or exchange such personal and real property as necessary for the efficient operation of the association and to borrow money, issue deeds of trust or other evidence of indebtedness, or enter into contracts for the purchase, lease, remodeling, or equipping of office facilities or the acquisition of sites for such facilities;

(7) To purchase liability insurance for school directors, which insurance may indemnify said directors against any or all liabilities for personal or bodily injuries and property damage arising from their acts or omissions while performing or while in good faith purporting to perform their official duties as school directors;

(8) To provide advice and assistance to local boards to promote their primary duty of representing the public interest;

(9) Upon request by a local school district board(s) of directors, to make available on a cost reimbursable contract basis (a) specialized services, (b) research information, and (c) consultants to advise and assist district board(s) in particular problem areas: PROVIDED, That such services, information, and consultants are not already available from other state agencies, educational service districts, or from the information and research services authorized by RCW 28A.320.110. [2022 c 79 s 2; 1991 c 66 s 1; 1990 c 33 s 372; 1989 c 325 s 1; 1983 c 187 s 1; 1979 c 151 s 13; 1974 ex.s. c 101 s 1; 1969 ex.s. c 184 s 4; 1969 ex.s. c 223 s 28A.61.030. Prior: 1947 c 169 s 3; Rem. Supp. 1947 s 4709-22. Formerly RCW 28A.61.030, 28.58.340.]

Effective date—1989 c 325: "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 June 30, 1989." [1989 c 325 s 3.]

RCW 28A.345.040 Coordination of policies—Report. It shall be the duty of the school directors' association (1) to take such action as the association deems advisable to effect a coordination of policy making, control, and management of the school districts of the state; and (2) to prepare and submit to the superintendent of public

instruction annually, and oftener if deemed advisable by the association, reports and recommendations respecting the aforesaid matters and any other matters which in the judgment of the association pertain to an increase in the efficiency of the common school system. [1969 ex.s. c 223 s 28A.61.040. Prior: 1947 c 169 s 4; Rem. Supp. 1947 s 4709-23. Formerly RCW 28A.61.040, 28.58.350.]

RCW 28A.345.050 Association dues—Payment. The school directors' association may establish a graduated schedule of dues for members of the association based upon the number of certificated personnel in each district. Dues shall be established for the directors of each district as a group. The total of all dues assessed shall not exceed twenty-seven cents for each one thousand dollars of the statewide total of all school districts' general fund receipts. The board of directors of a school district shall make provision for payment out of the general fund of the district of the dues of association members resident in the district, which payment shall be made in the manner provided by law for the payment of other claims against the general fund of the district. The dues for each school district shall be due and payable on the first day of January of each year. [1983 c 187 s 2; 1969 c 125 s 2; 1969 ex.s. c 223 s 28A.61.050. Prior: 1967 ex.s. c 8 s 76; 1965 c 103 s 1; 1957 c 281 s 1; 1953 c 226 s 1; 1947 c 169 s 5; Rem. Supp. 1947 s 4709-24. Formerly RCW 28A.61.050, 28.58.360.]

RCW 28A.345.070 Tribal relationships—Achievement gap—Curriculum—Reports to the legislature. (1) Beginning in 2023, the Washington state school directors' association shall convene annual meetings regionally and invite the tribal councils from the federally recognized tribes in the region for the purpose of establishing government-to-government relationships and dialogue between tribal councils of the federally recognized tribes and school district boards of directors. Meetings are encouraged to be in person, but may be conducted virtually if cost or other factors impact participants' ability to travel or meet in person. Participants in these meetings should discuss issues of mutual concern, and should work to:

(a) Identify the extent and nature of the achievement gap and strategies necessary to close it;

(b) Emphasize the importance of creating an inclusive educational environment where all native students will receive educational resources and support required to have the opportunity to succeed in the pursuit of their educational goals; and

(c) Ensure school boards understand the importance of identifying and adopting curriculum that includes federally recognized tribes' experiences and perspectives, so that native students are more engaged and learn more successfully, and so that all students learn about the history, culture, government, and experiences of their Indian peers and neighbors.

(2) Meetings held regionally must also include discussions of:

(a) Tribal consultation training and training requirements created under RCW 28A.300.108;

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

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

(d) Consultations between individual school boards and local federally recognized tribes.

(3) By December 1, 2024, and every two years thereafter through 2028, the school directors' association shall report to the education committees of the legislature regarding the progress made in the development of effective government-to-government relations, the narrowing of the achievement gap, and the identification and adoption of curriculum regarding tribal history, culture, and government. The report shall include information about any obstacles encountered, and any strategies under development to overcome them.

(4) The school directors' association shall, at a minimum, partner with the office of Native education within the office of the superintendent of public instruction to gather data for the purposes of the report required in subsection (3) of this section. [2022 c 9 s 2; 2005 c 205 s 2.]

Intent—Findings—2005 c 205: See note following RCW 28A.320.170.

RCW 28A.345.075 School districts and tribes—Education data-sharing agreements. (1) The Washington state school directors' association, in consultation and collaboration with tribes, shall develop a model policy and procedure to establish data-sharing agreements between school districts and local tribes by January 1, 2021.

(2) In developing the model policy and procedure, the Washington state school directors' association must:

(a) Consult with the office of the superintendent of public instruction, the office of native education, the tribal leaders congress on education, and local tribes;

(b) Consider model agreements developed by the bureau of Indian education and model data-sharing agreements and procedures developed by national native educational organizations; and

(c) Consider standards for the identification of native students for data-sharing purposes.

(3) The model policy and procedure developed under this section must safeguard students' personally identifiable information consistent with the requirements of the federal family educational rights and privacy act (20 U.S.C. Sec. 1232g). [2020 c 206 s 1.]

RCW 28A.345.080 Model policy and procedure for granting waivers of credit for high school graduation. The Washington state school directors' association shall adopt a model policy and procedure that school districts may use for granting waivers to individual students of up to two credits required for high school graduation based on unusual circumstances. The purpose of the model policy and procedure is to assist school districts in providing all students the opportunity to complete graduation requirements without discrimination and without disparate impact on groups of students. The model policy must take into consideration the unique limitations of a student that may be associated with such circumstances as homelessness, limited English proficiency, medical conditions that impair a student's opportunity to learn, or disabilities, regardless of whether the

student has an individualized education program or a plan under section 504 of the federal rehabilitation act of 1973. The model policy must also address waivers if the student has not been provided with an opportunity to retake classes or enroll in remedial classes free of charge during the first four years of high school. The Washington state school directors' association must distribute the model policy and procedure to all school districts in the state that grant high school diplomas by June 30, 2015. [2014 c 217 s 203.]

Finding—Intent—2014 c 217: See note following RCW 28A.150.220.

RCW 28A.345.085 Model policy and procedure for nurturing a positive social and emotional school and classroom climate—Adoption by school districts. (1) The Washington state school directors' association shall develop a model policy and procedure for nurturing a positive social and emotional school and classroom climate. The goal of the policy and procedure is to support and promote school and school district action plans that create, maintain, and nurture physically, emotionally, and intellectually safe, respectful, and positive school and classroom environments that foster equitable, ethical, social, emotional, and academic education for all students. The association shall update the model policy and procedure periodically to align with the work of the social-emotional learning committee created under RCW 28A.300.477.

(2) The model policy and procedure must include the following elements:

(a) Recognize that there is not one best way to create, maintain, and nurture a positive social and emotional school and classroom climate and consider each school's history, strengths, needs, and goals;

(b) Define and describe the essential elements of a positive social and emotional school and classroom climate, which must align with the social-emotional learning standards and benchmarks adopted by the office of the superintendent of public instruction under RCW 28A.300.478;

(c) Recognize the important role that students' families play in collaborating with the school and school district in creating, maintaining, and nurturing a positive social and emotional school and classroom climate; and

(d) Describe a framework for an effective and informed positive social and emotional school and classroom climate improvement process that includes a continuous cycle of planning and preparation, evaluation, action planning, and implementation.

(3)(a) The model policy and procedure must also protect the integrity of learning environments with the following elements:

(i) School districts must provide information to the parents and guardians of enrolled students regarding students' rights to a free public education, regardless of immigration status or religious beliefs.

(ii) School districts must provide meaningful access to this information for families with limited English proficiency.

(b) The elements described in this subsection (3) may be included in a separate model policy and procedure.

(4) In developing the model policy and procedure described in this section, the Washington state school directors' association must:

(a) Consult with staff at the office of the superintendent of public instruction and organizations with expertise in social and emotional health and in equity, race, and inclusive learning environments;

(b) Work with the social-emotional learning committee created under RCW 28A.300.477 to align the climate improvement framework with the statewide framework for social-emotional learning;

(c) Consider the relationship between the model policy and procedure and policies related to student behaviors and student discipline; and

(d) Review research on, and examples of effective implementation of, restorative practices, collaborative and proactive practices, trauma-sensitive and trauma-informed practices, classroom management, and other topics related to the goal of the policy as identified in subsection (1) of this section.

(5) The model policy and procedure developed under this section must be posted publicly on the Washington state school directors' association's website by March 1, 2021. Updates to the model policy and procedure must be posted publicly within a reasonable time of development.

(6)(a) By the beginning of the 2021-22 school year, each school district must adopt or amend if necessary policies and procedures that, at a minimum, incorporate all the elements described in subsection (3) of this section. School districts must periodically review their policies and procedures for consistency with updated versions of the model policy.

(b) By the beginning of the 2021-22 school year, each school district may adopt or amend if necessary policies and procedures that incorporate the elements described in subsection (2) of this section. School districts may periodically review their policies and procedures for consistency with updated versions of the model policy. [2020 c 235 s 2.]

Finding—Intent—2020 c 235: "The legislature finds that each school community member should be treated with dignity, should have the opportunity to learn, work, interact, and socialize in physically, emotionally, and intellectually safe, respectful, and positive school environments, and should have the opportunity to experience high quality relationships. The legislature recognizes that schools have the responsibility to promote conditions designed to create, maintain, and nurture a positive social and emotional school and classroom climate. Therefore, the legislature intends to require the Washington state school directors' association to develop a model policy and procedure for nurturing a positive social and emotional school and classroom climate for all students. The legislature intends to require school districts to adopt elements of the model policy and procedure that protect the integrity of learning environments and allow school districts to adopt other elements of the model." [2020 c 235 s 1.]

RCW 28A.345.090 Model school district discipline policies—Adoption and enforcement by school districts. (1) The Washington state school directors' association shall create model school district discipline policies and procedures and post these models publicly by December 1, 2016. In developing these model policies and procedures, the association shall request technical assistance and guidance from

the equity and civil rights office within the office of the superintendent of public instruction and the Washington state human rights commission. The model policies and procedures shall be updated as necessary.

(2) School districts shall adopt and enforce discipline policies and procedures consistent with the model policy by the beginning of the 2017-18 school year. [2016 c 72 s 103.]

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

RCW 28A.345.110 Model policy and procedure for students with epilepsy or other seizure disorders. By December 15, 2021, the Washington state school directors' association, in consultation with the office of the superintendent of public instruction, shall adopt a model policy and procedure that school districts may use to implement the requirements of RCW 28A.210.355. The model policy and procedure must be periodically reviewed by the Washington state school directors' association and may be revised as necessary. [2021 c 29 s 4.]

Reviser's note: This section was directed to be codified in chapter 28A.235 RCW, but placement in chapter 28A.345 RCW appears to be more appropriate.

RCW 28A.345.115 School director governance—Cultural competency, diversity, equity, and inclusion—Report. (1) The Washington state school directors' association shall:

(a) Develop cultural competency, diversity, equity, and inclusion standards for school director governance;

(b) Collaborate with the Washington professional educator standards board to compare and align the standards for school director governance developed under (a) of this subsection with the standards of practice developed under RCW 28A.410.260. The review must include the educational opportunity gap oversight and accountability committee and may include the office of equity established under RCW 43.06D.020; and

(c) Maintain the final cultural competency, diversity, equity, and inclusion standards for school director governance on its website at no cost to school districts.

(2) By November 1, 2030, and every 10 years thereafter, the Washington state school directors' association shall review the definitions in RCW 28A.415.443 and the cultural competency, diversity, equity, and inclusion standards for school director governance developed under subsection (1) of this section and report, in compliance with RCW 43.01.036, to the appropriate committees of the legislature with any recommendations for revising the definitions in RCW 28A.415.443.

(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443. [2021 c 197 s 3.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

RCW 28A.345.120 School director governance—Cultural competency, diversity, equity, and inclusion—Training programs. (1) The Washington state school directors' association shall identify or develop and periodically update governance training programs that align with the cultural competency, diversity, equity, and inclusion standards for school director governance developed under RCW 28A.345.115. The governance training programs must also include building government-to-government relationships with federally recognized tribes, multicultural education, and principles of English language acquisition. Governance training programs may be developed in collaboration with other entities.

(2) Beginning with the 2022 calendar year, the Washington state school directors' association shall provide a governance training program identified or developed under subsection (1) of this section at the frequency necessary for school directors to meet the requirement in RCW 28A.343.100.

(3) For purposes of this section, "cultural competency," "diversity," "equity," and "inclusion" have the same meaning as in RCW 28A.415.443. [2021 c 197 s 5.]

Finding—Intent—2021 c 197: See note following RCW 28A.415.443.

RCW 28A.345.130 Model policy and procedure for instructional materials—Diverse and inclusive curricula. (1) By June 1, 2025, the Washington state school directors' association, with the assistance of the office of the superintendent of public instruction, must review and update a model policy and procedure regarding course design, selection, and adoption of instructional materials.

(2) The model policy and procedure must require that school district boards of directors, within available materials, adopt inclusive curricula and select diverse, equitable, inclusive, age-appropriate instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups including, but not limited to, people from various racial, ethnic, and religious backgrounds, people with differing learning needs, people with disabilities, LGBTQ people as the term is defined in RCW 43.114.010, and people with various socioeconomic and immigration backgrounds.

(3) The model policy and procedure must require that, in adopting curricula and selecting instructional materials in accordance with this section, school district boards of directors must seek curricula and instructional materials that are as culturally and experientially diverse as possible, recognizing that the availability of materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups may vary.

(4) By October 1, 2025, school district boards of directors must amend the policy and procedures required under RCW 28A.320.230 to conform with the model policy and procedure required by this section. Additionally, by October 1, 2025, charter school boards and schools subject to state-tribal education compacts must adopt or amend their policies and procedures governing curricula adoption and the selection of instructional materials to conform with the model policy and procedure required by this section. For the purpose of documenting compliance with this section and assisting school districts in accordance with RCW 28A.300.1251, school district boards of directors,

within 10 days of completing the policy and procedure updates required by this subsection (4), shall provide notice of the completed actions and electronic copies of the applicable policies and procedures to the office of the superintendent of public instruction.

(5) 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 subject to chapter 28A.715 RCW to the same extent as it applies to school districts. [2024 c 157 s 2.]

Intent—2024 c 157: "(1) The legislature recognizes that Washington state law prohibits discrimination in public schools for certain protected classes. The legislature also acknowledges that school districts are required to adopt a policy related to the selection or removal of instructional materials. Under state rule, the instructional materials policy of each school district must establish and use appropriate screening criteria to identify and eliminate bias pertaining to protected classes.

(2) The legislature intends to expand these requirements by requiring school districts to adopt policies and procedures that incorporate adopting inclusive curricula and selecting inclusive instructional materials that include the histories, contributions, and perspectives of historically marginalized and underrepresented groups. The legislature recognizes that inclusive curricula have been shown to often improve the mental health, academic performance, attendance rates, and graduation rates of historically marginalized and underrepresented communities. Research on students' sense of belonging and community in the school setting confirms that inclusive curricula and learning environments contribute to increased school motivation, participation, and achievement.

(3) The legislature intends to promote culturally and experientially representative learning opportunities for all students by directing the office of the superintendent of public instruction, when revising or developing state learning standards, to screen for inappropriate bias in the proposed state learning standards and to ensure that the histories, contributions, and perspectives of historically marginalized and underrepresented peoples and communities are included in the standards.

(4) The legislature believes that promoting inclusive learning standards, curricula, and instructional materials will improve student achievement, attendance, parent and family engagement, and other dimensions that contribute to student success." [2024 c 157 s 1.]

RCW 28A.345.902 Effective date—1983 c 187. This act is necessary for the immediate preservation of the public peace, health, and safety, the support of the state government and its existing public institutions, and shall take effect June 30, 1983. [1983 c 187 s 8. Formerly RCW 28A.61.910.]