

INITIATIVE 789

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal, hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 789 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to education; and adding a new chapter to Title 28A
2 RCW.

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

4 NEW SECTION. **Sec. 1.** SHORT TITLE. This act shall be known and
5 cited as the little red schoolhouse act.

6 NEW SECTION. **Sec. 2.** COMMON PUBLIC SCHOOLS. This chapter shall
7 only apply to K-12 common public schools in school districts with over
8 two thousand students.

9 NEW SECTION. **Sec. 3.** PURPOSE. The purpose of this chapter is to:
10 (1) Reduce school districts' central administration costs and
11 redirect the funding to the schools;
12 (2) Increase student learning in accordance with RCW 28A.655.060;
13 and
14 (3) Ensure special education and bilingual student categorical
15 funding reaches their schools; and to establish an accountability
16 system to ensure and monitor this.

1 (4) Assist the public school system in general by recruiting back
2 students to public schools.

3 NEW SECTION. **Sec. 4.** STUDENT FUNDING. (1) Ninety days after the
4 effective date of this act, the office of the superintendent of public
5 instruction shall adopt guidelines to define and clarify how much
6 schools are to be paid for each student enrolled, and when. These
7 guidelines shall follow current state laws. The payments shall be made
8 through the school district to each school.

9 (2) The guidelines shall provide the calculations to drive one
10 hundred percent of all state and federal educational funding and one
11 hundred percent of the individual school district's maintenance and
12 operation excess levy funding to the school where the student who
13 generates the funding is enrolled.

14 (3) The guidelines shall separately calculate and allocate to
15 schools moneys appropriated for basic education under RCW 28A.150.260
16 for students who are eligible for special education under chapter
17 28A.155 RCW; the learning assistance program under chapter 28A.165 RCW;
18 the transitional bilingual instruction program under chapter 28A.180
19 RCW; and applicable rules.

20 (4) The guidelines shall separately calculate and allocate to
21 schools moneys appropriated for the transportation of students who are
22 transported.

23 (5) The guidelines shall separately calculate and allocate to
24 schools moneys appropriated from the local level. The school shall be
25 entitled to an amount equal to one hundred percent of the maintenance
26 and operation excess tax levy rate per annual average full-time
27 equivalent student of the district in which the student who attends the
28 school resides.

29 NEW SECTION. **Sec. 5.** ADMINISTRATION FEE. (1) To offset the costs
30 of oversight and administering its schools, the school district shall
31 be paid from each of its school budgets a percentage on all local,
32 state, and federal funding that is allotted to the school.

33 (2)(a) The administration fee shall be paid in phases and by school
34 district size as follows: For the school year 2002-03, up to a maximum
35 of eight percent as directed by the school board of directors; and for
36 the school year 2004-05, five percent.

1 (b) For the school year 2005-06 and each school year thereafter,
2 the administration fee shall be paid in phases and by school district
3 size as follows: Two percent for school districts with over fifteen
4 thousand full-time equivalent students enrolled as of October 1st; two
5 and one-half percent for school districts with under fifteen thousand
6 full-time equivalent students enrolled as of October 1st; and three
7 percent for school districts with under seven thousand full-time
8 equivalent students enrolled as of October 1st.

9 NEW SECTION. **Sec. 6.** SCHOOL ACCOUNTING. Starting with the school
10 year 2004-05, each school shall develop and manage its school budget
11 and pay its building expenses from its school account. Each school
12 shall pay its accounting expense from its school budget.

13 NEW SECTION. **Sec. 7.** STATE AUDITOR. (1) Within one hundred fifty
14 days after the effective date of this act, the state auditor's office
15 shall develop the guidelines for the school account expenses and its
16 accounting codes, and the administration expenses and its accounting
17 codes. The state auditor shall be responsible to develop and
18 standardize all of the expense codes for schools and administration
19 costs so that all state school's accounting practices are the same.
20 The state auditor shall use the current state laws as the format. The
21 state auditor shall establish penalties and fines for schools and
22 school districts to impose after the school year 2005-06.

23 (2) After the school year 2004-05, and each year thereafter, the
24 state auditor's office shall conduct random audits on a minimum of five
25 percent of the K-12 schools to ensure schools are meeting its
26 requirements. The audits for the school years 2004-05 and 2005-06
27 shall be assistance audits only. No penalties or fines shall be
28 assessed.

29 (3) The school account shall include, but not be limited to,
30 accounting costs, payroll and benefits, and all of the building and
31 grounds costs; heat, paper, transportation, insurance; and any shared
32 costs with other district buildings.

33 (4) The administration fee shall include, but not be limited to,
34 payroll, benefits and payroll expenses, and perks for school board
35 directors, administrators, and staff, travel, their facility and office
36 expenses, and any other expenses associated with fulfilling the central
37 administration duties.

1 NEW SECTION. **Sec. 8.** DEVELOPMENT OF SCHOOL BUDGETS. (1) Ninety
2 days after the effective date of this act, the board of directors of
3 each school district shall in good faith make available each school's
4 yearly budget, how they generate income for the district, and the
5 general budget expenses. Each school shall become knowledgeable of its
6 building costs and those of the district for the 2002-03 and 2003-04
7 school years.

8 (2) The principal shall take input from the certificated teachers
9 and staff in the building and attend accounting seminars to understand
10 the building's financial operation.

11 (3) The principal shall begin in early 2004 to develop the school
12 budget for the school year 2004-05.

13 NEW SECTION. **Sec. 9.** THE PRINCIPAL. (1) The principal shall
14 develop the final school budget for the school year 2004-05, and for
15 each school year thereafter.

16 (2) The principal shall hire all new school teachers and staff for
17 the school starting with the 2004-05 school year, and for each school
18 year thereafter.

19 (3) The principal shall be responsible for the day-to-day operation
20 of the school, including, but not limited to: Budget issues; the
21 education program; all personnel functions; and maintenance and
22 operation.

23 (4) The principal shall oversee that the student allocations
24 received under section 3 of this act are spent fairly and equitably on
25 basic education, special education, learning assistance programs,
26 transitional bilingual instruction programs, and student transportation
27 as required under this act and the state Constitution.

28 (5) Any principal who disagrees with any modification made to the
29 proposed school budget by the board of directors may seek nonbinding
30 mediation with the state board under section 18 of this act.

31 NEW SECTION. **Sec. 10.** SCHOOL BOARD DIRECTORS. (1) School board
32 directors shall maintain their full duties and obligations to manage
33 school districts, including the approval of each school's budget.

34 (2) It is the spirit of this chapter that school board directors
35 will be interested in student learning and results, not in imposing
36 inflexible day-to-day prescriptions on their schools.

1 (3) It is the spirit of this chapter that school board directors
2 will work directly, cooperatively, and in good faith with their schools
3 to eliminate barriers to learning and to assist schools in seeking
4 state waivers that stand in the way of educating students.

5 NEW SECTION. **Sec. 11.** BUDGET AGREEMENT--AMENDMENT. (1) An
6 approved budget by the school board of directors constitutes an
7 agreement with its schools.

8 (2) A budget may be amended at any time at the request of the
9 principal and on the approval of the school board of directors.

10 NEW SECTION. **Sec. 12.** CONTINUING CLOCK HOURS. Within ninety days
11 after the effective date of this act, the office of the superintendent
12 of public instruction shall provide guidelines for continuing clock
13 hour classes that cover, but are not limited to, school budgets,
14 accounting, maintenance and operational costs, and transportation
15 practices.

16 NEW SECTION. **Sec. 13.** CERTIFICATED TEACHERS. (1) Certificated
17 teachers shall be encouraged to provide input to their principal while
18 developing their school's budget. Teachers teaching students who
19 generate additional categorical funds as provided in section 3 of this
20 act shall provide input on how these additional funds might be directed
21 to meet the learning needs of their students.

22 (2) Teachers, under the principal, and with the approval of the
23 board of directors, may voluntarily establish smaller schools within a
24 large school, or establish a satellite school located outside their
25 school to operate these new pioneering learning centers.

26 (3) Teachers who disagree with the final school budget developed by
27 the principal under section 8 of this act may seek nonbinding mediation
28 with the state board as provided in section 18 of this act.

29 NEW SECTION. **Sec. 14.** GRANTS AND MATCHES. (1) A school shall not
30 be penalized in any way by the state nor its school board directors
31 because it has secured additional funding, in-kind matches, donated
32 services, or any type of additional benefits for its students, staff,
33 or parents.

34 (2) A school shall pay an administration fee of two percent on any
35 grants, endowments, or cash awards.

1 NEW SECTION. **Sec. 15.** SCHOOL SERVICES. A school may purchase
2 services and any or all of its maintenance or operational needs from
3 its own district or from outside independent vendors.

4 NEW SECTION. **Sec. 16.** RESERVE ACCOUNT. The board of directors of
5 each school district may require each of its schools to set aside up to
6 three percent of its school budget into a reserve account as a safety
7 net. The school may spend this reserve money the last three months of
8 the school year or carry it over to the next year.

9 NEW SECTION. **Sec. 17.** BUILDING MAINTENANCE. (1) The principal
10 shall develop the school budget, including the maintenance and repair
11 items required to keep their building safe and usable.

12 (2) School board directors shall define safe and usable conditions
13 and require that these standards are met within the district. This
14 shall be done through the school budget approval process.

15 (3) School board directors are not required to spend equal
16 maintenance money on their schools.

17 (4) If deemed necessary by the school board directors, they may
18 direct from any of their newer or recently remodeled schools up to
19 four percent of a school's budget to supplement repairs and upgrades on
20 their older schools that require greater maintenance and repair.

21 (5) Within one hundred twenty days after the effective date of this
22 act, the department of general administration shall adopt guidelines to
23 assist school board directors to identify and prioritize maintenance
24 and repair items in their facilities. A goal of this section is to
25 allow older schools to be brought up to safe usable standards without
26 penalizing those schools to expend large percentages of their school
27 budgets.

28 NEW SECTION. **Sec. 18.** NONBINDING MEDIATION. (1) One hundred
29 fifty days after the effective date of this act, the state board of
30 education shall set up guidelines to resolve disputed issues between
31 teachers and principals, and between principals and school board
32 directors. The mediation process shall be nonbinding on the parties.
33 The guidelines may outline timelines, payment for nonbinding mediation
34 costs from the school budget and the administration account, and any
35 other format the state board might find appropriate.

1 (2) A principal or a teacher may submit any dispute to the state
2 board of education. The state board, or its assigns, shall hear the
3 appeal within thirty days after submittal and seek to mediate a
4 conflict to resolution.

5 NEW SECTION. **Sec. 19.** LITTLE RED SCHOOLHOUSE ACCOUNT. (1) The
6 little red schoolhouse account is created in the custody of the state
7 treasurer. All receipts from schools and school districts shall be
8 deposited into the account. Only the state auditor or the auditor's
9 designee may authorize expenditures from the account. Expenditures may
10 be used to fund the state man-hours required to establish the
11 guidelines in this chapter, and for any purposes the state auditor
12 deems appropriate. The account is subject to allotment procedures
13 under chapter 43.88 RCW, but an appropriation is not required for
14 expenditures.

15 (2) Starting in the school year 2003-04, each school district shall
16 pay into the little red schoolhouse account fifteen dollars per full-
17 time equivalent student enrolled in its district as of October 1st of
18 each year. Payment shall be made by November 1, 2003.

19 (3) Starting in 2004-05, and each school year thereafter, each
20 common public school shall pay into this account fifteen dollars per
21 full-time equivalent student enrolled in its school on October 1st of
22 each year. Payment shall be made by November 1st of that year.

23 (4) The state auditor, with six months' notice, may lower the
24 yearly fee, increase it up to ten percent a year, or charge additional
25 fees for categorical full-time students who may require additional
26 audit review, as deemed necessary.

27 NEW SECTION. **Sec. 20.** PUBLIC SCHOOL ISSUES. One hundred fifty
28 days after the effective date of this act, the state board of education
29 shall set up guidelines to assure that the schools covered under this
30 chapter follow the state's laws providing access and equity to all
31 students, meeting gender issues, and that all public schools remain
32 nonsectarian. The guidelines shall be continually reviewed, expanded,
33 and modified.

34 NEW SECTION. **Sec. 21.** REMOVING BARRIERS. One hundred fifty days
35 after the effective date of this act, the office of the superintendent
36 of public instruction shall adopt guidelines to assist schools that

1 have identified educational barriers and voluntarily wish to address
2 them. The guidelines may include, but not be limited to, adding more
3 school days, adding a longer school day, bringing community or state
4 services into the school, and alternative testing. The guidelines
5 shall be continually reviewed, expanded, and modified.

6 NEW SECTION. **Sec. 22.** CAPTIONS NOT LAW. Captions used in this
7 chapter do not constitute any part of the law.

8 NEW SECTION. **Sec. 23.** SEVERABILITY. If any provision of this act
9 or its application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

12 NEW SECTION. **Sec. 24.** Sections 1 through 23 of this act
13 constitute a new chapter in Title 28A RCW.

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