
SENATE BILL 6003

State of Washington

68th Legislature

2024 Regular Session

By Senator Hunt

Prefiled 01/05/24.

1 AN ACT Relating to the superintendent of public instruction
2 chairing and administering the state board of education; amending RCW
3 28A.305.011, 28A.300.040, 28A.305.130, and 28A.300.020; creating new
4 sections; and providing an effective date.

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

6 **Sec. 1.** RCW 28A.305.011 and 2022 c 44 s 1 are each amended to
7 read as follows:

8 (1) The membership of the state board of education shall be
9 composed of (~~sixteen~~) 16 members who are residents of the state of
10 Washington:

11 (a) Seven shall be members representing the educational system,
12 as follows:

13 (i) Five members elected by school district directors. Three of
14 the members elected by school district directors shall be residents
15 of western Washington and two members shall be residents of eastern
16 Washington;

17 (ii) One member elected at large by the members of the boards of
18 directors of all private schools in the state meeting the
19 requirements of RCW 28A.195.010; and

20 (iii) The superintendent of public instruction;

21 (b) Seven members appointed by the governor; and

1 (c) Two students selected in a manner determined by the state
2 board of education.

3 (2) Initial appointments shall be for terms from one to four
4 years in length, with the terms expiring on the second Monday of
5 January of the applicable year. As the terms of the first appointees
6 expire or vacancies on the board occur, the governor shall appoint or
7 reappoint members of the board to complete the initial terms or to
8 four-year terms, as appropriate.

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

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

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

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

20 (3) The governor may remove an appointed member of the board for
21 neglect of duty, misconduct, malfeasance, or misfeasance in office,
22 or for incompetent or unprofessional conduct as defined in chapter
23 18.130 RCW. In such a case, the governor shall file with the
24 secretary of state a statement of the causes for and the order of
25 removal from office, and the secretary of state shall send a
26 certified copy of the statement of causes and order of removal to the
27 last known post office address of the member.

28 (4) (a) The superintendent of public instruction shall be the
29 ~~chair of the board ((shall be elected by a majority vote of the~~
30 ~~members of the board. The chair of the board shall serve a term of~~
31 ~~two years, and may be reelected to an additional term. A member of~~
32 ~~the board may not serve as chair for more than two consecutive~~
33 ~~terms)).~~

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

37 (c) All members are voting members.

38 (d) A student member selected under subsection (1)(c) of this
39 section shall excuse themselves from voting on matters directly
40 relating to graduation requirement changes that apply to the

1 student's school and graduating class. In the event of a student
2 member excusing themselves under this subsection, eight voting
3 members of the board constitute a quorum for the transaction of
4 business.

5 (5) Members of the board appointed by the governor who are not
6 public employees shall be compensated in accordance with RCW
7 43.03.250 and shall be reimbursed for travel expenses incurred in
8 carrying out the duties of the board in accordance with RCW 43.03.050
9 and 43.03.060.

10 (6) The office of the superintendent of public instruction shall
11 administer the board.

12 **Sec. 2.** RCW 28A.300.040 and 2023 c 303 s 3 are each amended to
13 read as follows:

14 In addition to any other powers and duties as provided by law,
15 the powers and duties of the superintendent of public instruction
16 shall be:

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

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

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

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

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

1 the state superintendent or the state board of education shall
2 determine;

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

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

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

20 (9) To issue certificates as provided by law;

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

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

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

38 (13) To deliver to his or her successor, at the expiration of the
39 superintendent's term of office, all records, books, maps, documents
40 and papers of whatever kind belonging to the superintendent's office

1 or which may have been received by the superintendent's for the use
2 of the superintendent's office;

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

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

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

16 (17) To administer the state board of education as provided in
17 RCW 28A.305.011; and

18 (18) To perform such other duties as may be required by law.

19 **Sec. 3.** RCW 28A.305.130 and 2021 c 111 s 10 are each amended to
20 read as follows:

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

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

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

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

39 (4) For purposes of statewide accountability:

1 (a) Adopt and revise performance improvement goals in reading,
2 writing, science, and mathematics, by subject and grade level, once
3 assessments in these subjects are required statewide; academic and
4 technical skills, as appropriate, in secondary career and technical
5 education programs; and student attendance, as the board deems
6 appropriate to improve student learning. The goals shall be
7 consistent with student privacy protection provisions of RCW
8 28A.655.090(7) and shall not conflict with requirements contained in
9 Title I of the federal elementary and secondary education act of
10 1965, or the requirements of the Carl D. Perkins vocational education
11 act of 1998, each as amended. The goals may be established for all
12 students, economically disadvantaged students, limited English
13 proficient students, students with disabilities, and students who are
14 not meeting academic standards as defined in RCW 28A.165.015,
15 disaggregated as described in RCW 28A.300.042(1) for student-level
16 data. The board may establish school and school district goals
17 addressing high school graduation rates and dropout reduction goals
18 for students in grades seven through twelve. The board shall adopt
19 the goals by rule. However, before each goal is implemented, the
20 board shall present the goal to the education committees of the house
21 of representatives and the senate for the committees' review and
22 comment in a time frame that will permit the legislature to take
23 statutory action on the goal if such action is deemed warranted by
24 the legislature;

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

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

1 the beginning of the school year in which the modified or established
2 scores will take effect;

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

15 (iii) The legislature shall be advised of the initial performance
16 standards and any changes made to the elementary, middle, and high
17 school level performance standards. The board must provide an
18 explanation of and rationale for all initial performance standards
19 and any changes, for all grade levels of the statewide student
20 assessment. If the board changes the performance standards for any
21 grade level or subject, the superintendent of public instruction must
22 recalculate the results from the previous ten years of administering
23 that assessment regarding students below, meeting, and beyond the
24 state standard, to the extent that this data is available, and post a
25 comparison of the original and recalculated results on the
26 superintendent's website;

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

32 (d) Include in the biennial report required under RCW
33 28A.305.035, information on the progress that has been made in
34 achieving goals adopted by the board;

35 (5) Accredited, subject to such accreditation standards and
36 procedures as may be established by the state board of education, all
37 private schools that apply for accreditation, and approve, subject to
38 the provisions of RCW 28A.195.010, private schools carrying out a
39 program for any or all of the grades kindergarten through twelve.
40 However, no private school may be approved that operates a

1 kindergarten program only and no private school shall be placed upon
2 the list of accredited schools so long as secret societies are
3 knowingly allowed to exist among its students by school officials;

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

8 ~~((Hire an executive director and an administrative assistant
9 to reside in the office of the superintendent of public instruction
10 for administrative purposes. Any other personnel of the board shall
11 be appointed as provided by))~~ Have an executive director,
12 administrative assistant, and any other personnel of the board whom
13 are appointed as provided under RCW 28A.300.020. The board may
14 delegate to the executive director by resolution such duties as
15 deemed necessary to efficiently carry on the business of the board
16 including, but not limited to, ~~((the authority to employ necessary
17 personnel and))~~ the authority to enter into, amend, and terminate
18 contracts on behalf of the board. The executive director,
19 administrative assistant, and all but one of the other personnel of
20 the board are exempt from civil service, together with other staff as
21 now or hereafter designated as exempt in accordance with chapter
22 41.06 RCW; and

23 (8) Adopt a seal that shall be kept in the office of the
24 superintendent of public instruction.

25 **Sec. 4.** RCW 28A.300.020 and 2005 c 497 s 403 are each amended to
26 read as follows:

27 The superintendent of public instruction may appoint assistant
28 superintendents of public instruction, a deputy superintendent of
29 public instruction, an executive director and administrative
30 assistant for the state board of education, and may employ such other
31 assistants and clerical help as are necessary to carry out the duties
32 of the superintendent and the state board of education. ~~((However,
33 the superintendent shall employ without undue delay the executive
34 director of the state board of education and other state board of
35 education office assistants and clerical help, appointed by the state
36 board under RCW 28A.305.130, whose positions are allotted and funded
37 in accordance with moneys appropriated exclusively for the operation
38 of the state board of education. The rate of compensation and
39 termination of any such executive director, state board office~~

1 ~~assistants, and clerical help shall be subject to the prior consent~~
2 ~~of the state board of education.))~~ The assistant superintendents,
3 deputy superintendent, executive director and administrative
4 assistant for the state board of education, and such other officers
5 and employees as are exempted from the provisions of chapter 41.06
6 RCW, shall serve at the pleasure of the superintendent (~~or at the~~
7 ~~pleasure of the superintendent and the state board of education as~~
8 ~~provided in this section. Expenditures by the superintendent of~~
9 ~~public instruction for direct and indirect support of the state board~~
10 ~~of education are valid operational expenditures by and in behalf of~~
11 ~~the office of the superintendent of public instruction)).~~

12 NEW SECTION. **Sec. 5.** (1) All powers, duties, and functions of
13 the state board of education are transferred to the office of the
14 superintendent of public instruction, and the state board of
15 education shall continue to fulfill its purpose as an advisory and
16 rule-making board within the office of the superintendent of public
17 instruction as provided in RCW 28A.305.130. All references to the
18 state board of education in the Revised Code of Washington mean the
19 state board of education under the administration of the office of
20 the superintendent of public instruction when referring to the
21 functions transferred in this section.

22 (2)(a) All reports, documents, surveys, books, records, files,
23 papers, or written material in the possession of the state board of
24 education pertaining to the powers, duties, and functions transferred
25 must be delivered to the custody of the office of the superintendent
26 of public instruction. All cabinets, furniture, office equipment,
27 motor vehicles, and other tangible property employed by the state
28 board of education in carrying out the powers, duties, and functions
29 transferred must be made available to the office of the
30 superintendent of public instruction. All funds, credits, or other
31 assets held in connection with the powers, duties, and functions
32 transferred are assigned to the office of the superintendent of
33 public instruction.

34 (b) Any appropriations made to the state board of education for
35 carrying out the powers, duties, and functions transferred are, on
36 the effective date of this section, transferred and credited to the
37 office of the superintendent of public instruction.

38 (c) Whenever any question arises as to the transfer of any
39 personnel, funds, books, documents, records, papers, files,

1 equipment, or other tangible property used or held in the exercise of
2 the powers and the performance of the duties and functions
3 transferred, the director of financial management shall make a
4 determination as to the proper allocation and certify the same to the
5 state agencies concerned.

6 (3) All employees of the state board of education engaged in
7 performing the powers, duties, and functions transferred are
8 transferred to the jurisdiction of the office of the superintendent
9 of public instruction. All employees classified under chapter 41.06
10 RCW, the state civil service law, are assigned to the office of the
11 superintendent of public instruction to perform their usual duties
12 upon the same terms as formerly, without any loss of rights, subject
13 to any action that may be appropriate thereafter in accordance with
14 the laws and rules governing state civil service.

15 (4) All rules and all pending business before the state board of
16 education pertaining to the powers, duties, and functions transferred
17 shall be continued and acted upon by the office of the superintendent
18 of public instruction. All existing contracts and obligations remain
19 in full force and shall be performed by the office of the
20 superintendent of public instruction.

21 (5) The transfer of the powers, duties, functions, and personnel
22 of the state board of education does not affect the validity of any
23 act performed before the effective date of this section.

24 (6) If apportionments of budgeted funds are required because of
25 the transfers directed by this section, the director of financial
26 management shall certify the apportionments to the agencies affected,
27 the state auditor, and the state treasurer. Each of these shall make
28 the appropriate transfer and adjustments in funds and appropriation
29 accounts and equipment records in accordance with the certification.

30 (7) All classified employees of the state board of education
31 assigned to the office of the superintendent of public instruction
32 under this section whose positions are within an existing bargaining
33 unit description at the office of the superintendent of public
34 instruction must become a part of the existing bargaining unit at the
35 office of the superintendent of public instruction and are considered
36 an appropriate inclusion or modification of the existing bargaining
37 unit under the provisions of chapter 41.80 RCW.

38 NEW SECTION. **Sec. 6.** The office of the code reviser shall note,
39 wherever any agency or agency's duties transferred, consolidated, or

1 eliminated under this act are used or referred to in statute, that
2 the agency has changed. The office of the code reviser shall prepare
3 legislation for the 2025 regular session that: (1) Changes all
4 statutory references of any agency transferred, consolidated, or
5 eliminated under this act; and (2) changes statutory references to
6 sections affected by this act but not amended in this act.

7 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act take
8 effect July 1, 2025.

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