

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1604

Chapter 266, Laws of 2019

66th Legislature
2019 Regular Session

CENTER FOR CHILDHOOD DEAFNESS AND HEARING LOSS--RENAMING AS CENTER
FOR DEAF AND HARD OF HEARING YOUTH

EFFECTIVE DATE: July 28, 2019

Passed by the House March 4, 2019
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 13, 2019
Yeas 44 Nays 0

CYRUS HABIB

President of the Senate

Approved May 7, 2019 10:43 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1604** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 13, 2019

**Secretary of State
State of Washington**

HOUSE BILL 1604

Passed Legislature - 2019 Regular Session

State of Washington

66th Legislature

2019 Regular Session

By Representatives Stonier, Harris, Appleton, and Jenkins; by request of Washington State Center for Childhood Deafness and Hearing Loss

Read first time 01/25/19. Referred to Committee on Education.

1 AN ACT Relating to the Washington center for deaf and hard of
2 hearing youth; amending RCW 72.40.015, 72.40.019, 72.40.0191,
3 72.40.024, 72.40.028, 72.40.070, 72.40.120, 72.40.200, 72.40.210,
4 72.40.220, 72.40.250, 72.40.290, 26.44.210, 28A.155.160, 28A.310.010,
5 28A.310.180, 28A.310.200, 28A.335.205, 28A.400.300, 28A.400.305,
6 28A.600.020, 28A.600.420, 39.26.300, 41.40.088, 70.198.020,
7 72.42.010, 72.42.015, 72.42.016, and 72.42.060; and reenacting and
8 amending RCW 28A.400.303 and 43.79A.040.

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

10 **Sec. 1.** RCW 72.40.015 and 2009 c 381 s 2 are each amended to
11 read as follows:

12 (1) The Washington ((state)) center for ((~~childhood deafness and~~
13 ~~hearing loss~~)) deaf and hard of hearing youth is established to
14 provide statewide leadership for the coordination and delivery of
15 educational services to children who are deaf or hard of hearing. The
16 activities of the center shall be under the authority of the director
17 and the board of trustees. The superintendent and board of trustees
18 of the state school for the deaf ((~~as of July 26, 2009,~~)) shall be
19 the director and board of trustees of the center.

20 (2) The center's primary functions are:

1 (a) Managing and directing the supervision of the state school
2 for the deaf;

3 (b) Providing statewide leadership and support for the
4 coordination of regionally delivered educational services in the full
5 range of communication modalities, for children who are deaf or hard
6 of hearing; and

7 (c) Collaborating with appropriate public and private partners
8 for the training and professional development of educators serving
9 children who are deaf or hard of hearing.

10 **Sec. 2.** RCW 72.40.019 and 2009 c 381 s 4 are each amended to
11 read as follows:

12 The governor shall appoint a director for the Washington
13 ((state)) center for ((~~childhood deafness and hearing loss~~)) deaf and
14 hard of hearing youth. The director shall have a master's or higher
15 degree from an accredited college or university in school
16 administration or deaf education, five or more years of experience
17 teaching or providing habilitative services to deaf or hard of
18 hearing students, and three or more years administrative or
19 supervisory experience in programs for deaf or hard of hearing
20 students.

21 **Sec. 3.** RCW 72.40.0191 and 2009 c 381 s 5 are each amended to
22 read as follows:

23 In addition to any other powers and duties prescribed by law, the
24 director of the Washington ((state)) center for ((~~childhood deafness~~
25 ~~and hearing loss~~)) deaf and hard of hearing youth:

26 (1) Shall be responsible for the supervision and management of
27 the center, including the state school for the deaf, and the property
28 of various kinds. The director may designate an individual to oversee
29 the day-to-day operation and supervision of students at the school;

30 (2) Shall employ members of the faculty, administrative officers,
31 and other employees, who shall all be subject to chapter 41.06 RCW,
32 the state civil service law, unless specifically exempted by other
33 provisions of law;

34 (3) Shall provide technical assistance and support as appropriate
35 to local and regional efforts to build critical mass and
36 communication-rich networking opportunities for children who are deaf
37 or hard of hearing and their families;

1 (4) Shall establish the course of study including vocational
2 training, with the assistance of the faculty and the approval of the
3 board of trustees;

4 (5) Shall, as approved by the board of trustees, control and
5 authorize the use of the facilities for night school, summer school,
6 public meetings, applied research and training for the instruction of
7 students who are deaf or hard of hearing, outreach and support to
8 families of children who are deaf or hard of hearing, or other
9 purposes consistent with the purposes of the center;

10 (6) Shall purchase all supplies and lease or purchase equipment
11 and other personal property needed for the operation or maintenance
12 of the center;

13 (7) Shall prepare, submit to the board of trustees for approval,
14 and administer the budget consistent with RCW 43.88.160 and the
15 budget and accounting act, chapter 43.88 RCW generally, as
16 applicable;

17 (8) Shall provide technical assistance and support to educational
18 service districts for the regional delivery of a full range of
19 educational services to students who are deaf or hard of hearing,
20 including but not limited to services relying on American Sign
21 Language, auditory oral education, total communication, and signed
22 exact English;

23 (9) As requested by educational service districts, shall recruit,
24 employ, and deploy itinerant teachers to provide in-district services
25 to children who are deaf or hard of hearing;

26 (10) May establish criteria, in addition to state certification,
27 for the teachers at the school and employees of the center;

28 (11) May establish, with the approval of the board of trustees,
29 new facilities as needs demand;

30 (12) May adopt rules, under chapter 34.05 RCW, as approved by the
31 board of trustees and as deemed necessary for the governance,
32 management, and operation of the center;

33 (13) May adopt rules, as approved by the board of trustees, for
34 pedestrian and vehicular traffic on property owned, operated, and
35 maintained by the center;

36 (14) Except as otherwise provided by law, may enter into
37 contracts as the director deems essential to the purpose of the
38 center;

39 (15) May receive gifts, grants, conveyances, devises, and
40 bequests of real or personal property from whatever source, as may be

1 made from time to time, in trust or otherwise, whenever the terms and
2 conditions will aid in carrying out the programs of the center; sell,
3 lease, or exchange, invest, or expend the same or the proceeds,
4 rents, profits, and income thereof except as limited by the terms and
5 conditions thereof; and adopt rules to govern the receipt and
6 expenditure of the proceeds, rents, profits, and income thereof;

7 (16) May adopt rules, as approved by the board of trustees,
8 providing for the transferability of employees between the center and
9 the school for the blind consistent with collective bargaining
10 agreements in effect; and

11 (17) May adopt rules under chapter 34.05 RCW, as approved by the
12 board of trustees, and perform all other acts not forbidden by law as
13 the director deems necessary or appropriate to the administration of
14 the center.

15 **Sec. 4.** RCW 72.40.024 and 2009 c 381 s 6 are each amended to
16 read as follows:

17 In addition to the powers and duties under RCW 72.40.022 and
18 72.40.0191, the superintendent of the school for the blind and the
19 director of the Washington ((state)) center for ((~~childhood deafness~~
20 ~~and hearing loss~~)) deaf and hard of hearing youth, or the director's
21 designee, shall:

22 (1) Monitor the location and educational placement of each
23 student reported to the superintendent and the director, or the
24 director's designee, by the educational service district
25 superintendents;

26 (2) Provide information about educational programs, instructional
27 techniques, materials, equipment, and resources available to students
28 with visual or auditory impairments to the parent or guardian,
29 educational service district superintendent, and the superintendent
30 of the school district where the student resides; and

31 (3) Serve as a consultant to the office of the superintendent of
32 public instruction, provide instructional leadership, and assist
33 school districts in improving their instructional programs for
34 students with visual or hearing impairments.

35 **Sec. 5.** RCW 72.40.028 and 2018 c 266 s 405 are each amended to
36 read as follows:

37 All teachers employed by the Washington ((state)) center for
38 ((~~childhood deafness and hearing loss~~)) deaf and hard of hearing

1 youth and the state school for the blind shall meet all certification
2 requirements and the programs shall meet all accreditation
3 requirements and conform to the standards defined by law or by rule
4 of the Washington professional educator standards board or the office
5 of the state superintendent of public instruction. The superintendent
6 and the director, by rule, may adopt additional educational standards
7 for their respective facilities. Salaries of all certificated
8 employees shall be based on the statewide average salary set forth in
9 RCW 28A.150.410, adjusted by the regionalization factor that applies
10 to the school district in which the program or facility is located.
11 The superintendent and the director may provide for provisional
12 certification for teachers in their respective facilities including
13 certification for emergency, temporary, substitute, or provisional
14 duty.

15 **Sec. 6.** RCW 72.40.070 and 2009 c 381 s 18 are each amended to
16 read as follows:

17 It shall be the duty of each educational service district to make
18 a full and specific report of visually impaired or deaf or hard of
19 hearing youth to the superintendent of the school for the blind or
20 the director of the Washington ((state)) center for ((~~childhood~~
21 ~~deafness and hearing loss~~)) deaf and hard of hearing youth, or the
22 director's designee, as the case may be and the superintendent of
23 public instruction, annually. The superintendent of public
24 instruction shall report about the deaf or hard of hearing or
25 visually impaired youth to the school for the blind and the
26 Washington ((state)) center for ((~~childhood deafness and hearing~~
27 ~~loss~~)) deaf and hard of hearing youth, as the case may be, annually.

28 **Sec. 7.** RCW 72.40.120 and 2009 c 381 s 8 are each amended to
29 read as follows:

30 Any appropriation for the Washington ((state)) center for
31 ((~~childhood deafness and hearing loss~~)) deaf and hard of hearing
32 youth or the school for the blind shall be made directly to the
33 center or the school for the blind.

34 **Sec. 8.** RCW 72.40.200 and 2009 c 381 s 9 are each amended to
35 read as follows:

36 The Washington ((state)) center for ((~~childhood deafness and~~
37 ~~hearing loss~~)) deaf and hard of hearing youth and the state school

1 for the blind shall promote the personal safety of students and
2 protect the children who attend from child abuse and neglect as
3 defined in RCW 26.44.020.

4 **Sec. 9.** RCW 72.40.210 and 2009 c 381 s 10 are each amended to
5 read as follows:

6 The director of the Washington (~~((state))~~) center for (~~((childhood~~
7 ~~deafness and hearing loss))~~) deaf and hard of hearing youth and the
8 superintendent of the state school for the blind or their designees
9 shall immediately report to the persons indicated the following
10 events:

11 (1) To the child's parent, custodian, or guardian:

12 (a) The death of the child;

13 (b) Hospitalization of a child in attendance or residence at the
14 facility;

15 (c) Allegations of child abuse or neglect in which the parent's
16 child in attendance or residence at the facility is the alleged
17 victim;

18 (d) Allegations of physical or sexual abuse in which the parent's
19 child in attendance or residence at the facility is the alleged
20 perpetrator;

21 (e) Life-threatening illness;

22 (f) The attendance at the facility of any child who is a
23 registered sex offender under RCW 9A.44.130 as permitted by RCW
24 4.24.550.

25 (2) Notification to the parent shall be made by the means most
26 likely to be received by the parent. If initial notification is made
27 by telephone, such notification shall be followed by notification in
28 writing within forty-eight hours after the initial verbal contact is
29 made.

30 **Sec. 10.** RCW 72.40.220 and 2009 c 381 s 19 are each amended to
31 read as follows:

32 (1) The director of the Washington (~~((state))~~) center for
33 (~~((childhood deafness and hearing loss))~~) deaf and hard of hearing
34 youth, or the director's designee, and the superintendent of the
35 state school for the blind shall maintain in writing and implement
36 behavior management policies and procedures that accomplish the
37 following:

1 (a) Support the child's appropriate social behavior, self-
2 control, and the rights of others;

3 (b) Foster dignity and self-respect for the child;

4 (c) Reflect the ages and developmental levels of children in
5 care.

6 (2) The state school for the deaf and the state school for the
7 blind shall use proactive, positive behavior support techniques to
8 manage potential child behavior problems. These techniques shall
9 include but not be limited to:

10 (a) Organization of the physical environment and staffing
11 patterns to reduce factors leading to behavior incidents;

12 (b) Intervention before behavior becomes disruptive, in the least
13 invasive and least restrictive manner available;

14 (c) Emphasis on verbal de-escalation to calm the upset child;

15 (d) Redirection strategies to present the child with alternative
16 resolution choices.

17 **Sec. 11.** RCW 72.40.250 and 2009 c 381 s 20 are each amended to
18 read as follows:

19 In addition to the powers and duties under RCW 72.40.022 and
20 72.40.024, the director of the Washington ((state)) center for
21 ((childhood deafness and hearing loss)) deaf and hard of hearing
22 youth, or the director's designee, and the superintendent of the
23 state school for the blind shall:

24 (1) Develop written procedures for the supervision of employees
25 and volunteers who have the potential for contact with students. Such
26 procedures shall be designed to prevent child abuse and neglect by
27 providing for adequate supervision of such employees and volunteers,
28 taking into consideration such factors as the student population
29 served, architectural factors, and the size of the facility. Such
30 procedures shall include, but need not be limited to, the following:

31 (a) Staffing patterns and the rationale for such;

32 (b) Responsibilities of supervisors;

33 (c) The method by which staff and volunteers are made aware of
34 the identity of all supervisors, including designated on-site
35 supervisors;

36 (d) Provision of written supervisory guidelines to employees and
37 volunteers;

38 (e) Periodic supervisory conferences for employees and
39 volunteers; and

1 (f) Written performance evaluations of staff to be conducted by
2 supervisors in a manner consistent with applicable provisions of the
3 civil service law.

4 (2) Develop written procedures for the protection of students
5 when there is reason to believe an incident has occurred which would
6 render a minor student an abused or neglected child within the
7 meaning of RCW 26.44.020. Such procedures shall include, but need not
8 be limited to, the following:

9 (a) Investigation. Immediately upon notification that a report of
10 child abuse or neglect has been made to the department of social and
11 health services or a law enforcement agency, the superintendent or
12 the director, or the director's designee, shall:

13 (i) Preserve any potential evidence through such actions as
14 securing the area where suspected abuse or neglect occurred;

15 (ii) Obtain proper and prompt medical evaluation and treatment,
16 as needed, with documentation of any evidence of abuse or neglect;
17 and

18 (iii) Provide necessary assistance to the department of social
19 and health services and local law enforcement in their
20 investigations;

21 (b) Safety. Upon notification that a report of suspected child
22 abuse or neglect has been made to the department of social and health
23 services or a law enforcement agency, the superintendent or the
24 director or his or her designee, with consideration for causing as
25 little disruption as possible to the daily routines of the students,
26 shall evaluate the situation and immediately take appropriate action
27 to assure the health and safety of the students involved in the
28 report and of any other students similarly situated, and take such
29 additional action as is necessary to prevent future acts of abuse or
30 neglect. Such action may include:

31 (i) Consistent with federal and state law:

32 (A) Removing the alleged perpetrator from the school;

33 (B) Increasing the degree of supervision of the alleged
34 perpetrator; and

35 (C) Initiating appropriate disciplinary action against the
36 alleged perpetrator;

37 (ii) Provision of increased training and increased supervision to
38 volunteers and staff pertinent to the prevention and remediation of
39 abuse and neglect;

(iii) Temporary removal of the students from a program and reassignment of the students within the school, as an emergency measure, if it is determined that there is a risk to the health or safety of such students in remaining in that program. Whenever a student is removed, pursuant to this subsection (2)(b)(iii), from a special education program or service specified in his or her individualized education program, the action shall be reviewed in an individualized education program meeting; and

(iv) Provision of counseling to the students involved in the report or any other students, as appropriate;

(c) Corrective action plans. Upon receipt of the results of an investigation by the department of social and health services pursuant to a report of suspected child abuse or neglect, the superintendent or the director, or the director's designee, after consideration of any recommendations by the department of social and health services for preventive and remedial action, shall implement a written plan of action designed to assure the continued health and safety of students and to provide for the prevention of future acts of abuse or neglect.

Sec. 12. RCW 72.40.290 and 2012 c 114 s 1 are each amended to read as follows:

The center for (~~childhood deafness and hearing loss~~) deaf and hard of hearing youth account is created in the custody of the state treasurer. All receipts from contracts, grants, gifts, conveyances, devises, and bequests of real or personal property, or payments received from RCW 72.40.0191 (14) and (15) and 72.40.050 must be deposited into the account. Expenditures from the account may be used only for duties related to RCW 72.40.0191 (14) and (15) and 72.40.050. Only the director of the center for (~~childhood deafness and hearing loss~~) deaf and hard of hearing youth or the director's designee may authorize expenditures from the account. The account is subject to allotment procedures under chapter 43.88 RCW, but an appropriation is not required for expenditures.

Sec. 13. RCW 26.44.210 and 2009 c 381 s 23 are each amended to read as follows:

(1) The department must investigate referrals of alleged child abuse or neglect occurring at the state school for the deaf, including alleged incidents involving students abusing other

1 students; determine whether there is a finding of abuse or neglect;
2 and determine whether a referral to law enforcement is appropriate
3 under this chapter.

4 (2) The department must send a copy of the investigation report,
5 including the finding, regarding any incidents of alleged child abuse
6 or neglect at the state school for the deaf to the ~~((center's))~~
7 director of the Washington center for deaf and hard of hearing youth,
8 or the director's designee. The department may include
9 recommendations to the director and the board of trustees or its
10 successor board for increasing the safety of the school's students.

11 **Sec. 14.** RCW 28A.155.160 and 2018 c 58 s 32 are each amended to
12 read as follows:

13 Notwithstanding any other provision of law, the office of the
14 superintendent of public instruction, the department of children,
15 youth, and families, the Washington ~~((state))~~ center for ~~((childhood~~
16 ~~deafness and hearing loss))~~ deaf and hard of hearing youth, the
17 Washington state school for the blind, school districts, educational
18 service districts, and all other state and local government
19 educational agencies and the department of services for the blind,
20 the department of social and health services, and all other state and
21 local government agencies concerned with the care, education, or
22 habilitation or rehabilitation of children with disabilities may
23 enter into interagency cooperative agreements for the purpose of
24 providing assistive technology devices and services to children with
25 disabilities. Such arrangements may include but are not limited to
26 interagency agreements for the acquisition, including joint funding,
27 maintenance, loan, sale, lease, or transfer of assistive technology
28 devices and for the provision of assistive technology services
29 including but not limited to assistive technology assessments and
30 training.

31 For the purposes of this section, "assistive device" means any
32 item, piece of equipment, or product system, whether acquired
33 commercially off-the-shelf, modified, or customized, that is used to
34 increase, maintain, or improve functional capabilities of children
35 with disabilities. The term "assistive technology service" means any
36 service that directly assists a child with a disability in the
37 selection, acquisition, or use of an assistive technology device.
38 Assistive technology service includes:

1 (1) The evaluation of the needs of a child with a disability,
2 including a functional evaluation of the child in the child's
3 customary environment;

4 (2) Purchasing, leasing, or otherwise providing for the
5 acquisition of assistive technology devices by children with
6 disabilities;

7 (3) Selecting, designing, fitting, customizing, adapting,
8 applying, retaining, repairing, or replacing of assistive technology
9 devices;

10 (4) Coordinating and using other therapies, interventions, or
11 services with assistive technology devices, such as those associated
12 with existing education and rehabilitation plans and programs;

13 (5) Training or technical assistance for a child with a
14 disability or if appropriate, the child's family; and

15 (6) Training or technical assistance for professionals, including
16 individuals providing education and rehabilitation services,
17 employers, or other individuals who provide services to, employ, or
18 are otherwise substantially involved in the major life functions of
19 children with disabilities.

20 **Sec. 15.** RCW 28A.310.010 and 2009 c 381 s 25 are each amended to
21 read as follows:

22 It shall be the intent and purpose of this chapter to establish
23 educational service districts as regional agencies which are intended
24 to:

25 (1) Provide cooperative and informational services to local
26 school districts;

27 (2) Assist the superintendent of public instruction and the state
28 board of education in the performance of their respective statutory
29 or constitutional duties; and

30 (3) Provide services to school districts and to the Washington
31 ((state)) center for ((childhood deafness and hearing loss)) deaf and
32 hard of hearing youth and the school for the blind to assure equal
33 educational opportunities.

34 **Sec. 16.** RCW 28A.310.180 and 2009 c 381 s 26 are each amended to
35 read as follows:

36 In addition to other powers and duties as provided by law, every
37 educational service district board shall:

1 (1) Comply with rules (~~(or regulations)~~) of the state board of
2 education and the superintendent of public instruction.

3 (2) If the district board deems necessary, establish and operate
4 for the schools within the boundaries of the educational service
5 district a depository and distribution center for films, tapes,
6 charts, maps, and other instructional material as recommended by the
7 school district superintendents within the service area of the
8 educational service district(~~(: PROVIDED, That)~~). However, the
9 district may also provide the services of the depository and
10 distribution center to private schools within the district so long as
11 such private schools pay such fees that reflect actual costs for
12 services and the use of instructional materials as may be established
13 by the educational service district board.

14 (3) Establish cooperative service programs for school districts
15 within the educational service district and joint purchasing programs
16 for schools within the educational service district pursuant to RCW
17 28A.320.080(3) (~~(: PROVIDED, That)~~). However, on matters relating to
18 cooperative service programs the board and superintendent of the
19 educational service district shall seek the prior advice of the
20 superintendents of local school districts within the educational
21 service district.

22 (4) Establish direct student service programs for school
23 districts within the educational service district including pupil
24 transportation. However, for the provision of state-funded pupil
25 transportation for special education cooperatives programs for
26 special education conducted under RCW 28A.155.010 through
27 28A.155.100, the educational service district, with the consent of
28 the participating school districts, shall be entitled to receive
29 directly state apportionment funds for that purpose: PROVIDED, That
30 the board of directors and superintendent of a local school district
31 request the educational service district to perform said service or
32 services: PROVIDED FURTHER, That the educational service district
33 board of directors and superintendents agree to provide the requested
34 services: PROVIDED, FURTHER, That the provisions of chapter 39.34 RCW
35 are strictly adhered to: PROVIDED FURTHER, That the educational
36 service district board of directors may contract with the Washington
37 (~~(state)~~) center for (~~(childhood deafness and hearing loss)~~) deaf and
38 hard of hearing youth and the school for the blind to provide
39 transportation services or other services necessary for the regional

1 delivery of educational services for children who are deaf or hearing
2 impaired.

3 **Sec. 17.** RCW 28A.310.200 and 2009 c 381 s 27 are each amended to
4 read as follows:

5 In addition to other powers and duties as provided by law, every
6 educational service district board shall:

7 (1) Approve the budgets of the educational service district in
8 accordance with the procedures provided for in this chapter;

9 (2) Meet regularly according to the schedule adopted at the
10 organization meeting and in special session upon the call of the
11 chair or a majority of the board;

12 (3) Approve the selection of educational service district
13 personnel and clerical staff as provided in RCW 28A.310.230;

14 (4) Fix the amount of and approve the bonds for those educational
15 service district employees designated by the board as being in need
16 of bonding;

17 (5) Keep in the educational service district office a full and
18 correct transcript of the boundaries of each school district within
19 the educational service district;

20 (6) Acquire by borrowing funds or by purchase, lease, devise,
21 bequest, and gift and otherwise contract for real and personal
22 property necessary for the operation of the educational service
23 district and to the execution of the duties of the board and
24 superintendent thereof and sell, lease, or otherwise dispose of that
25 property not necessary for district purposes. No real property shall
26 be acquired or alienated without the prior approval of the
27 superintendent of public instruction and the acquisition or
28 alienation of all such property shall be subject to such provisions
29 as the superintendent may establish. When borrowing funds for the
30 purpose of acquiring property, the educational service district board
31 shall pledge as collateral the property to be acquired. Borrowing
32 shall be evidenced by a note or other instrument between the district
33 and the lender;

34 (7) Under RCW 28A.310.010, upon the written request of the board
35 of directors of a local school district or districts served by the
36 educational service district, the educational service district board
37 of directors may provide cooperative and informational services not
38 in conflict with other law that provide for the development and
39 implementation of programs, activities, services, or practices that

1 support the education of preschool through twelfth grade students in
2 the public schools or that support the effective, efficient, or safe
3 management and operation of the school district or districts served
4 by the educational service district;

5 (8) Adopt such bylaws and rules for its own operation as it deems
6 necessary or appropriate; and

7 (9) Enter into contracts, including contracts with common and
8 educational service districts and the Washington ((state)) center for
9 ((childhood deafness and hearing loss)) deaf and hard of hearing
10 youth and the school for the blind for the joint financing of
11 cooperative service programs conducted pursuant to RCW
12 28A.310.180(3), and employ consultants and legal counsel relating to
13 any of the duties, functions, and powers of the educational service
14 districts.

15 **Sec. 18.** RCW 28A.335.205 and 2009 c 381 s 28 are each amended to
16 read as follows:

17 Notwithstanding any other provision of law, the office of the
18 superintendent of public instruction, the Washington state school for
19 the blind, the Washington ((state)) center for ((childhood deafness
20 and hearing loss)) deaf and hard of hearing youth, school districts,
21 educational service districts, and all other state or local
22 governmental agencies concerned with education may loan, lease, sell,
23 or transfer assistive devices for the use and benefit of children
24 with disabilities to children with disabilities or their parents or
25 to any other public or private nonprofit agency providing services to
26 or on behalf of individuals with disabilities including but not
27 limited to any agency providing educational, health, or
28 rehabilitation services. The notice requirement in RCW 28A.335.180
29 does not apply to the loan, lease, sale, or transfer of such
30 assistive devices. The sale or transfer of such devices is authorized
31 under this section regardless of whether or not the devices have been
32 declared surplus. The sale or transfer shall be recorded in an
33 agreement between the parties and based upon the item's depreciated
34 value.

35 For the purposes of this section, "assistive device" means any
36 item, piece of equipment, or product system, whether acquired
37 commercially off-the-shelf, modified, or customized, that is used to
38 increase, maintain, or improve functional capabilities of children
39 with disabilities.

1 For the purpose of implementing this section, each educational
2 agency shall establish and maintain an inventory of assistive
3 technology devices in its possession that exceed one hundred dollars
4 and, for each such device, shall establish a value, which shall be
5 adjusted annually to reflect depreciation.

6 This section shall not enhance or diminish the obligation of
7 school districts to provide assistive technology to children with
8 disabilities where needed to achieve a free and appropriate public
9 education and equal opportunity in accessing academic and
10 extracurricular activities.

11 **Sec. 19.** RCW 28A.400.300 and 2012 c 186 s 20 are each amended to
12 read as follows:

13 (1) Every board of directors, unless otherwise specially provided
14 by law, shall:

15 (a) Except as provided in subsection (3) of this section, employ
16 for not more than one year, and for sufficient cause discharge all
17 certificated and classified employees;

18 (b) Adopt written policies granting leaves to persons under
19 contracts of employment with the school district(s) in positions
20 requiring either certification or classified qualifications,
21 including but not limited to leaves for attendance at official or
22 private institutes and conferences and sabbatical leaves for
23 employees in positions requiring certification qualification, and
24 leaves for illness, injury, bereavement and, emergencies for both
25 certificated and classified employees, and with such compensation as
26 the board of directors prescribe(~~(: PROVIDED, That)~~). However, the
27 board of directors shall adopt written policies granting to such
28 persons annual leave with compensation for illness, injury and
29 emergencies as follows:

30 (i) For such persons under contract with the school district for
31 a full year, at least ten days;

32 (ii) For such persons under contract with the school district as
33 part time employees, at least that portion of ten days as the total
34 number of days contracted for bears to one hundred eighty days;

35 (iii) For certificated and classified employees, annual leave
36 with compensation for illness, injury, and emergencies shall be
37 granted and accrue at a rate not to exceed twelve days per year;
38 provisions of any contract in force on June 12, 1980, which conflict
39 with requirements of this subsection shall continue in effect until

1 contract expiration; after expiration, any new contract executed
2 between the parties shall be consistent with this subsection;

3 (iv) Compensation for leave for illness or injury actually taken
4 shall be the same as the compensation such person would have received
5 had such person not taken the leave provided in this proviso;

6 (v) Leave provided in this proviso not taken shall accumulate
7 from year to year up to a maximum of one hundred eighty days for the
8 purposes of RCW 28A.400.210 and 28A.400.220, and for leave purposes
9 up to a maximum of the number of contract days agreed to in a given
10 contract, but not greater than one year. Such accumulated time may be
11 taken at any time during the school year or up to twelve days per
12 year may be used for the purpose of payments for unused sick leave;

13 (vi) Sick leave heretofore accumulated under section 1, chapter
14 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated
15 under administrative practice of school districts prior to the
16 effective date of section 1, chapter 195, Laws of 1959 (former RCW
17 28.58.430) is hereby declared valid, and shall be added to leave for
18 illness or injury accumulated under this proviso;

19 (vii) Any leave for injury or illness accumulated up to a maximum
20 of forty-five days shall be creditable as service rendered for the
21 purpose of determining the time at which an employee is eligible to
22 retire, if such leave is taken it may not be compensated under the
23 provisions of RCW 28A.400.210 and 28A.310.490;

24 (viii) Accumulated leave under this proviso shall be transferred
25 to and from one district to another, the office of superintendent of
26 public instruction, offices of educational service district
27 superintendents and boards, the state school for the blind, the
28 Washington ((state)) center for ((childhood deafness and hearing
29 loss)) deaf and hard of hearing youth, institutions of higher
30 education, and community and technical colleges, to and from such
31 districts, schools, offices, institutions of higher education, and
32 community and technical colleges;

33 (ix) Leave accumulated by a person in a district prior to leaving
34 said district may, under rules of the board, be granted to such
35 person when the person returns to the employment of the district.

36 (2) When any certificated or classified employee leaves one
37 school district within the state and commences employment with
38 another school district within the state, the employee shall retain
39 the same seniority, leave benefits and other benefits that the
40 employee had in his or her previous position(((:~~PROVIDED, That~~)).).

1 However, classified employees who transfer between districts after
2 July 28, 1985, shall not retain any seniority rights other than
3 longevity when leaving one school district and beginning employment
4 with another. If the school district to which the person transfers
5 has a different system for computing seniority, leave benefits, and
6 other benefits, then the employee shall be granted the same
7 seniority, leave benefits and other benefits as a person in that
8 district who has similar occupational status and total years of
9 service.

10 (3) Notwithstanding subsection (1)(a) of this section, discharges
11 of certificated and classified employees in school districts that are
12 dissolved due to financial insolvency shall be conducted in
13 accordance with RCW 28A.315.229.

14 **Sec. 20.** RCW 28A.400.303 and 2017 3rd sp.s. c 33 s 1 and 2017
15 3rd sp.s. c 6 s 220 are each reenacted and amended to read as
16 follows:

17 (1) School districts, educational service districts, the
18 Washington ((state)) center for ((~~childhood deafness and hearing~~
19 ~~loss~~)) deaf and hard of hearing youth, the state school for the
20 blind, and their contractors hiring employees who will have regularly
21 scheduled unsupervised access to children or developmentally disabled
22 persons shall require a record check through the Washington state
23 patrol criminal identification system under RCW 43.43.830 through
24 43.43.834, 10.97.030, and 10.97.050 and through the federal bureau of
25 investigation before hiring an employee. The record check shall
26 include a fingerprint check using a complete Washington state
27 criminal identification fingerprint card. The requesting entity may
28 provide a copy of the record report to the applicant at the
29 applicant's request. When necessary, applicants may be employed on a
30 conditional basis pending completion of the investigation. If the
31 applicant has had a record check within the previous two years, the
32 district, the Washington ((state)) center for ((~~childhood deafness~~
33 ~~and hearing loss~~)) deaf and hard of hearing youth, the state school
34 for the blind, or contractor may waive the requirement. Except as
35 provided in subsection (2) of this section, the district, pursuant to
36 chapter 41.59 or 41.56 RCW, the Washington ((state)) center for
37 ((~~childhood deafness and hearing loss~~)) deaf and hard of hearing
38 youth, the state school for the blind, or contractor hiring the

1 employee shall determine who shall pay costs associated with the
2 record check.

3 (2) Federal bureau of Indian affairs-funded schools may use the
4 process in subsection (1) of this section to perform record checks
5 for their employees and applicants for employment.

6 (3)(a) School districts, educational service districts, the
7 Washington ((state)) center for ((~~childhood deafness and hearing~~
8 ~~loss~~)) deaf and hard of hearing youth, the state school for the
9 blind, federal bureau of Indian affairs-funded schools, charter
10 schools established under chapter 28A.710 RCW, schools that are the
11 subject of a state-tribal education compact under chapter 28A.715
12 RCW, and their contractors may use the process in subsection (1) of
13 this section to perform record checks for any prospective volunteer
14 who will have regularly scheduled unsupervised access to children
15 under eighteen years of age or developmentally disabled persons,
16 during the course of his or her involvement with the school or
17 organization under circumstances where access will or may involve the
18 following:

19 (i) Groups of five or fewer children under twelve years of age;

20 (ii) Groups of three or fewer children between twelve and
21 eighteen years of age; or

22 (iii) Developmentally disabled persons.

23 (b) For purposes of (a) of this subsection, "unsupervised" means
24 not in the presence of:

25 (i) Another employee or volunteer from the same school or
26 organization; or

27 (ii) Any relative or guardian of any of the children or
28 developmentally disabled persons to which the prospective employee or
29 volunteer has access during the course of his or her involvement with
30 the school or organization.

31 (4) Individuals who hold a valid portable background check
32 clearance card issued by the department of children, youth, and
33 families consistent with RCW 43.216.270 can meet the requirements in
34 subsection (1) of this section by providing a true and accurate copy
35 of their Washington state patrol and federal bureau of investigation
36 background report results to the office of the superintendent of
37 public instruction.

38 (5) The cost of record checks must include: The fees established
39 by the Washington state patrol and the federal bureau of
40 investigation for the criminal history background checks; a fee paid

1 to the superintendent of public instruction for the cost of
2 administering this section and RCW 28A.195.080 and 28A.410.010; and
3 other applicable fees for obtaining the fingerprints.

4 **Sec. 21.** RCW 28A.400.305 and 2017 3rd sp.s. c 33 s 2 are each
5 amended to read as follows:

6 The superintendent of public instruction shall adopt rules as
7 necessary under chapter 34.05 RCW to implement RCW 28A.400.303. The
8 rules shall include, but not be limited to the following:

9 (1) Written procedures providing a school district, approved
10 private school, Washington ((state)) center for ((~~childhood deafness~~
11 ~~and hearing loss~~)) deaf and hard of hearing youth, state school for
12 the blind, federal bureau of Indian affairs-funded school employee,
13 charter school established under chapter 28A.710 RCW, school that is
14 the subject of a state-tribal education compact under chapter 28A.715
15 RCW, or applicant for certification or employment access to and
16 review of information obtained based on the record check required
17 under RCW 28A.400.303; and

18 (2) Written procedures limiting access to the superintendent of
19 public instruction record check database to only those individuals
20 processing record check information at the office of the
21 superintendent of public instruction, the appropriate school district
22 or districts, approved private schools, the Washington ((state))
23 center for ((~~childhood deafness and hearing loss~~)) deaf and hard of
24 hearing youth, the state school for the blind, the appropriate
25 educational service district or districts, the appropriate federal
26 bureau of Indian affairs-funded schools, the appropriate charter
27 schools, and the appropriate state-tribal education compact schools.

28 **Sec. 22.** RCW 28A.600.020 and 2016 c 72 s 106 are each amended to
29 read as follows:

30 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
31 interpreted to ensure that the optimum learning atmosphere of the
32 classroom is maintained, and that the highest consideration is given
33 to the judgment of qualified certificated educators regarding
34 conditions necessary to maintain the optimum learning atmosphere.

35 (2) Any student who creates a disruption of the educational
36 process in violation of the building disciplinary standards while
37 under a teacher's immediate supervision may be excluded by the
38 teacher from his or her individual classroom and instructional or

1 activity area for all or any portion of the balance of the school
2 day, or up to the following two days, or until the principal or
3 designee and teacher have conferred, whichever occurs first. Except
4 in emergency circumstances, the teacher first must attempt one or
5 more alternative forms of corrective action. In no event without the
6 consent of the teacher may an excluded student return to the class
7 during the balance of that class or activity period or up to the
8 following two days, or until the principal or his or her designee and
9 the teacher have conferred.

10 (3) In order to preserve a beneficial learning environment for
11 all students and to maintain good order and discipline in each
12 classroom, every school district board of directors shall provide
13 that written procedures are developed for administering discipline at
14 each school within the district. Such procedures shall be developed
15 with the participation of parents and the community, and shall
16 provide that the teacher, principal or designee, and other
17 authorities designated by the board of directors, make every
18 reasonable attempt to involve the parent or guardian and the student
19 in the resolution of student discipline problems. Such procedures
20 shall provide that students may be excluded from their individual
21 classes or activities for periods of time in excess of that provided
22 in subsection (2) of this section if such students have repeatedly
23 disrupted the learning of other students. The procedures must be
24 consistent with the rules of the superintendent of public instruction
25 and must provide for early involvement of parents in attempts to
26 improve the student's behavior.

27 (4) The procedures shall assure, pursuant to RCW 28A.400.110,
28 that all staff work cooperatively toward consistent enforcement of
29 proper student behavior throughout each school as well as within each
30 classroom.

31 (5)(a) A principal shall consider imposing long-term suspension
32 or expulsion as a sanction when deciding the appropriate disciplinary
33 action for a student who, after July 27, 1997:

34 (i) Engages in two or more violations within a three-year period
35 of RCW 9A.46.120, 28A.600.455, 28A.600.460, 28A.635.020, 28A.600.020,
36 28A.635.060, or 9.41.280; or

37 (ii) Engages in one or more of the offenses listed in RCW
38 13.04.155.

1 (b) The principal shall communicate the disciplinary action taken
2 by the principal to the school personnel who referred the student to
3 the principal for disciplinary action.

4 (6) Any corrective action involving a suspension or expulsion
5 from school for more than ten days must have an end date of not more
6 than the length of an academic term, as defined by the school board,
7 from the time of corrective action. Districts shall make reasonable
8 efforts to assist students and parents in returning to an educational
9 setting prior to and no later than the end date of the corrective
10 action. Where warranted based on public health or safety, a school
11 may petition the superintendent of the school district, pursuant to
12 policies and procedures adopted by the office of the superintendent
13 of public instruction, for authorization to exceed the academic term
14 limitation provided in this subsection. The superintendent of public
15 instruction shall adopt rules outlining the limited circumstances in
16 which a school may petition to exceed the academic term limitation,
17 including safeguards to ensure that the school district has made
18 every effort to plan for the student's return to school. School
19 districts shall report to the office of the superintendent of public
20 instruction the number of petitions made to the school board and the
21 number of petitions granted on an annual basis.

22 (7) Nothing in this section prevents a public school district,
23 educational service district, the Washington ((state)) center for
24 ((childhood deafness and hearing loss)) deaf and hard of hearing
25 youth, or the state school for the blind if it has suspended or
26 expelled a student from the student's regular school setting from
27 providing educational services to the student in an alternative
28 setting or modifying the suspension or expulsion on a case-by-case
29 basis. An alternative setting should be comparable, equitable, and
30 appropriate to the regular education services a student would have
31 received without the exclusionary discipline. Example alternative
32 settings include alternative high schools, one-on-one tutoring, and
33 online learning.

34 **Sec. 23.** RCW 28A.600.420 and 2009 c 381 s 31 are each amended to
35 read as follows:

36 (1) Any elementary or secondary school student who is determined
37 to have carried a firearm onto, or to have possessed a firearm on,
38 public elementary or secondary school premises, public school-
39 provided transportation, or areas of facilities while being used

1 exclusively by public schools, shall be expelled from school for not
2 less than one year under RCW 28A.600.010. The superintendent of the
3 school district, educational service district, or state school for
4 the blind, or the director of the Washington ((state)) center for
5 ((childhood deafness and hearing loss)) deaf and hard of hearing
6 youth, or the director's designee, may modify the expulsion of a
7 student on a case-by-case basis.

8 (2) For purposes of this section, "firearm" means a firearm as
9 defined in 18 U.S.C. Sec. 921, and a "firearm" as defined in RCW
10 9.41.010.

11 (3) This section shall be construed in a manner consistent with
12 the individuals with disabilities education act, 20 U.S.C. Sec. 1401
13 et seq.

14 (4) Nothing in this section prevents a public school district,
15 educational service district, the Washington ((state)) center for
16 ((childhood deafness and hearing loss)) deaf and hard of hearing
17 youth, or the state school for the blind if it has expelled a student
18 from such student's regular school setting from providing educational
19 services to the student in an alternative setting.

20 (5) This section does not apply to:

21 (a) Any student while engaged in military education authorized by
22 school authorities in which rifles are used but not other firearms;
23 or

24 (b) Any student while involved in a convention, showing,
25 demonstration, lecture, or firearms safety course authorized by
26 school authorities in which the rifles of collectors or instructors
27 are handled or displayed but not other firearms; or

28 (c) Any student while participating in a rifle competition
29 authorized by school authorities.

30 (6) A school district may suspend or expel a student for up to
31 one year subject to subsections (1), (3), (4), and (5) of this
32 section, if the student acts with malice as defined under RCW
33 9A.04.110 and displays an instrument that appears to be a firearm, on
34 public elementary or secondary school premises, public school-
35 provided transportation, or areas of facilities while being used
36 exclusively by public schools.

37 **Sec. 24.** RCW 39.26.300 and 2018 c 253 s 3 are each amended to
38 read as follows:

1 (1) The department of social and health services, the department
2 of children, youth, and families, and the health care authority are
3 each authorized to purchase interpreter services on behalf of limited
4 English-speaking applicants and recipients of public assistance.

5 (2) The department of labor and industries is authorized to
6 purchase interpreter services for medical and vocational providers
7 authorized to provide services to limited English-speaking injured
8 workers or crime victims.

9 (3) No later than September 1, 2020, the department of social and
10 health services, the department of children, youth, and families, the
11 health care authority, and the department of labor and industries
12 must purchase in-person spoken language interpreter services directly
13 from language access providers as defined in RCW 74.04.025, or
14 through limited contracts with scheduling and coordinating delivery
15 organizations, or both. Each state agency must have at least one
16 contract with an entity that provides interpreter services through
17 telephonic and video remote technologies. Nothing in this section
18 precludes the department of labor and industries from purchasing in-
19 person spoken language interpreter services directly from language
20 access providers or from directly reimbursing language access
21 providers.

22 (4) Notwithstanding subsection (3) of this section, the
23 department of labor and industries may pay a language access provider
24 directly for the costs of interpreter services when the services are
25 necessary for use by a medical provider for emergency or urgent care,
26 or where the medical provider determines that advanced notice is not
27 feasible.

28 (5) Upon the expiration of any contract in effect on June 7,
29 2018, but no later than September 1, 2020, the department must
30 develop and implement a model that all state agencies must use to
31 procure spoken language interpreter services by purchasing directly
32 from language access providers or through contracts with scheduling
33 and coordinating entities, or both. The department must have at least
34 one contract with an entity that provides interpreter services
35 through telephonic and video remote technologies. If the department
36 determines it is more cost-effective or efficient, it may jointly
37 purchase these services with the department of social and health
38 services, the department of children, youth, and families, the health
39 care authority, and the department of labor and industries as
40 provided in subsection (3) of this section. The department of social

1 and health services, (~~(the)~~) the department of children, youth, and
2 families, the health care authority, and the department of labor and
3 industries have the authority to procure interpreters through the
4 department if the demand for spoken language interpreters cannot be
5 met through their respective contracts.

6 (6) All interpreter services procured under this section must be
7 provided by language access providers who are certified or authorized
8 by the state, or nationally certified by the certification commission
9 for health care interpreters or the national board for certification
10 of medical interpreters. When a nationally certified, state-
11 certified, or authorized language access provider is not available, a
12 state agency is authorized to contract with a spoken language
13 interpreter with other certifications or qualifications deemed to
14 meet agency needs. Nothing in this subsection precludes providing
15 interpretive services through state employees or employees of medical
16 or vocational providers.

17 (7) Nothing in this section is intended to address how state
18 agencies procure interpreters for sensory-impaired persons.

19 (8) For purposes of this section, "state agency" means any state
20 office or activity of the executive branch of state government,
21 including state agencies, departments, offices, divisions, boards,
22 commissions, and correctional and other types of institutions, but
23 excludes institutions of higher education as defined in RCW
24 28B.10.016, the school for the blind, and the Washington center for
25 (~~(childhood deafness and hearing loss)~~) deaf and hard of hearing
26 youth.

27 **Sec. 25.** RCW 41.40.088 and 2009 c 381 s 32 are each amended to
28 read as follows:

29 (1) A plan 1 member who is employed by a school district or
30 districts, an educational service district, the Washington (~~(state)~~)
31 center for (~~(childhood deafness and hearing loss)~~) deaf and hard of
32 hearing youth, the state school for the blind, institutions of higher
33 education, or community colleges:

34 (a) Shall receive a service credit month for each month of the
35 period from September through August of the following year if he or
36 she is employed in an eligible position, earns compensation earnable
37 for six hundred thirty hours or more during that period, and is
38 employed during nine months of that period, except that a member may

1 not receive credit for any period prior to the member's employment in
2 an eligible position;

3 (b) If a member in an eligible position does not meet the
4 requirements of (a) of this subsection, the member is entitled to a
5 service credit month for each month of the period he or she earns
6 earnable compensation for seventy or more hours; and the member is
7 entitled to a one-quarter service credit month for those calendar
8 months during which he or she earned compensation for less than
9 seventy hours.

10 (2) Except for any period prior to the member's employment in an
11 eligible position, a plan 2 or plan 3 member who is employed by a
12 school district or districts, an educational service district, the
13 state school for the blind, the Washington ((state)) center for
14 ((childhood deafness and hearing loss)) deaf and hard of hearing
15 youth, institutions of higher education, or community colleges:

16 (a) Shall receive a service credit month for each month of the
17 period from September through August of the following year if he or
18 she is employed in an eligible position, earns compensation earnable
19 for eight hundred ten hours or more during that period, and is
20 employed during nine months of that period;

21 (b) If a member in an eligible position for each month of the
22 period from September through August of the following year does not
23 meet the hours requirements of (a) of this subsection, the member is
24 entitled to one-half service credit month for each month of the
25 period if he or she earns earnable compensation for at least six
26 hundred thirty hours but less than eight hundred ten hours during
27 that period, and is employed nine months of that period;

28 (c) In all other instances, a member in an eligible position is
29 entitled to service credit months as follows:

30 (i) One service credit month for each month in which compensation
31 is earned for ninety or more hours;

32 (ii) One-half service credit month for each month in which
33 compensation is earned for at least seventy hours but less than
34 ninety hours; and

35 (iii) One-quarter service credit month for each month in which
36 compensation is earned for less than seventy hours;

37 (d) After August 31, 2000, school districts and educational
38 service districts will no longer be employers for the public
39 employees' retirement system plan 2 or plan 3.

40 (3) The department shall adopt rules implementing this section.

1 **Sec. 26.** RCW 43.79A.040 and 2018 c 260 s 28, 2018 c 258 s 4, and
2 2018 c 127 s 6 are each reenacted and amended to read as follows:

3 (1) Money in the treasurer's trust fund may be deposited,
4 invested, and reinvested by the state treasurer in accordance with
5 RCW 43.84.080 in the same manner and to the same extent as if the
6 money were in the state treasury, and may be commingled with moneys
7 in the state treasury for cash management and cash balance purposes.

8 (2) All income received from investment of the treasurer's trust
9 fund must be set aside in an account in the treasury trust fund to be
10 known as the investment income account.

11 (3) The investment income account may be utilized for the payment
12 of purchased banking services on behalf of treasurer's trust funds
13 including, but not limited to, depository, safekeeping, and
14 disbursement functions for the state treasurer or affected state
15 agencies. The investment income account is subject in all respects to
16 chapter 43.88 RCW, but no appropriation is required for payments to
17 financial institutions. Payments must occur prior to distribution of
18 earnings set forth in subsection (4) of this section.

19 (4)(a) Monthly, the state treasurer must distribute the earnings
20 credited to the investment income account to the state general fund
21 except under (b), (c), and (d) of this subsection.

22 (b) The following accounts and funds must receive their
23 proportionate share of earnings based upon each account's or fund's
24 average daily balance for the period: The 24/7 sobriety account, the
25 Washington promise scholarship account, the Gina Grant Bull memorial
26 legislative page scholarship account, the Washington advanced college
27 tuition payment program account, the Washington college savings
28 program account, the accessible communities account, the Washington
29 achieving a better life experience program account, the community and
30 technical college innovation account, the agricultural local fund,
31 the American Indian scholarship endowment fund, the foster care
32 scholarship endowment fund, the foster care endowed scholarship trust
33 fund, the contract harvesting revolving account, the Washington state
34 combined fund drive account, the commemorative works account, the
35 county enhanced 911 excise tax account, the toll collection account,
36 the developmental disabilities endowment trust fund, the energy
37 account, the fair fund, the family and medical leave insurance
38 account, the fish and wildlife federal lands revolving account, the
39 natural resources federal lands revolving account, the food animal
40 veterinarian conditional scholarship account, the forest health

1 revolving account, the fruit and vegetable inspection account, the
2 future teachers conditional scholarship account, the game farm
3 alternative account, the GET ready for math and science scholarship
4 account, the Washington global health technologies and product
5 development account, the grain inspection revolving fund, the
6 Washington history day account, the industrial insurance rainy day
7 fund, the juvenile accountability incentive account, the law
8 enforcement officers' and firefighters' plan 2 expense fund, the
9 local tourism promotion account, the low-income home rehabilitation
10 revolving loan program account, the multiagency permitting team
11 account, the northeast Washington wolf-livestock management account,
12 the pilotage account, the produce railcar pool account, the regional
13 transportation investment district account, the rural rehabilitation
14 account, the Washington sexual assault kit account, the stadium and
15 exhibition center account, the youth athletic facility account, the
16 self-insurance revolving fund, the children's trust fund, the
17 Washington horse racing commission Washington bred owners' bonus fund
18 and breeder awards account, the Washington horse racing commission
19 class C purse fund account, the individual development account
20 program account, the Washington horse racing commission operating
21 account, the life sciences discovery fund, the Washington state
22 heritage center account, the reduced cigarette ignition propensity
23 account, the center for (~~((childhood deafness and hearing loss))~~) deaf
24 and hard of hearing youth account, the school for the blind account,
25 the Millersylvania park trust fund, the public employees' and
26 retirees' insurance reserve fund, the school employees' benefits
27 board insurance reserve fund, (~~((the))~~) the public employees' and
28 retirees' insurance account, (~~((the))~~) the school employees'
29 insurance account, and the radiation perpetual maintenance fund.

30 (c) The following accounts and funds must receive eighty percent
31 of their proportionate share of earnings based upon each account's or
32 fund's average daily balance for the period: The advanced right-of-
33 way revolving fund, the advanced environmental mitigation revolving
34 account, the federal narcotics asset forfeitures account, the high
35 occupancy vehicle account, the local rail service assistance account,
36 and the miscellaneous transportation programs account.

37 (d) Any state agency that has independent authority over accounts
38 or funds not statutorily required to be held in the custody of the
39 state treasurer that deposits funds into a fund or account in the
40 custody of the state treasurer pursuant to an agreement with the

1 office of the state treasurer shall receive its proportionate share
2 of earnings based upon each account's or fund's average daily balance
3 for the period.

4 (5) In conformance with Article II, section 37 of the state
5 Constitution, no trust accounts or funds shall be allocated earnings
6 without the specific affirmative directive of this section.

7 **Sec. 27.** RCW 70.198.020 and 2018 c 58 s 12 are each amended to
8 read as follows:

9 (1) There is established an advisory council in the department of
10 social and health services for the purpose of advancing the
11 development of a comprehensive and effective statewide system to
12 provide prompt and effective early interventions for children in the
13 state who are deaf or hard of hearing and their families.

14 (2) Members of the advisory council shall have training,
15 experience, or interest in hearing loss in children. Membership shall
16 include, but not be limited to, the following: Pediatricians;
17 audiologists; teachers of the deaf and hard of hearing; parents of
18 children who are deaf or hard of hearing; a representative from the
19 Washington ((state)) center for ((~~childhood deafness and hearing~~
20 ~~loss~~)) deaf and hard of hearing youth; and representatives of the
21 early support for infants and toddlers program in the department of
22 children, youth, and families, the department of health, and the
23 office of the superintendent of public instruction.

24 **Sec. 28.** RCW 72.42.010 and 2009 c 381 s 13 are each amended to
25 read as follows:

26 It is the intention of the legislature, in creating a board of
27 trustees for the Washington ((state)) center for ((~~childhood deafness~~
28 ~~and hearing loss~~)) deaf and hard of hearing youth to perform the
29 duties set forth in this chapter, that the board of trustees perform
30 needed oversight services to the governor and the legislature of the
31 center in the development of programs for the hard of hearing, and in
32 the operation of the center, including the school for the deaf.

33 **Sec. 29.** RCW 72.42.015 and 2009 c 381 s 14 are each amended to
34 read as follows:

35 Unless the context clearly requires otherwise as used in this
36 chapter "director" means the director of the Washington ((state))

1 center for (~~childhood deafness and hearing loss~~) deaf and hard of
2 hearing youth.

3 **Sec. 30.** RCW 72.42.016 and 2009 c 381 s 15 are each amended to
4 read as follows:

5 Unless the context clearly requires otherwise, as used in this
6 chapter:

7 (1) "Center" means the Washington (~~state~~) center for
8 (~~childhood deafness and hearing loss~~) deaf and hard of hearing
9 youth serving local school districts across the state; and

10 (2) "School" means the Washington state residential school for
11 the deaf located in Vancouver, Washington.

12 **Sec. 31.** RCW 72.42.060 and 2009 c 381 s 22 are each amended to
13 read as follows:

14 Each member of the board of trustees shall receive travel
15 expenses as provided in RCW 43.03.050 and 43.03.060 as now existing
16 or hereafter amended, and such payments shall be a proper charge to
17 any funds appropriated or allocated for the support of the Washington
18 (~~state~~) center for (~~childhood deafness and hearing loss~~) deaf and
19 hard of hearing youth.

Passed by the House March 4, 2019.

Passed by the Senate April 13, 2019.

Approved by the Governor May 7, 2019.

Filed in Office of Secretary of State May 13, 2019.

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