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HOUSE BILL 2231

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State of Washington

62nd Legislature

2012 Regular Session

By Representatives McCoy, Morris, Eddy, Haigh, Hunt, Sells, Darneille, Tharinger, Appleton, Dunshee, Hasegawa, Ormsby, and Roberts

Prefiled 01/05/12. Read first time 01/09/12. Referred to Committee on Education.

1 AN ACT Relating to reducing costs by reducing state assessment  
2 requirements; amending RCW 28A.150.315, 28A.155.170, 28A.165.025,  
3 28A.195.010, 28A.200.010, 28A.230.090, 28A.230.125, 28A.230.125,  
4 28A.305.130, 28A.600.310, 28A.655.061, 28A.655.066, 28A.655.068,  
5 28A.655.185, 28A.655.200, 28A.655.070, and 28B.15.067; creating a new  
6 section; repealing RCW 28A.155.045, 28A.180.100, 28A.600.405,  
7 28A.655.0611, 28A.655.063, 28A.655.065, 28A.655.220, and 28B.50.534;  
8 providing an effective date; providing an expiration date; and  
9 declaring an emergency.

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

11 NEW SECTION. **Sec. 1.** The legislature finds that in the area of  
12 student performance assessments, a balance must be found between  
13 accountability and cost. The federal government mandates student  
14 testing in reading and mathematics at grades three through eight and  
15 high school, plus testing in science at elementary, middle, and high  
16 school. Over the years, Washington has incrementally added more  
17 requirements for students and schools, starting with a writing  
18 assessment, then establishing two high school mathematics assessments,  
19 and most recently adding a kindergarten readiness assessment process.

1 Washington also requires students to meet the state standard on  
2 assessments in four different subjects for purposes of high school  
3 graduation, which necessitates making provisions for retakes, multiple  
4 test administrations during the year, and alternative assessment  
5 options. Given the financial challenges facing the state and school  
6 districts, the legislature finds that corrective action is needed to  
7 reduce the cost and burden of testing, and therefore intends to base  
8 student and school accountability on only those assessment requirements  
9 that are mandated under federal law.

10 **Sec. 2.** RCW 28A.150.315 and 2011 c 340 s 1 are each amended to  
11 read as follows:

12 (1) Beginning with the 2007-08 school year, funding for voluntary  
13 all-day kindergarten programs shall be phased-in beginning with schools  
14 with the highest poverty levels, defined as those schools with the  
15 highest percentages of students qualifying for free and reduced-price  
16 lunch support in the prior school year. During the 2011-2013 biennium,  
17 funding shall continue to be phased-in each year until full statewide  
18 implementation of all-day kindergarten is achieved in the 2017-18  
19 school year. Once a school receives funding for the all-day  
20 kindergarten program, that school shall remain eligible for funding in  
21 subsequent school years regardless of changes in the school's  
22 percentage of students eligible for free and reduced-price lunches as  
23 long as other program requirements are fulfilled. Additionally,  
24 schools receiving all-day kindergarten program support shall agree to  
25 the following conditions:

26 (a) Provide at least a one thousand-hour instructional program;  
27 (b) Provide a curriculum that offers a rich, varied set of  
28 experiences that assist students in:

29 (i) Developing initial skills in the academic areas of reading,  
30 mathematics, and writing;

31 (ii) Developing a variety of communication skills;

32 (iii) Providing experiences in science, social studies, arts,  
33 health and physical education, and a world language other than English;

34 (iv) Acquiring large and small motor skills;

35 (v) Acquiring social and emotional skills including successful  
36 participation in learning activities as an individual and as part of a  
37 group; and

1 (vi) Learning through hands-on experiences;

2 (c) Establish learning environments that are developmentally  
3 appropriate and promote creativity;

4 (d) Demonstrate strong connections and communication with early  
5 learning community providers; and

6 (e) Participate in kindergarten program readiness activities with  
7 early learning providers and parents.

8 ~~(2)((a) In addition to the requirements in subsection (1) of this~~  
9 ~~section and to the extent funds are available, beginning with the 2011-~~  
10 ~~12 school year on a voluntary basis, schools must identify the skills,~~  
11 ~~knowledge, and characteristics of kindergarten students at the~~  
12 ~~beginning of the school year in order to support social-emotional,~~  
13 ~~physical, and cognitive growth and development of individual children;~~  
14 ~~support early learning provider and parent involvement; and inform~~  
15 ~~instruction. Kindergarten teachers shall administer the Washington~~  
16 ~~kindergarten inventory of developing skills, as directed by the~~  
17 ~~superintendent of public instruction in consultation with the~~  
18 ~~department of early learning, and report the results to the~~  
19 ~~superintendent. The superintendent shall share the results with the~~  
20 ~~director of the department of early learning.~~

21 ~~(b) School districts shall provide an opportunity for parents and~~  
22 ~~guardians to excuse their children from participation in the Washington~~  
23 ~~kindergarten inventory of developing skills.~~

24 ~~(c) To the extent funds are available, beginning in the 2012-13~~  
25 ~~school year, the Washington kindergarten inventory of developing skills~~  
26 ~~shall be administered at the beginning of the school year to all~~  
27 ~~students enrolled in state-funded full-day kindergarten programs with~~  
28 ~~the exception of students who have been excused from participation by~~  
29 ~~their parents or guardians.~~

30 ~~(d) Until full implementation of state-funded all-day kindergarten,~~  
31 ~~the superintendent of public instruction, in consultation with the~~  
32 ~~director of the department of early learning, may grant annual,~~  
33 ~~renewable waivers from the requirement of (c) of this subsection to~~  
34 ~~administer the Washington kindergarten inventory of developing skills.~~  
35 ~~A school district seeking a waiver for one or more of its schools must~~  
36 ~~submit an application to the office of the superintendent of public~~  
37 ~~instruction that includes:~~

1       ~~(i) A description of the kindergarten readiness assessment and~~  
2 ~~transition processes that it proposes to administer instead of the~~  
3 ~~Washington kindergarten inventory of developing skills;~~

4       ~~(ii) An explanation of why the administration of the Washington~~  
5 ~~kindergarten inventory of developing skills would be unduly burdensome;~~  
6 ~~and~~

7       ~~(iii) An explanation of how administration of the alternative~~  
8 ~~kindergarten readiness assessment will support social-emotional,~~  
9 ~~physical, and cognitive growth and development of individual children;~~  
10 ~~support early learning provider and parent involvement; and inform~~  
11 ~~instruction.~~

12       (3)) Subject to funds appropriated for this purpose, the  
13 superintendent of public instruction shall designate one or more school  
14 districts to serve as resources and examples of best practices in  
15 designing and operating a high-quality all-day kindergarten program.  
16 Designated school districts shall serve as lighthouse programs and  
17 provide technical assistance to other school districts in the initial  
18 stages of implementing an all-day kindergarten program. Examples of  
19 topics addressed by the technical assistance include strategic  
20 planning, developing the instructional program and curriculum, working  
21 with early learning providers to identify students and communicate with  
22 parents, and developing kindergarten program readiness activities.

23       **Sec. 3.** RCW 28A.155.170 and 2007 c 318 s 2 are each amended to  
24 read as follows:

25       (1) Beginning July 1, 2007, each school district that operates a  
26 high school shall establish a policy and procedures that permit any  
27 student who is receiving special education or related services under an  
28 individualized education program pursuant to state and federal law and  
29 who will continue to receive such services between the ages of eighteen  
30 and twenty-one to participate in the graduation ceremony and activities  
31 after four years of high school attendance with his or her age-  
32 appropriate peers and receive a certificate of attendance.

33       (2) Participation in a graduation ceremony and receipt of a  
34 certificate of attendance under this section does not preclude a  
35 student from continuing to receive special education and related  
36 services under an individualized education program beyond the  
37 graduation ceremony.

1 (3) A student's participation in a graduation ceremony and receipt  
2 of a certificate of attendance under this section shall not be  
3 construed as the student's receipt of (~~either~~  
4 ~~(a)~~) a high school diploma pursuant to RCW 28A.230.120(~~or~~  
5 ~~(b)~~) ~~A certificate of individual achievement pursuant to RCW~~  
6 ~~28A.155.045~~)).

7 **Sec. 4.** RCW 28A.165.025 and 2009 c 556 s 1 are each amended to  
8 read as follows:

9 (1) A participating school district shall submit the district's  
10 plan for using learning assistance funds to the office of the  
11 superintendent of public instruction for approval, to the extent  
12 required under subsection (2) of this section. The program plan must  
13 identify the program activities to be implemented from RCW 28A.165.035  
14 and implement all of the elements in (a) through (h) of this  
15 subsection. The school district plan shall include the following:

16 (a) District and school-level data on reading(~~and writing~~) and  
17 mathematics achievement as reported pursuant to chapter 28A.655 RCW and  
18 relevant federal law;

19 (b) Processes used for identifying the underachieving students to  
20 be served by the program, including the identification of school or  
21 program sites providing program activities;

22 (c) How accelerated learning plans are developed and implemented  
23 for participating students. Accelerated learning plans may be  
24 developed as part of existing student achievement plan process such as  
25 student plans for achieving state high school graduation standards,  
26 individual student academic plans, or the achievement plans for groups  
27 of students. Accelerated learning plans shall include:

28 (i) Achievement goals for the students;

29 (ii) Roles of the student, parents, or guardians and teachers in  
30 the plan;

31 (iii) Communication procedures regarding student accomplishment;  
32 and

33 (iv) Plan reviews and adjustments processes;

34 (d) How state level and classroom assessments are used to inform  
35 instruction;

36 (e) How focused and intentional instructional strategies have been  
37 identified and implemented;

1 (f) How highly qualified instructional staff are developed and  
2 supported in the program and in participating schools;

3 (g) How other federal, state, district, and school resources are  
4 coordinated with school improvement plans and the district's strategic  
5 plan to support underachieving students; and

6 (h) How a program evaluation will be conducted to determine  
7 direction for the following school year.

8 (2) If a school district has received approval of its plan once, it  
9 is not required to submit a plan for approval under RCW 28A.165.045 or  
10 this section unless the district has made a significant change to the  
11 plan. If a district has made a significant change to only a portion of  
12 the plan the district need only submit a description of the changes  
13 made and not the entire plan. Plans or descriptions of changes to the  
14 plan must be submitted by July 1st as required under this section. The  
15 office of the superintendent of public instruction shall establish  
16 guidelines for what a "significant change" is.

17 **Sec. 5.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to  
18 read as follows:

19 The legislature hereby recognizes that private schools should be  
20 subject only to those minimum state controls necessary to insure the  
21 health and safety of all the students in the state and to insure a  
22 sufficient basic education to meet usual graduation requirements. The  
23 state, any agency or official thereof, shall not restrict or dictate  
24 any specific educational or other programs for private schools except  
25 as hereinafter in this section provided.

26 Principals of private schools or superintendents of private school  
27 districts shall file each year with the state superintendent of public  
28 instruction a statement certifying that the minimum requirements  
29 hereinafter set forth are being met, noting any deviations. After  
30 review of the statement, the state superintendent will notify schools  
31 or school districts of those deviations which must be corrected. In  
32 case of major deviations, the school or school district may request and  
33 the state board of education may grant provisional status for one year  
34 in order that the school or school district may take action to meet the  
35 requirements. The state board of education shall not require private  
36 school students to meet the student learning goals, (~~obtain a~~  
37 ~~certificate of academic achievement, or a certificate of individual~~

1 ~~achievement to graduate from high school,~~) to master the essential  
2 academic learning requirements, or to be assessed pursuant to RCW  
3 (~~28A.655.061~~) 28A.655.070. However, private schools may choose, on  
4 a voluntary basis, to have their students master these essential  
5 academic learning requirements(~~(,)~~) or take the assessments(~~(, and~~  
6 ~~obtain a certificate of academic achievement or a certificate of~~  
7 ~~individual achievement)~~). Minimum requirements shall be as follows:

8 (1) The minimum school year for instructional purposes shall  
9 consist of no less than one hundred eighty school days or the  
10 equivalent in annual minimum instructional hour offerings, with a  
11 school-wide annual average total instructional hour offering of one  
12 thousand hours for students enrolled in grades one through twelve, and  
13 at least four hundred fifty hours for students enrolled in  
14 kindergarten.

15 (2) The school day shall be the same as defined in RCW 28A.150.203.

16 (3) All classroom teachers shall hold appropriate Washington state  
17 certification except as follows:

18 (a) Teachers for religious courses or courses for which no  
19 counterpart exists in public schools shall not be required to obtain a  
20 state certificate to teach those courses.

21 (b) In exceptional cases, people of unusual competence but without  
22 certification may teach students so long as a certified person  
23 exercises general supervision. Annual written statements shall be  
24 submitted to the office of the superintendent of public instruction  
25 reporting and explaining such circumstances.

26 (4) An approved private school may operate an extension program for  
27 parents, guardians, or persons having legal custody of a child to teach  
28 children in their custody. The extension program shall require at a  
29 minimum that:

30 (a) The parent, guardian, or custodian be under the supervision of  
31 an employee of the approved private school who is certified under  
32 chapter 28A.410 RCW;

33 (b) The planning by the certified person and the parent, guardian,  
34 or person having legal custody include objectives consistent with this  
35 subsection and subsections (1), (2), (5), (6), and (7) of this section;

36 (c) The certified person spend a minimum average each month of one  
37 contact hour per week with each student under his or her supervision  
38 who is enrolled in the approved private school extension program;

1 (d) Each student's progress be evaluated by the certified person;  
2 and

3 (e) The certified employee shall not supervise more than thirty  
4 students enrolled in the approved private school's extension program.

5 (5) Appropriate measures shall be taken to safeguard all permanent  
6 records against loss or damage.

7 (6) The physical facilities of the school or district shall be  
8 adequate to meet the program offered by the school or district:  
9 PROVIDED, That each school building shall meet reasonable health and  
10 fire safety requirements. A residential dwelling of the parent,  
11 guardian, or custodian shall be deemed to be an adequate physical  
12 facility when a parent, guardian, or person having legal custody is  
13 instructing his or her child under subsection (4) of this section.

14 (7) Private school curriculum shall include instruction of the  
15 basic skills of occupational education, science, mathematics, language,  
16 social studies, history, health, reading, writing, spelling, and the  
17 development of appreciation of art and music, all in sufficient units  
18 for meeting state board of education graduation requirements.

19 (8) Each school or school district shall be required to maintain  
20 up-to-date policy statements related to the administration and  
21 operation of the school or school district.

22 All decisions of policy, philosophy, selection of books, teaching  
23 material, curriculum, except as in subsection (7) of this section  
24 provided, school rules and administration, or other matters not  
25 specifically referred to in this section, shall be the responsibility  
26 of the administration and administrators of the particular private  
27 school involved.

28 **Sec. 6.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended to  
29 read as follows:

30 (1) Each parent whose child is receiving home-based instruction  
31 under RCW 28A.225.010(4) shall have the duty to:

32 (a) File annually a signed declaration of intent that he or she is  
33 planning to cause his or her child to receive home-based instruction.  
34 The statement shall include the name and age of the child, shall  
35 specify whether a certificated person will be supervising the  
36 instruction, and shall be written in a format prescribed by the  
37 superintendent of public instruction. Each parent shall file the



1 statement by September 15th of the school year or within two weeks of  
2 the beginning of any public school quarter, trimester, or semester with  
3 the superintendent of the public school district within which the  
4 parent resides or the district that accepts the transfer, and the  
5 student shall be deemed a transfer student of the nonresident district.  
6 Parents may apply for transfer under RCW 28A.225.220;

7 (b) Ensure that test scores or annual academic progress assessments  
8 and immunization records, together with any other records that are kept  
9 relating to the instructional and educational activities provided, are  
10 forwarded to any other public or private school to which the child  
11 transfers. At the time of a transfer to a public school, the  
12 superintendent of the local school district in which the child enrolls  
13 may require a standardized achievement test to be administered and  
14 shall have the authority to determine the appropriate grade and course  
15 level placement of the child after consultation with parents and review  
16 of the child's records; and

17 (c) Ensure that a standardized achievement test approved by the  
18 state board of education is administered annually to the child by a  
19 qualified individual or that an annual assessment of the student's  
20 academic progress is written by a certificated person who is currently  
21 working in the field of education. The state board of education shall  
22 not require these children to meet the student learning goals, master  
23 the essential academic learning requirements, ~~((to))~~ or take the  
24 assessments ~~((, or to obtain a certificate of academic achievement or a  
25 certificate of individual achievement pursuant to RCW 28A.655.061 and  
26 28A.155.045))~~ under RCW 28A.655.070. The standardized test  
27 administered or the annual academic progress assessment written shall  
28 be made a part of the child's permanent records. If, as a result of  
29 the annual test or assessment, it is determined that the child is not  
30 making reasonable progress consistent with his or her age or stage of  
31 development, the parent shall make a good faith effort to remedy any  
32 deficiency.

33 (2) Failure of a parent to comply with the duties in this section  
34 shall be deemed a failure of such parent's child to attend school  
35 without valid justification under RCW 28A.225.020. Parents who do  
36 comply with the duties set forth in this section shall be presumed to  
37 be providing home-based instruction as set forth in RCW 28A.225.010(4).

1           **Sec. 7.** RCW 28A.230.090 and 2011 c 203 s 2 are each amended to  
2 read as follows:

3           (1) The state board of education shall establish high school  
4 graduation requirements or equivalencies for students, except as  
5 provided in RCW 28A.230.122 and except those equivalencies established  
6 by local high schools or school districts under RCW 28A.230.097. The  
7 purpose of a high school diploma is to declare that a student is ready  
8 for success in postsecondary education, gainful employment, and  
9 citizenship, and is equipped with the skills to be a lifelong learner.

10           (a) Any course in Washington state history and government used to  
11 fulfill high school graduation requirements shall consider including  
12 information on the culture, history, and government of the American  
13 Indian peoples who were the first inhabitants of the state.

14           ~~(b) ((The certificate of academic achievement requirements under  
15 RCW 28A.655.061 or the certificate of individual achievement  
16 requirements under RCW 28A.155.045 are required for graduation from a  
17 public high school but are not the only requirements for graduation.~~

18           ~~(e))~~ Any decision on whether a student has met the state board's  
19 high school graduation requirements for a high school and beyond plan  
20 shall remain at the local level.

21           (2)(a) In recognition of the statutory authority of the state board  
22 of education to establish and enforce minimum high school graduation  
23 requirements, the state board shall periodically reevaluate the  
24 graduation requirements and shall report such findings to the  
25 legislature in a timely manner as determined by the state board.

26           (b) The state board shall reevaluate the graduation requirements  
27 for students enrolled in vocationally intensive and rigorous career and  
28 technical education programs, particularly those programs that lead to  
29 a certificate or credential that is state or nationally recognized.  
30 The purpose of the evaluation is to ensure that students enrolled in  
31 these programs have sufficient opportunity to ~~((earn a certificate of  
32 academic achievement))~~ meet the state's essential academic learning  
33 requirements, complete the program and earn the program's certificate  
34 or credential, and complete other state and local graduation  
35 requirements.

36           (c) The state board shall forward any proposed changes to the high  
37 school graduation requirements to the education committees of the  
38 legislature for review and to the quality education council established

1 under RCW 28A.290.010. The legislature shall have the opportunity to  
2 act during a regular legislative session before the changes are adopted  
3 through administrative rule by the state board. Changes that have a  
4 fiscal impact on school districts, as identified by a fiscal analysis  
5 prepared by the office of the superintendent of public instruction,  
6 shall take effect only if formally authorized and funded by the  
7 legislature through the omnibus appropriations act or other enacted  
8 legislation.

9 (3) Pursuant to any requirement for instruction in languages other  
10 than English established by the state board of education or a local  
11 school district, or both, for purposes of high school graduation,  
12 students who receive instruction in American sign language or one or  
13 more American Indian languages shall be considered to have satisfied  
14 the state or local school district graduation requirement for  
15 instruction in one or more languages other than English.

16 (4) If requested by the student and his or her family, a student  
17 who has completed high school courses before attending high school  
18 shall be given high school credit which shall be applied to fulfilling  
19 high school graduation requirements if:

20 (a) The course was taken with high school students, if the academic  
21 level of the course exceeds the requirements for seventh and eighth  
22 grade classes, and the student has successfully passed by completing  
23 the same course requirements and examinations as the high school  
24 students enrolled in the class; or

25 (b) The academic level of the course exceeds the requirements for  
26 seventh and eighth grade classes and the course would qualify for high  
27 school credit, because the course is similar or equivalent to a course  
28 offered at a high school in the district as determined by the school  
29 district board of directors.

30 (5) Students who have taken and successfully completed high school  
31 courses under the circumstances in subsection (4) of this section shall  
32 not be required to take an additional competency examination or perform  
33 any other additional assignment to receive credit.

34 (6) At the college or university level, five quarter or three  
35 semester hours equals one high school credit.

36 **Sec. 8.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to  
37 read as follows:

1       (~~(1)~~) The superintendent of public instruction, in consultation  
2 with the higher education coordinating board, the state board for  
3 community and technical colleges, and the workforce training and  
4 education coordinating board, shall develop for use by all public  
5 school districts a standardized high school transcript. The  
6 superintendent shall establish clear definitions for the terms  
7 "credits" and "hours" so that school programs operating on the quarter,  
8 semester, or trimester system can be compared.

9       (~~(2) The standardized high school transcript shall include a  
10 notation of whether the student has earned a certificate of individual  
11 achievement or a certificate of academic achievement.~~)

12       **Sec. 9.** RCW 28A.230.125 and 2011 1st sp.s. c 11 s 130 are each  
13 amended to read as follows:

14       (~~(1)~~) The superintendent of public instruction, in consultation  
15 with the four-year institutions as defined in RCW 28B.76.020, the state  
16 board for community and technical colleges, and the workforce training  
17 and education coordinating board, shall develop for use by all public  
18 school districts a standardized high school transcript. The  
19 superintendent shall establish clear definitions for the terms  
20 "credits" and "hours" so that school programs operating on the quarter,  
21 semester, or trimester system can be compared.

22       (~~(2) The standardized high school transcript shall include a  
23 notation of whether the student has earned a certificate of individual  
24 achievement or a certificate of academic achievement.~~)

25       **Sec. 10.** RCW 28A.305.130 and 2011 1st sp.s. c 6 s 1 are each  
26 amended to read as follows:

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

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

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

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

9 (4) For purposes of statewide accountability:

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

33 (b) Identify the scores students must achieve in order to meet the  
34 standard on the statewide student assessment (~~and, for high school~~  
35 ~~students, to obtain a certificate of academic achievement)). The board~~  
36 shall also determine student scores that identify levels of student  
37 performance below and beyond the standard. (~~The board shall consider~~  
38 ~~the incorporation of the standard error of measurement into the~~

1 ~~decision regarding the award of the certificates.))~~ The board shall  
2 set such performance standards and levels in consultation with the  
3 superintendent of public instruction and after consideration of any  
4 recommendations that may be developed by any advisory committees that  
5 may be established for this purpose. ~~((The legislature shall be  
6 advised of the initial performance standards for the high school  
7 statewide student assessment. Any changes recommended by the board in  
8 the performance standards for the high school assessment shall be  
9 presented to the education committees of the house of representatives  
10 and the senate by November 30th of the school year in which the changes  
11 will take place to permit the legislature to take statutory action  
12 before the changes are implemented if such action is deemed warranted  
13 by the legislature.))~~ The legislature shall be advised of the initial  
14 performance standards and any changes made to the ~~((elementary level  
15 performance standards and the middle school level))~~ performance  
16 standards. The board must provide an explanation of and rationale for  
17 all initial performance standards and any changes, for all grade levels  
18 of the statewide student assessment. If the board changes the  
19 performance standards for any grade level or subject, the  
20 superintendent of public instruction must recalculate the results from  
21 the previous ten years of administering that assessment regarding  
22 students below, meeting, and beyond the state standard, to the extent  
23 that this data is available, and post a comparison of the original and  
24 recalculated results on the superintendent's web site;

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

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

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

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

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

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

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

21 **Sec. 11.** RCW 28A.600.310 and 2011 1st sp.s. c 10 s 10 are each  
22 amended to read as follows:

23 (1) Eleventh and twelfth grade students or students who have not  
24 yet received the credits required for the award of a high school  
25 diploma and are eligible to be in the eleventh or twelfth grades may  
26 apply to a participating institution of higher education to enroll in  
27 courses or programs offered by the institution of higher education. A  
28 student receiving home-based instruction enrolling in a public high  
29 school for the sole purpose of participating in courses or programs  
30 offered by institutions of higher education shall not be counted by the  
31 school district in any required state or federal accountability  
32 reporting if the student's parents or guardians filed a declaration of  
33 intent to provide home-based instruction and the student received home-  
34 based instruction during the school year before the school year in  
35 which the student intends to participate in courses or programs offered  
36 by the institution of higher education. Students receiving home-based  
37 instruction under chapter 28A.200 RCW and students attending private

1 schools approved under chapter 28A.195 RCW shall not be required to  
2 meet the student learning goals(~~(, obtain a certificate of academic~~  
3 ~~achievement or a certificate of individual achievement to graduate from~~  
4 ~~high school,~~) or to master the essential academic learning  
5 requirements. However, students are eligible to enroll in courses or  
6 programs in participating universities only if the board of directors  
7 of the student's school district has decided to participate in the  
8 program. Participating institutions of higher education, in  
9 consultation with school districts, may establish admission standards  
10 for these students. If the institution of higher education accepts a  
11 secondary school pupil for enrollment under this section, the  
12 institution of higher education shall send written notice to the pupil  
13 and the pupil's school district within ten days of acceptance. The  
14 notice shall indicate the course and hours of enrollment for that  
15 pupil.

16 (2)(a) In lieu of tuition and fees, as defined in RCW 28B.15.020  
17 and 28B.15.041:

18 (i) Running start students shall pay to the community or technical  
19 college all other mandatory fees as established by each community or  
20 technical college and, in addition, the state board for community and  
21 technical colleges may authorize a fee of up to ten percent of tuition  
22 and fees as defined in RCW 28B.15.020 and 28B.15.041; and

23 (ii) All other institutions of higher education operating a running  
24 start program may charge running start students a fee of up to ten  
25 percent of tuition and fees as defined in RCW 28B.15.020 and 28B.15.041  
26 in addition to technology fees.

27 (b) The fees charged under this subsection (2) shall be prorated  
28 based on credit load.

29 (3)(a) The institutions of higher education must make available fee  
30 waivers for low-income running start students. Each institution must  
31 establish a written policy for the determination of low-income students  
32 before offering the fee waiver. A student shall be considered low  
33 income and eligible for a fee waiver upon proof that the student is  
34 currently qualified to receive free or reduced-price lunch. Acceptable  
35 documentation of low-income status may also include, but is not limited  
36 to, documentation that a student has been deemed eligible for free or  
37 reduced-price lunches in the last five years, or other criteria  
38 established in the institution's policy.



1 (b) Institutions of higher education, in collaboration with  
2 relevant student associations, shall aim to have students who can  
3 benefit from fee waivers take advantage of these waivers. Institutions  
4 shall make every effort to communicate to students and their families  
5 the benefits of the waivers and provide assistance to students and  
6 their families on how to apply. Information about waivers shall, to  
7 the greatest extent possible, be incorporated into financial aid  
8 counseling, admission information, and individual billing statements.  
9 Institutions also shall, to the greatest extent possible, use all means  
10 of communication, including but not limited to web sites, online  
11 catalogues, admission and registration forms, mass e-mail messaging,  
12 social media, and outside marketing to ensure that information about  
13 waivers is visible, compelling, and reaches the maximum number of  
14 students and families that can benefit.

15 (4) The pupil's school district shall transmit to the institution  
16 of higher education an amount per each full-time equivalent college  
17 student at statewide uniform rates for vocational and nonvocational  
18 students. The superintendent of public instruction shall separately  
19 calculate and allocate moneys appropriated for basic education under  
20 RCW 28A.150.260 to school districts for purposes of making such  
21 payments and for granting school districts seven percent thereof to  
22 offset program related costs. The calculations and allocations shall  
23 be based upon the estimated statewide annual average per full-time  
24 equivalent high school student allocations under RCW 28A.150.260,  
25 excluding small high school enhancements, and applicable rules adopted  
26 under chapter 34.05 RCW. The superintendent of public instruction, the  
27 higher education coordinating board, and the state board for community  
28 and technical colleges shall consult on the calculation and  
29 distribution of the funds. The funds received by the institution of  
30 higher education from the school district shall not be deemed tuition  
31 or operating fees and may be retained by the institution of higher  
32 education. A student enrolled under this subsection shall be counted  
33 for the purpose of meeting enrollment targets in accordance with terms  
34 and conditions specified in the omnibus appropriations act.

35 (5) The state board for community and technical colleges, in  
36 collaboration with the other institutions of higher education that  
37 participate in the running start program and the office of the  
38 superintendent of public instruction, shall identify, assess, and

1 report on alternatives for providing ongoing and adequate financial  
2 support for the program. Such alternatives shall include but are not  
3 limited to student tuition, increased support from local school  
4 districts, and reallocation of existing state financial support among  
5 the community and technical college system to account for differential  
6 running start enrollment levels and impacts. The state board for  
7 community and technical colleges shall report the assessment of  
8 alternatives to the governor and to the appropriate fiscal and policy  
9 committees of the legislature by September 1, 2010.

10 **Sec. 12.** RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each  
11 amended to read as follows:

12 ~~(1) ((The high school assessment system shall include but need not  
13 be limited to the statewide student assessment, opportunities for a  
14 student to retake the content areas of the assessment in which the  
15 student was not successful, and, if approved by the legislature  
16 pursuant to subsection (10) of this section, one or more objective  
17 alternative assessments for a student to demonstrate achievement of  
18 state academic standards. The objective alternative assessments for  
19 each content area shall be comparable in rigor to the skills and  
20 knowledge that the student must demonstrate on the statewide student  
21 assessment for each content area.~~

22 ~~(2) Subject to the conditions in this section, a certificate of  
23 academic achievement shall be obtained by most students at about the  
24 age of sixteen, and is evidence that the students have successfully met  
25 the state standard in the content areas included in the certificate.  
26 With the exception of students satisfying the provisions of RCW  
27 28A.155.045 or 28A.655.0611, acquisition of the certificate is required  
28 for graduation from a public high school but is not the only  
29 requirement for graduation.~~

30 ~~(3) Beginning with the graduating class of 2008, with the exception  
31 of students satisfying the provisions of RCW 28A.155.045, a student who  
32 meets the state standards on the reading, writing, and mathematics  
33 content areas of the high school statewide student assessment shall  
34 earn a certificate of academic achievement. If a student does not  
35 successfully meet the state standards in one or more content areas  
36 required for the certificate of academic achievement, then the student  
37 may retake the assessment in the content area up to four times at no~~

1 ~~cost to the student. If the student successfully meets the state~~  
2 ~~standards on a retake of the assessment then the student shall earn a~~  
3 ~~certificate of academic achievement. Once objective alternative~~  
4 ~~assessments are authorized pursuant to subsection (10) of this section,~~  
5 ~~a student may use the objective alternative assessments to demonstrate~~  
6 ~~that the student successfully meets the state standards for that~~  
7 ~~content area if the student has taken the statewide student assessment~~  
8 ~~at least once. If the student successfully meets the state standards~~  
9 ~~on the objective alternative assessments then the student shall earn a~~  
10 ~~certificate of academic achievement.~~

11 ~~(4) Beginning with the graduating class of 2015, a student must~~  
12 ~~meet the state standards in science in addition to the other content~~  
13 ~~areas required under subsection (3) of this section on the statewide~~  
14 ~~student assessment or the objective alternative assessments in order to~~  
15 ~~earn a certificate of academic achievement.~~

16 ~~(5) The state board of education may not require the acquisition of~~  
17 ~~the certificate of academic achievement for students in home-based~~  
18 ~~instruction under chapter 28A.200 RCW, for students enrolled in private~~  
19 ~~schools under chapter 28A.195 RCW, or for students satisfying the~~  
20 ~~provisions of RCW 28A.155.045.~~

21 ~~(6) A student may retain and use the highest result from each~~  
22 ~~successfully completed content area of the high school assessment.~~

23 ~~(7) School districts must make available to students the following~~  
24 ~~options:~~

25 ~~(a) To retake the statewide student assessment up to four times in~~  
26 ~~the content areas in which the student did not meet the state standards~~  
27 ~~if the student is enrolled in a public school; or~~

28 ~~(b) To retake the statewide student assessment up to four times in~~  
29 ~~the content areas in which the student did not meet the state standards~~  
30 ~~if the student is enrolled in a high school completion program at a~~  
31 ~~community or technical college. The superintendent of public~~  
32 ~~instruction and the state board for community and technical colleges~~  
33 ~~shall jointly identify means by which students in these programs can be~~  
34 ~~assessed.~~

35 ~~(8) Students who achieve the standard in a content area of the high~~  
36 ~~school assessment but who wish to improve their results shall pay for~~  
37 ~~retaking the assessment, using a uniform cost determined by the~~  
38 ~~superintendent of public instruction.~~

1       ~~(9) Opportunities to retake the assessment at least twice a year~~  
2 ~~shall be available to each school district.~~

3       ~~(10)(a) The office of the superintendent of public instruction~~  
4 ~~shall develop options for implementing objective alternative~~  
5 ~~assessments, which may include an appeals process for students' scores,~~  
6 ~~for students to demonstrate achievement of the state academic~~  
7 ~~standards. The objective alternative assessments shall be comparable~~  
8 ~~in rigor to the skills and knowledge that the student must demonstrate~~  
9 ~~on the statewide student assessment and be objective in its~~  
10 ~~determination of student achievement of the state standards. Before~~  
11 ~~any objective alternative assessments in addition to those authorized~~  
12 ~~in RCW 28A.655.065 or (b) of this subsection are used by a student to~~  
13 ~~demonstrate that the student has met the state standards in a content~~  
14 ~~area required to obtain a certificate, the legislature shall formally~~  
15 ~~approve the use of any objective alternative assessments through the~~  
16 ~~omnibus appropriations act or by statute or concurrent resolution.~~

17       ~~(b)(i) A student's score on the mathematics, reading or English, or~~  
18 ~~writing portion of the SAT or the ACT may be used as an objective~~  
19 ~~alternative assessment under this section for demonstrating that a~~  
20 ~~student has met or exceeded the state standards for the certificate of~~  
21 ~~academic achievement. The state board of education shall identify the~~  
22 ~~scores students must achieve on the relevant portion of the SAT or ACT~~  
23 ~~to meet or exceed the state standard in the relevant content area on~~  
24 ~~the statewide student assessment. A student's score on the science~~  
25 ~~portion of the ACT or the science subject area tests of the SAT may be~~  
26 ~~used as an objective alternative assessment under this section as soon~~  
27 ~~as the state board of education determines that sufficient data is~~  
28 ~~available to identify reliable equivalent scores for the science~~  
29 ~~content area of the statewide student assessment. After the first~~  
30 ~~scores are established, the state board may increase but not decrease~~  
31 ~~the scores required for students to meet or exceed the state standards.~~

32       ~~(ii) A student who scores at least a three on the grading scale of~~  
33 ~~one to five for selected AP examinations may use the score as an~~  
34 ~~objective alternative assessment under this section for demonstrating~~  
35 ~~that a student has met or exceeded state standards for the certificate~~  
36 ~~of academic achievement. A score of three on the AP examinations in~~  
37 ~~calculus or statistics may be used as an alternative assessment for the~~  
38 ~~mathematics portion of the statewide student assessment. A score of~~

1 ~~three on the AP examinations in English language and composition may be~~  
2 ~~used as an alternative assessment for the writing portion of the~~  
3 ~~statewide student assessment. A score of three on the AP examinations~~  
4 ~~in English literature and composition, macroeconomics, microeconomics,~~  
5 ~~psychology, United States history, world history, United States~~  
6 ~~government and politics, or comparative government and politics may be~~  
7 ~~used as an alternative assessment for the reading portion of the~~  
8 ~~statewide student assessment. A score of three on the AP examination~~  
9 ~~in biology, physics, chemistry, or environmental science may be used as~~  
10 ~~an alternative assessment for the science portion of the statewide~~  
11 ~~student assessment.~~

12 ~~(11) By December 15, 2004, the house of representatives and senate~~  
13 ~~education committees shall obtain information and conclusions from~~  
14 ~~recognized, independent, national assessment experts regarding the~~  
15 ~~validity and reliability of the high school Washington assessment of~~  
16 ~~student learning for making individual student high school graduation~~  
17 ~~determinations.~~

18 ~~(12))~~ To help assure continued progress in academic achievement as  
19 a foundation for high school graduation (~~and to assure that students~~  
20 ~~are on track for high school graduation)), each school district shall  
21 prepare plans for and notify students and their parents or legal  
22 guardians as provided in this (~~subsection~~) section. Student learning  
23 plans are required for eighth grade students who were not successful on  
24 any or all of the content areas of the state assessment during the  
25 previous school year or who may not be on track to graduate due to  
26 credit deficiencies or absences. The parent or legal guardian shall be  
27 notified about the information in the student learning plan, preferably  
28 through a parent conference and at least annually. To the extent  
29 feasible, schools serving English language learner students and their  
30 parents shall translate the plan into the primary language of the  
31 family.~~

32 (2) The plan shall include the following information as applicable:

- 33 (a) The student's results on the state assessment;
- 34 (b) If the student is in the transitional bilingual program, the  
35 score on his or her Washington language proficiency test II;
- 36 (c) Any credit deficiencies;
- 37 (d) The student's attendance rates over the previous two years;

1 (e) The student's progress toward meeting state and local  
2 graduation requirements;

3 (f) The courses, competencies, and other steps needed to be taken  
4 by the student to meet state academic standards (~~and stay on track for~~  
5 ~~graduation~~));

6 (g) Remediation strategies and alternative education options  
7 available to students, including informing students of the option to  
8 continue to receive instructional services after grade twelve or until  
9 the age of twenty-one;

10 (h) (~~The alternative assessment options available to students~~  
11 ~~under this section and RCW 28A.655.065;~~

12 ~~(i)~~) School district programs, high school courses, and career and  
13 technical education options available for students to meet graduation  
14 requirements; and

15 ~~((j))~~ (i) Available programs offered through skill centers or  
16 community and technical colleges, including the college high school  
17 diploma options under RCW 28B.50.535.

18 **Sec. 13.** RCW 28A.655.066 and 2011 c 25 s 2 are each amended to  
19 read as follows:

20 (1)(a) In consultation with the state board of education, the  
21 superintendent of public instruction shall develop statewide end-of-  
22 course assessments for high school mathematics that measure student  
23 achievement of the state mathematics standards as provided in this  
24 section. The superintendent shall take steps to ensure that the  
25 language of the assessments is responsive to a diverse student  
26 population. The assessments shall be implemented statewide in the  
27 2010-11 school year.

28 (b) The superintendent shall develop end-of-course assessments for  
29 the first year of high school mathematics that include the standards  
30 common to algebra I and integrated mathematics I (~~and for the second~~  
31 ~~year of high school mathematics that include the standards common to~~  
32 ~~geometry and integrated mathematics II~~). The assessments under this  
33 subsection (1)(b) shall be used to demonstrate that a student meets the  
34 state standard on the mathematics content area of the high school  
35 ~~(Washington)~~ statewide student assessment (~~of student learning~~) for  
36 purposes of (~~RCW 28A.655.061~~) state and federal accountability.

1 (c) The superintendent of public instruction shall also develop  
2 subtests for the end-of-course assessments that measure standards for  
3 the first ~~((two))~~ year~~((s))~~ of high school mathematics that are unique  
4 to algebra I~~((r))~~ and integrated mathematics I~~((, geometry, and~~  
5 ~~integrated mathematics II))~~. The results of the subtests shall be  
6 reported at the student, teacher, school, and district level.

7 ~~((For the graduating classes of 2013 and 2014 and for purposes~~  
8 ~~of the certificate of academic achievement under RCW 28A.655.061, a~~  
9 ~~student may use: (a) Results from the end-of-course assessment for the~~  
10 ~~first year of high school mathematics or the results from the end-of-~~  
11 ~~course assessment for the second year of high school mathematics; or~~  
12 ~~(b) results from a high school mathematics retake assessment.~~

13 ~~(3) Beginning with the graduating class of 2015 and for purposes of~~  
14 ~~the certificate of academic achievement under RCW 28A.655.061, the~~  
15 ~~mathematics content area of the Washington assessment of student~~  
16 ~~learning shall be assessed using the end-of-course assessment for the~~  
17 ~~first year of high school mathematics plus the end-of-course assessment~~  
18 ~~for the second year of high school mathematics, or results from a high~~  
19 ~~school mathematics retake assessment for the end-of-course assessments~~  
20 ~~in which the student did not meet the standard.~~

21 ~~(4) All of the objective alternative assessments available to~~  
22 ~~students under RCW 28A.655.061 and 28A.655.065 shall be available to~~  
23 ~~any student who has taken the sequence of end-of-course assessments~~  
24 ~~once but does not meet the state mathematics standard on the sequence~~  
25 ~~of end-of-course assessments.~~

26 ~~(5))~~ The superintendent of public instruction shall report at  
27 least annually or more often if necessary to keep the education  
28 committees of the legislature informed on each step of the development  
29 and implementation process under this section.

30 **Sec. 14.** RCW 28A.655.068 and 2011 1st sp.s. c 22 s 3 are each  
31 amended to read as follows:

32 (1) Beginning in the 2011-12 school year, the statewide high school  
33 assessment in science shall be an end-of-course assessment for biology  
34 that measures the state standards for life sciences, in addition to  
35 systems, inquiry, and application as they pertain to life sciences.

36 ~~((The superintendent of public instruction may develop science~~

1 ~~end of course assessments in subjects in addition to biology for~~  
2 ~~purposes of RCW 28A.655.061, when so directed by the legislature.~~

3 (3)) The superintendent of public instruction may participate with  
4 consortia of multiple states as common student learning standards and  
5 assessments in science are developed. The superintendent of public  
6 instruction, in consultation with the state board of education, may  
7 modify the essential academic learning requirements and statewide  
8 student assessments in science, including the high school assessment,  
9 according to the multistate common student learning standards and  
10 assessments as long as the education committees of the legislature have  
11 opportunities for review before the modifications are adopted, as  
12 provided under RCW 28A.655.070.

13 ((4) ~~The statewide high school assessment under this section shall~~  
14 ~~be used to demonstrate that a student meets the state standards in the~~  
15 ~~science content area of the statewide student assessment for purposes~~  
16 ~~of RCW 28A.655.061.))~~

17 **Sec. 15.** RCW 28A.655.185 and 2005 c 495 s 1 are each amended to  
18 read as follows:

19 (1) It is the intent of the legislature, through the creation of  
20 the apple award, to honor and reward students in Washington's public  
21 elementary schools who have shown significant improvement in their  
22 school's results on the ((Washington)) statewide student assessment  
23 ((of student learning)).

24 (2) The apple award program is created to honor and reward public  
25 elementary schools that have the greatest combined average increase in  
26 the percentage of students meeting the fourth grade reading((7)) and  
27 mathematics((7 and writing)) standards on the ((Washington)) statewide  
28 student assessment ((of student learning)) each school year. The  
29 program shall be administered by the state board of education.

30 (3) Within the amounts appropriated for this purpose, each school  
31 that receives an apple award shall be provided with a twenty-five  
32 thousand dollar grant to be used for capital construction purposes that  
33 have been selected by students in the school and approved by the  
34 district's school directors. The funds may be used exclusively for  
35 capital construction projects on school property or on other public  
36 property in the community, city, or county in which the school is  
37 located.



1       **Sec. 16.** RCW 28A.655.200 and 2009 c 539 s 1 are each amended to  
2 read as follows:

3       (1) The legislature intends to permit school districts to offer  
4 norm-referenced assessments, make diagnostic tools available to school  
5 districts, and provide funding for diagnostic assessments to enhance  
6 student learning at all grade levels and provide early intervention  
7 before the high school ((Washington)) statewide student assessment ((of  
8 ~~student learning~~)).

9       (2) In addition to the diagnostic assessments provided under this  
10 section, school districts may, at their own expense, administer norm-  
11 referenced assessments to students.

12       (3) Subject to the availability of amounts appropriated for this  
13 purpose, the office of the superintendent of public instruction shall  
14 post on its web site for voluntary use by school districts, a guide of  
15 diagnostic assessments. The assessments in the guide, to the extent  
16 possible, shall include the characteristics listed in subsection (4) of  
17 this section.

18       (4) Subject to the availability of amounts appropriated for this  
19 purpose, beginning September 1, 2007, the office of the superintendent  
20 of public instruction shall make diagnostic assessments in reading,  
21 ((writing,)) mathematics, and science in elementary, middle, and high  
22 school grades available to school districts. Subject to funds  
23 appropriated for this purpose, the office of the superintendent of  
24 public instruction shall also provide funding to school districts for  
25 administration of diagnostic assessments to help improve student  
26 learning, identify academic weaknesses, enhance student planning and  
27 guidance, and develop targeted instructional strategies to assist  
28 students before the high school ((Washington)) statewide student  
29 assessment ((of ~~student learning~~)). To the greatest extent possible,  
30 the assessments shall be:

31       (a) Aligned to the state's grade level expectations;

32       (b) Individualized to each student's performance level;

33       (c) Administered efficiently to provide results either immediately  
34 or within two weeks;

35       (d) Capable of measuring individual student growth over time and  
36 allowing student progress to be compared to other students across the  
37 country;

38       (e) Readily available to parents; and

1 (f) Cost-effective.

2 (5) The office of the superintendent of public instruction shall  
3 offer training at statewide and regional staff development activities  
4 in:

5 (a) The interpretation of diagnostic assessments; and

6 (b) Application of instructional strategies that will increase  
7 student learning based on diagnostic assessment data.

8 **Sec. 17.** RCW 28A.655.070 and 2008 c 163 s 2 are each amended to  
9 read as follows:

10 (1) The superintendent of public instruction shall develop  
11 essential academic learning requirements that identify the knowledge  
12 and skills all public school students need to know and be able to do  
13 based on the student learning goals in RCW 28A.150.210, develop student  
14 assessments, and implement the accountability recommendations and  
15 requests regarding assistance, rewards, and recognition of the state  
16 board of education.

17 (2) The superintendent of public instruction shall:

18 (a) Periodically revise the essential academic learning  
19 requirements, as needed, based on the student learning goals in RCW  
20 28A.150.210. Goals one and two shall be considered primary. To the  
21 maximum extent possible, the superintendent shall integrate goal four  
22 and the knowledge and skill areas in the other goals in the essential  
23 academic learning requirements; and

24 (b) Review and prioritize the essential academic learning  
25 requirements and identify, with clear and concise descriptions, the  
26 grade level content expectations to be assessed on the (~~Washington~~)  
27 statewide student assessment (~~of student learning~~) and used for state  
28 or federal accountability purposes. The review, prioritization, and  
29 identification shall result in more focus and targeting with an  
30 emphasis on depth over breadth in the number of grade level content  
31 expectations assessed at each grade level. Grade level content  
32 expectations shall be articulated over the grades as a sequence of  
33 expectations and performances that are logical, build with increasing  
34 depth after foundational knowledge and skills are acquired, and  
35 reflect, where appropriate, the sequential nature of the discipline.  
36 The office of the superintendent of public instruction, within seven  
37 working days, shall post on its web site any grade level content

1 expectations provided to an assessment vendor for use in constructing  
2 the ~~((Washington))~~ statewide student assessment ~~((of student~~  
3 ~~learning))~~.

4 (3)(a) In consultation with the state board of education, the  
5 superintendent of public instruction shall maintain and continue to  
6 develop and revise a statewide academic assessment system in the  
7 content areas of reading, ~~((writing,))~~ mathematics, and science for use  
8 in the elementary, middle, and high school years designed to determine  
9 if each student has mastered the essential academic learning  
10 requirements identified in subsection (1) of this section. School  
11 districts shall administer the assessments under guidelines adopted by  
12 the superintendent of public instruction. The academic assessment  
13 system may include a variety of assessment methods, including  
14 criterion-referenced and performance-based measures.

15 (b) Effective with the 2009 administration of the ~~((Washington))~~  
16 statewide student assessment ~~((of student learning))~~, the  
17 superintendent shall redesign the assessment in the content areas of  
18 reading, mathematics, and science in all grades except high school by  
19 shortening test administration and reducing the number of short answer  
20 and extended response questions.

21 (4) If the superintendent proposes any modification to the  
22 essential academic learning requirements or the statewide assessments,  
23 then the superintendent shall, upon request, provide opportunities for  
24 the education committees of the house of representatives and the senate  
25 to review the assessments and proposed modifications to the essential  
26 academic learning requirements before the modifications are adopted.

27 (5) The assessment system shall be designed so that the results  
28 under the assessment system are used by educators as tools to evaluate  
29 instructional practices, and to initiate appropriate educational  
30 support for students who have not mastered the essential academic  
31 learning requirements at the appropriate periods in the student's  
32 educational development.

33 (6) By September 2007, the results for reading and mathematics  
34 shall be reported in a format that will allow parents and teachers to  
35 determine the academic gain a student has acquired in those content  
36 areas from one school year to the next.

37 (7) To assist parents and teachers in their efforts to provide  
38 educational support to individual students, the superintendent of

1 public instruction shall provide as much individual student performance  
2 information as possible within the constraints of the assessment  
3 system's item bank. The superintendent shall also provide to school  
4 districts:

5 (a) Information on classroom-based and other assessments that may  
6 provide additional achievement information for individual students; and

7 (b) A collection of diagnostic tools that educators may use to  
8 evaluate the academic status of individual students. The tools shall  
9 be designed to be inexpensive, easily administered, and quickly and  
10 easily scored, with results provided in a format that may be easily  
11 shared with parents and students.

12 (8) To the maximum extent possible, the superintendent shall  
13 integrate knowledge and skill areas in development of the assessments.

14 (9) Assessments for goals three and four of RCW 28A.150.210 shall  
15 be integrated in the essential academic learning requirements and  
16 assessments for goals one and two.

17 (10) The superintendent shall develop assessments that are directly  
18 related to the essential academic learning requirements, and are not  
19 biased toward persons with different learning styles, racial or ethnic  
20 backgrounds, or on the basis of gender.

21 (11) The superintendent shall consider methods to address the  
22 unique needs of special education students when developing the  
23 assessments under this section.

24 (12) The superintendent shall consider methods to address the  
25 unique needs of highly capable students when developing the assessments  
26 under this section.

27 (13) The superintendent shall post on the superintendent's web site  
28 lists of resources and model assessments in social studies, the arts,  
29 and health and fitness.

30 **Sec. 18.** RCW 28B.15.067 and 2011 1st sp.s. c 10 s 3 are each  
31 amended to read as follows:

32 (1) Tuition fees shall be established under the provisions of this  
33 chapter.

34 (2) Beginning in the 2011-12 academic year, reductions or increases  
35 in full-time tuition fees shall be as provided in the omnibus  
36 appropriations act for resident undergraduate students at community and  
37 technical colleges. The governing boards of the state universities,

1 regional universities, and The Evergreen State College; and the state  
2 board for community and technical colleges may reduce or increase full-  
3 time tuition fees for all students other than resident undergraduates,  
4 including nonresident students, summer school students, and students in  
5 other self-supporting degree programs. Percentage increases in full-  
6 time tuition may exceed the fiscal growth factor. The state board for  
7 community and technical colleges may pilot or institute differential  
8 tuition models. The board may define scale, scope, and rationale for  
9 the models.

10 (3)(a) Beginning with the 2011-12 academic year and through the end  
11 of the 2014-15 academic year, the governing boards of the state  
12 universities, the regional universities, and The Evergreen State  
13 College may reduce or increase full-time tuition fees for all students,  
14 including summer school students and students in other self-supporting  
15 degree programs. Percentage increases in full-time tuition fees may  
16 exceed the fiscal growth factor. Reductions or increases may be made  
17 for all or portions of an institution's programs, campuses, courses, or  
18 students.

19 (b) Prior to reducing or increasing tuition for each academic year,  
20 the governing boards of the state universities, the regional  
21 universities, and The Evergreen State College shall consult with  
22 existing student associations or organizations with student  
23 undergraduate and graduate representatives regarding the impacts of  
24 potential tuition increases. Governing boards shall be required to  
25 provide data regarding the percentage of students receiving financial  
26 aid, the sources of aid, and the percentage of total costs of  
27 attendance paid for by aid.

28 (c) Prior to reducing or increasing tuition for each academic year,  
29 the state board for community and technical college system shall  
30 consult with existing student associations or organizations with  
31 undergraduate student representation regarding the impacts of potential  
32 tuition increases. The state board for community and technical  
33 colleges shall provide data regarding the percentage of students  
34 receiving financial aid, the sources of aid, and the percentage of  
35 total costs of attendance paid for by aid.

36 (4) Beginning with the 2015-16 academic year through the 2018-19  
37 academic year, the governing boards of the state universities, regional

1 universities, and The Evergreen State College may set tuition for  
2 resident undergraduates as follows:

3 (a) If state funding for a college or university falls below the  
4 state funding provided in the operating budget for fiscal year 2011,  
5 the governing board may increase tuition up to the limits set in (d) of  
6 this subsection, reduce enrollments, or both;

7 (b) If state funding for a college or university is at least at the  
8 level of state funding provided in the operating budget for fiscal year  
9 2011, the governing board may increase tuition up to the limits set in  
10 (d) of this subsection and shall continue to at least maintain the  
11 actual enrollment levels for fiscal year 2011 or increase enrollments  
12 as required in the omnibus appropriations act; ~~((and))~~

13 (c) If state funding is increased so that combined with resident  
14 undergraduate tuition the sixtieth percentile of the total per-student  
15 funding at similar public institutions of higher education in the  
16 global challenge states under RCW 28B.15.068 is exceeded, the governing  
17 board shall decrease tuition by the amount needed for the total per-  
18 student funding to be at the sixtieth percentile under RCW 28B.15.068;  
19 and

20 (d) The amount of tuition set by the governing board for an  
21 institution under this subsection (4) may not exceed the sixtieth  
22 percentile of the resident undergraduate tuition of similar public  
23 institutions of higher education in the global challenge states.

24 (5) The tuition fees established under this chapter shall not apply  
25 to high school students enrolling in participating institutions of  
26 higher education under RCW 28A.600.300 through 28A.600.400.

27 (6) The tuition fees established under this chapter shall not apply  
28 to eligible students enrolling in a dropout reengagement program  
29 through an interlocal agreement between a school district and a  
30 community or technical college under RCW 28A.175.100 through  
31 28A.175.110.

32 ~~((The tuition fees established under this chapter shall not  
33 apply to eligible students enrolling in a community or technical  
34 college participating in the pilot program under RCW 28B.50.534 for the  
35 purpose of obtaining a high school diploma.~~

36 ~~(+8))~~ Beginning in the 2019-20 academic year, reductions or  
37 increases in full-time tuition fees for resident undergraduates at

1 four-year institutions of higher education shall be as provided in the  
2 omnibus appropriations act.

3 NEW SECTION. **Sec. 19.** The following acts or parts of acts are  
4 each repealed:

5 (1) RCW 28A.155.045 (Certificate of individual achievement) and  
6 2007 c 354 s 3 & 2004 c 19 s 104;

7 (2) RCW 28A.180.100 (Continuing education plan for older students)  
8 and 2004 c 19 s 105;

9 (3) RCW 28A.600.405 (Participation in high school completion pilot  
10 program--Eligible students--Funding allocations--Rules--Information for  
11 students and parents) and 2007 c 355 s 4;

12 (4) RCW 28A.655.0611 (Graduation without certificate of academic  
13 achievement or certificate of individual achievement) and 2009 c 17 s  
14 1 & 2007 c 354 s 4;

15 (5) RCW 28A.655.063 (Objective alternative assessments--  
16 Reimbursement of costs--Testing fee waivers) and 2007 c 354 s 7 & 2006  
17 c 115 s 5;

18 (6) RCW 28A.655.065 (Objective alternative assessment methods--  
19 Appeals from assessment scores--Waivers and appeals from assessment  
20 requirements--Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354  
21 s 6, & 2006 c 115 s 1;

22 (7) RCW 28A.655.220 (Washington kindergarten inventory of  
23 developing skills--Fairness and bias review) and 2011 c 340 s 2; and

24 (8) RCW 28B.50.534 (High school completion pilot program) and 2007  
25 c 355 s 3.

26 NEW SECTION. **Sec. 20.** Section 8 of this act expires July 1, 2012.

27 NEW SECTION. **Sec. 21.** Section 9 of this act takes effect July 1,  
28 2012.

29 NEW SECTION. **Sec. 22.** Sections 1 through 8 and 10 through 19 of  
30 this act are necessary for the immediate preservation of the public  
31 peace, health, or safety, or support of the state government and its  
32 existing public institutions, and take effect immediately.

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