
HOUSE BILL 1463

State of Washington

62nd Legislature

2011 Regular Session

By Representatives McCoy, Hope, Haler, Moscoso, Dunshee, Hunt, Seaquist, Appleton, Pettigrew, Kenney, Lias, Moeller, Van De Wege, Ormsby, Hasegawa, Goodman, Roberts, Ryu, Haigh, Stanford, Rolfes, and Sells

Read first time 01/21/11. Referred to Committee on Education.

1 AN ACT Relating to eliminating the use of statewide assessments as
2 a high school graduation requirement; amending RCW 28A.655.061,
3 28A.655.066, 28A.195.010, 28A.200.010, 28A.230.125, 28A.305.130,
4 28A.600.310, 28A.155.170, 28B.15.520, and 28B.15.067; reenacting and
5 amending RCW 28A.230.090; creating a new section; and repealing RCW
6 28A.155.045, 28A.180.100, 28A.655.0611, 28A.655.063, 28A.655.065,
7 28A.600.405, and 28B.50.534.

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

9 NEW SECTION. **Sec. 1.** The legislature intends to improve fairness
10 for students, alleviate burden on the school system, and reduce local
11 and state costs of test administration by eliminating the use of
12 statewide assessments as a high school graduation requirement. The
13 legislature finds that statewide assessments can continue to be used
14 for system accountability purposes without this requirement.

15 **Sec. 2.** RCW 28A.655.061 and 2010 c 244 s 1 are each amended to
16 read as follows:

17 (1) ~~((The high school assessment system shall include but need not~~
18 ~~be limited to the Washington assessment of student learning,~~

1 opportunities for a student to retake the content areas of the
2 assessment in which the student was not successful, and if approved by
3 the legislature pursuant to subsection (10) of this section, one or
4 more objective alternative assessments for a student to demonstrate
5 achievement of state academic standards. The objective alternative
6 assessments for each content area shall be comparable in rigor to the
7 skills and knowledge that the student must demonstrate on the
8 Washington assessment of student learning for each content area.

9 (2) Subject to the conditions in this section, a certificate of
10 academic achievement shall be obtained by most students at about the
11 age of sixteen, and is evidence that the students have successfully met
12 the state standard in the content areas included in the certificate.
13 With the exception of students satisfying the provisions of RCW
14 28A.155.045 or 28A.655.0611, acquisition of the certificate is required
15 for graduation from a public high school but is not the only
16 requirement for graduation.

17 (3) Beginning with the graduating class of 2008, with the exception
18 of students satisfying the provisions of RCW 28A.155.045, a student who
19 meets the state standards on the reading, writing, and mathematics
20 content areas of the high school Washington assessment of student
21 learning shall earn a certificate of academic achievement. If a
22 student does not successfully meet the state standards in one or more
23 content areas required for the certificate of academic achievement,
24 then the student may retake the assessment in the content area up to
25 four times at no cost to the student. If the student successfully
26 meets the state standards on a retake of the assessment then the
27 student shall earn a certificate of academic achievement. Once
28 objective alternative assessments are authorized pursuant to subsection
29 (10) of this section, a student may use the objective alternative
30 assessments to demonstrate that the student successfully meets the
31 state standards for that content area if the student has taken the
32 Washington assessment of student learning at least once. If the
33 student successfully meets the state standards on the objective
34 alternative assessments then the student shall earn a certificate of
35 academic achievement.

36 (4) Beginning no later than with the graduating class of 2013, a
37 student must meet the state standards in science in addition to the
38 other content areas required under subsection (3) of this section on

1 ~~the Washington assessment of student learning or the objective~~
2 ~~alternative assessments in order to earn a certificate of academic~~
3 ~~achievement. The state board of education may adopt a rule that~~
4 ~~implements the requirements of this subsection (4) beginning with a~~
5 ~~graduating class before the graduating class of 2013, if the state~~
6 ~~board of education adopts the rule by September 1st of the freshman~~
7 ~~school year of the graduating class to which the requirements of this~~
8 ~~subsection (4) apply. The state board of education's authority under~~
9 ~~this subsection (4) does not alter the requirement that any change in~~
10 ~~performance standards for the tenth grade assessment must comply with~~
11 ~~RCW 28A.305.130.~~

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

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

19 ~~(7) School districts must make available to students the following~~
20 ~~options:~~

21 ~~(a) To retake the Washington assessment of student learning up to~~
22 ~~four times in the content areas in which the student did not meet the~~
23 ~~state standards if the student is enrolled in a public school; or~~

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

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

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

37 ~~(10)(a) The office of the superintendent of public instruction~~
38 ~~shall develop options for implementing objective alternative~~

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

14 (b)(i) A student's score on the mathematics, reading or English, or
15 writing portion of the SAT or the ACT may be used as an objective
16 alternative assessment under this section for demonstrating that a
17 student has met or exceeded the state standards for the certificate of
18 academic achievement. The state board of education shall identify the
19 scores students must achieve on the relevant portion of the SAT or ACT
20 to meet or exceed the state standard in the relevant content area on
21 the Washington assessment of student learning. The state board of
22 education shall identify the first scores by December 1, 2007. After
23 the first scores are established, the state board may increase but not
24 decrease the scores required for students to meet or exceed the state
25 standards.

26 (ii) Until August 31, 2008, a student's score on the mathematics
27 portion of the PSAT may be used as an objective alternative assessment
28 under this section for demonstrating that a student has met or exceeded
29 the state standard for the certificate of academic achievement. The
30 state board of education shall identify the score students must achieve
31 on the mathematics portion of the PSAT to meet or exceed the state
32 standard in that content area on the Washington assessment of student
33 learning.

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

1 ~~calculus or statistics may be used as an alternative assessment for the~~
2 ~~mathematics portion of the Washington assessment of student learning.~~
3 ~~A score of three on the AP examinations in English language and~~
4 ~~composition may be used as an alternative assessment for the writing~~
5 ~~portion of the Washington assessment of student learning. A score of~~
6 ~~three on the AP examinations in English literature and composition,~~
7 ~~macroeconomics, microeconomics, psychology, United States history,~~
8 ~~world history, United States government and politics, or comparative~~
9 ~~government and politics may be used as an alternative assessment for~~
10 ~~the reading portion of the Washington assessment of student learning.~~

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

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

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

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

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

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

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

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

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

16 **Sec. 3.** RCW 28A.655.066 and 2009 c 310 s 3 are each amended to
17 read as follows:

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

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

34 (c) The superintendent of public instruction shall also develop
35 subtests for the end-of-course assessments that measure standards for
36 the first two years of high school mathematics that are unique to

1 algebra I, integrated mathematics I, geometry, and integrated
2 mathematics II. The results of the subtests shall be reported at the
3 student, teacher, school, and district level.

4 ~~(2) ((For the graduating classes of 2013 and 2014 and for purposes~~
5 ~~of the certificate of academic achievement under RCW 28A.655.061, a~~
6 ~~student may use: (a) Results from the end-of-course assessment for the~~
7 ~~first year of high school mathematics plus the results from the end-of-~~
8 ~~course assessment for the second year of high school mathematics; or~~
9 ~~(b) results from the comprehensive mathematics assessment to~~
10 ~~demonstrate that a student meets the state standard on the mathematics~~
11 ~~content area of the high school Washington assessment of student~~
12 ~~learning.~~

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. All of the objective~~
19 ~~alternative assessments available to students under RCW 28A.655.061 and~~
20 ~~28A.655.065 shall be available to any student who has taken the~~
21 ~~sequence of end-of-course assessments once but does not meet the state~~
22 ~~mathematics standard on the sequence of end-of-course assessments.~~

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

27 **Sec. 4.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to
28 read as follows:

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

36 Principals of private schools or superintendents of private school
37 districts shall file each year with the state superintendent of public

1 instruction a statement certifying that the minimum requirements
2 hereinafter set forth are being met, noting any deviations. After
3 review of the statement, the state superintendent will notify schools
4 or school districts of those deviations which must be corrected. In
5 case of major deviations, the school or school district may request and
6 the state board of education may grant provisional status for one year
7 in order that the school or school district may take action to meet the
8 requirements. The state board of education shall not require private
9 school students to meet the student learning goals, (~~obtain a~~
10 ~~certificate of academic achievement, or a certificate of individual~~
11 ~~achievement to graduate from high school,~~) to master the essential
12 academic learning requirements, or to be assessed pursuant to RCW
13 (~~28A.655.061~~) 28A.655.070. However, private schools may choose, on
14 a voluntary basis, to have their students master these essential
15 academic learning requirements(~~(,)~~) or take the assessments(~~(, and~~
16 ~~obtain a certificate of academic achievement or a certificate of~~
17 ~~individual achievement)~~). Minimum requirements shall be as follows:

18 (1) The minimum school year for instructional purposes shall
19 consist of no less than one hundred eighty school days or the
20 equivalent in annual minimum instructional hour offerings, with a
21 school-wide annual average total instructional hour offering of one
22 thousand hours for students enrolled in grades one through twelve, and
23 at least four hundred fifty hours for students enrolled in
24 kindergarten.

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

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

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

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

36 (4) An approved private school may operate an extension program for
37 parents, guardians, or persons having legal custody of a child to teach

1 children in their custody. The extension program shall require at a
2 minimum that:

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

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

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

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

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

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

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

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

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

33 All decisions of policy, philosophy, selection of books, teaching
34 material, curriculum, except as in subsection (7) of this section
35 provided, school rules and administration, or other matters not
36 specifically referred to in this section, shall be the responsibility
37 of the administration and administrators of the particular private
38 school involved.

1 **Sec. 5.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended to
2 read as follows:

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

5 (a) File annually a signed declaration of intent that he or she is
6 planning to cause his or her child to receive home-based instruction.
7 The statement shall include the name and age of the child, shall
8 specify whether a certificated person will be supervising the
9 instruction, and shall be written in a format prescribed by the
10 superintendent of public instruction. Each parent shall file the
11 statement by September 15th of the school year or within two weeks of
12 the beginning of any public school quarter, trimester, or semester with
13 the superintendent of the public school district within which the
14 parent resides or the district that accepts the transfer, and the
15 student shall be deemed a transfer student of the nonresident district.
16 Parents may apply for transfer under RCW 28A.225.220;

17 (b) Ensure that test scores or annual academic progress assessments
18 and immunization records, together with any other records that are kept
19 relating to the instructional and educational activities provided, are
20 forwarded to any other public or private school to which the child
21 transfers. At the time of a transfer to a public school, the
22 superintendent of the local school district in which the child enrolls
23 may require a standardized achievement test to be administered and
24 shall have the authority to determine the appropriate grade and course
25 level placement of the child after consultation with parents and review
26 of the child's records; and

27 (c) Ensure that a standardized achievement test approved by the
28 state board of education is administered annually to the child by a
29 qualified individual or that an annual assessment of the student's
30 academic progress is written by a certificated person who is currently
31 working in the field of education. The state board of education shall
32 not require these children to meet the student learning goals, master
33 the essential academic learning requirements, ~~((to))~~ or take the
34 assessments ~~((, or to obtain a certificate of academic achievement or a
35 certificate of individual achievement pursuant to RCW 28A.655.061 and
36 28A.155.045))~~ under RCW 28A.655.070. The standardized test
37 administered or the annual academic progress assessment written shall
38 be made a part of the child's permanent records. If, as a result of

1 the annual test or assessment, it is determined that the child is not
2 making reasonable progress consistent with his or her age or stage of
3 development, the parent shall make a good faith effort to remedy any
4 deficiency.

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

10 **Sec. 6.** RCW 28A.230.090 and 2009 c 548 s 111 and 2009 c 223 s 2
11 are each reenacted and amended to read as follows:

12 (1) The state board of education shall establish high school
13 graduation requirements or equivalencies for students, except those
14 equivalencies established by local high schools or school districts
15 under RCW 28A.230.097. The purpose of a high school diploma is to
16 declare that a student is ready for success in postsecondary education,
17 gainful employment, and citizenship, and is equipped with the skills to
18 be a lifelong learner.

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

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

27 ~~(c))~~ Any decision on whether a student has met the state board's
28 high school graduation requirements for a high school and beyond plan
29 shall remain at the local level.

30 (2)(a) In recognition of the statutory authority of the state board
31 of education to establish and enforce minimum high school graduation
32 requirements, the state board shall periodically reevaluate the
33 graduation requirements and shall report such findings to the
34 legislature in a timely manner as determined by the state board.

35 (b) The state board shall reevaluate the graduation requirements
36 for students enrolled in vocationally intensive and rigorous career and
37 technical education programs, particularly those programs that lead to

1 a certificate or credential that is state or nationally recognized.
2 The purpose of the evaluation is to ensure that students enrolled in
3 these programs have sufficient opportunity to (~~earn a certificate of~~
4 ~~academic achievement~~) meet the state's essential academic learning
5 requirements, complete the program and earn the program's certificate
6 or credential, and complete other state and local graduation
7 requirements.

8 (c) The state board shall forward any proposed changes to the high
9 school graduation requirements to the education committees of the
10 legislature for review and to the quality education council established
11 under RCW 28A.290.010. The legislature shall have the opportunity to
12 act during a regular legislative session before the changes are adopted
13 through administrative rule by the state board. Changes that have a
14 fiscal impact on school districts, as identified by a fiscal analysis
15 prepared by the office of the superintendent of public instruction,
16 shall take effect only if formally authorized and funded by the
17 legislature through the omnibus appropriations act or other enacted
18 legislation.

19 (3) Pursuant to any requirement for instruction in languages other
20 than English established by the state board of education or a local
21 school district, or both, for purposes of high school graduation,
22 students who receive instruction in American sign language or one or
23 more American Indian languages shall be considered to have satisfied
24 the state or local school district graduation requirement for
25 instruction in one or more languages other than English.

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

30 (a) The course was taken with high school students, if the academic
31 level of the course exceeds the requirements for seventh and eighth
32 grade classes, and the student has successfully passed by completing
33 the same course requirements and examinations as the high school
34 students enrolled in the class; or

35 (b) The academic level of the course exceeds the requirements for
36 seventh and eighth grade classes and the course would qualify for high
37 school credit, because the course is similar or equivalent to a course

1 offered at a high school in the district as determined by the school
2 district board of directors.

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

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

9 **Sec. 7.** RCW 28A.230.125 and 2009 c 556 s 9 are each amended to
10 read as follows:

11 ~~((1))~~ The superintendent of public instruction, in consultation
12 with the higher education coordinating board, the state board for
13 community and technical colleges, and the workforce training and
14 education coordinating board, shall develop for use by all public
15 school districts a standardized high school transcript. The
16 superintendent shall establish clear definitions for the terms
17 "credits" and "hours" so that school programs operating on the quarter,
18 semester, or trimester system can be compared.

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

22 **Sec. 8.** RCW 28A.305.130 and 2009 c 548 s 502 are each amended to
23 read as follows:

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

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

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

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

5 (4) For purposes of statewide accountability:

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

29 (b) Identify the scores students must achieve in order to meet the
30 standard on the ~~((Washington assessment of student learning and, for
31 high school students, to obtain a certificate of academic achievement))~~
32 statewide assessments of student learning. The board shall also
33 determine student scores that identify levels of student performance
34 below and beyond the standard. ~~((The board shall consider the
35 incorporation of the standard error of measurement into the decision
36 regarding the award of the certificates.))~~ The board shall set such
37 performance standards and levels in consultation with the
38 superintendent of public instruction and after consideration of any

1 recommendations that may be developed by any advisory committees that
2 may be established for this purpose. (~~The initial performance~~
3 ~~standards and any changes recommended by the board in the performance~~
4 ~~standards for the tenth grade assessment shall be presented to the~~
5 ~~education committees of the house of representatives and the senate by~~
6 ~~November 30th of the school year in which the changes will take place~~
7 ~~to permit the legislature to take statutory action before the changes~~
8 ~~are implemented if such action is deemed warranted by the~~
9 ~~legislature.)) The legislature shall be advised of the initial
10 performance standards and any changes made to the (~~elementary level~~
11 ~~performance standards and the middle school level~~) performance
12 standards;~~

13 (c) Annually review the assessment reporting system to ensure
14 fairness, accuracy, timeliness, and equity of opportunity, especially
15 with regard to schools with special circumstances and unique
16 populations of students, and a recommendation to the superintendent of
17 public instruction of any improvements needed to the system; and

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

21 (5) Accredite, subject to such accreditation standards and
22 procedures as may be established by the state board of education, all
23 private schools that apply for accreditation, and approve, subject to
24 the provisions of RCW 28A.195.010, private schools carrying out a
25 program for any or all of the grades kindergarten through twelve:
26 PROVIDED, That no private school may be approved that operates a
27 kindergarten program only: PROVIDED FURTHER, That no private schools
28 shall be placed upon the list of accredited schools so long as secret
29 societies are knowingly allowed to exist among its students by school
30 officials;

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

34 (7) Hire an executive director and an administrative assistant to
35 reside in the office of the superintendent of public instruction for
36 administrative purposes. Any other personnel of the board shall be
37 appointed as provided by RCW 28A.300.020. The board may delegate to
38 the executive director by resolution such duties as deemed necessary to

1 efficiently carry on the business of the board including, but not
2 limited to, the authority to employ necessary personnel and the
3 authority to enter into, amend, and terminate contracts on behalf of
4 the board. The executive director, administrative assistant, and all
5 but one of the other personnel of the board are exempt from civil
6 service, together with other staff as now or hereafter designated as
7 exempt in accordance with chapter 41.06 RCW; and

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

10 **Sec. 9.** RCW 28A.600.310 and 2009 c 450 s 8 are each amended to
11 read as follows:

12 (1) Eleventh and twelfth grade students or students who have not
13 yet received the credits required for the award of a high school
14 diploma and are eligible to be in the eleventh or twelfth grades may
15 apply to a participating institution of higher education to enroll in
16 courses or programs offered by the institution of higher education. A
17 student receiving home-based instruction enrolling in a public high
18 school for the sole purpose of participating in courses or programs
19 offered by institutions of higher education shall not be counted by the
20 school district in any required state or federal accountability
21 reporting if the student's parents or guardians filed a declaration of
22 intent to provide home-based instruction and the student received home-
23 based instruction during the school year before the school year in
24 which the student intends to participate in courses or programs offered
25 by the institution of higher education. Students receiving home-based
26 instruction under chapter 28A.200 RCW and students attending private
27 schools approved under chapter 28A.195 RCW shall not be required to
28 meet the student learning goals(~~(, obtain a certificate of academic~~
29 ~~achievement or a certificate of individual achievement to graduate from~~
30 ~~high school,~~)) or to master the essential academic learning
31 requirements. However, students are eligible to enroll in courses or
32 programs in participating universities only if the board of directors
33 of the student's school district has decided to participate in the
34 program. Participating institutions of higher education, in
35 consultation with school districts, may establish admission standards
36 for these students. If the institution of higher education accepts a
37 secondary school pupil for enrollment under this section, the

1 institution of higher education shall send written notice to the pupil
2 and the pupil's school district within ten days of acceptance. The
3 notice shall indicate the course and hours of enrollment for that
4 pupil.

5 (2) In lieu of tuition and fees, as defined in RCW 28B.15.020 and
6 28B.15.041, running start students shall pay to the community or
7 technical college all other mandatory fees as established by each
8 community or technical college; and all other institutions of higher
9 education operating a running start program may charge technology fees.
10 The fees charged shall be prorated based on credit load.

11 (3) The institutions of higher education must make available fee
12 waivers for low-income running start students. Each institution must
13 establish a written policy for the determination of low-income students
14 before offering the fee waiver. A student shall be considered low
15 income and eligible for a fee waiver upon proof that the student is
16 currently qualified to receive free or reduced-price lunch. Acceptable
17 documentation of low-income status may also include, but is not limited
18 to, documentation that a student has been deemed eligible for free or
19 reduced-price lunches in the last five years, or other criteria
20 established in the institution's policy.

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

1 education. A student enrolled under this subsection shall be counted
2 for the purpose of meeting enrollment targets in accordance with terms
3 and conditions specified in the omnibus appropriations act.

4 (5) The state board for community and technical colleges, in
5 collaboration with the other institutions of higher education that
6 participate in the running start program and the office of the
7 superintendent of public instruction, shall identify, assess, and
8 report on alternatives for providing ongoing and adequate financial
9 support for the program. Such alternatives shall include but are not
10 limited to student tuition, increased support from local school
11 districts, and reallocation of existing state financial support among
12 the community and technical college system to account for differential
13 running start enrollment levels and impacts. The state board for
14 community and technical colleges shall report the assessment of
15 alternatives to the governor and to the appropriate fiscal and policy
16 committees of the legislature by September 1, 2010.

17 **Sec. 10.** RCW 28A.155.170 and 2007 c 318 s 2 are each amended to
18 read as follows:

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

27 (2) Participation in a graduation ceremony and receipt of a
28 certificate of attendance under this section does not preclude a
29 student from continuing to receive special education and related
30 services under an individualized education program beyond the
31 graduation ceremony.

32 (3) A student's participation in a graduation ceremony and receipt
33 of a certificate of attendance under this section shall not be
34 construed as the student's receipt of (~~either~~

35 ~~(a))~~ a high school diploma pursuant to RCW 28A.230.120(~~or~~
36 ~~(b) A certificate of individual achievement pursuant to RCW~~
37 ~~28A.155.045))~~).

1 **Sec. 11.** RCW 28B.15.520 and 2010 c 261 s 5 are each amended to
2 read as follows:

3 Subject to the limitations of RCW 28B.15.910, the governing boards
4 of the community colleges may:

5 (1)(a) Waive all or a portion of tuition fees and services and
6 activities fees for:

7 (i) Students nineteen years of age or older who are eligible for
8 resident tuition and fee rates as defined in RCW 28B.15.012 through
9 28B.15.015, who enroll in a course of study or program which will
10 enable them to finish their high school education and obtain a high
11 school diploma or certificate(~~(, but who are not eligible students as~~
12 ~~defined by RCW 28A.600.405)); and shall waive all of tuition fees and~~
13 services and activities fees for:

14 (ii) Children of any law enforcement officer as defined in chapter
15 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or
16 Washington state patrol officer who lost his or her life or became
17 totally disabled in the line of duty while employed by any public law
18 enforcement agency or full time or volunteer fire department in this
19 state: PROVIDED, That such persons may receive the waiver only if they
20 begin their course of study at a community college within ten years of
21 their graduation from high school; and

22 (iii) Surviving spouses of any law enforcement officer as defined
23 in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24
24 RCW, or Washington state patrol officer who lost his or her life or
25 became totally disabled in the line of duty while employed by any
26 public law enforcement agency or full time or volunteer fire department
27 in this state.

28 (b) The governing boards of the community colleges shall report to
29 the state board for community and technical colleges on the annual cost
30 of tuition fees and services and activities fees waived for surviving
31 spouses and children under parts (a)(ii) and (iii) of this subsection.
32 The state board for community and technical colleges shall consolidate
33 the reports of the waived fees and annually report to the appropriate
34 fiscal and policy committees of the legislature;

35 (2) Waive all or a portion of the nonresident tuition fees
36 differential for:

37 (a) Nonresident students enrolled in a community college course of
38 study or program which will enable them to finish their high school

1 education and obtain a high school diploma or certificate (~~but who are~~
2 ~~not eligible students as defined by RCW 28A.600.405~~). The waiver
3 shall be in effect only for those courses which lead to a high school
4 diploma or certificate; and

5 (b) Up to forty percent of the students enrolled in the regional
6 education program for deaf students, subject to federal funding of such
7 program.

8 **Sec. 12.** RCW 28B.15.067 and 2010 c 20 s 7 are each amended to read
9 as follows:

10 (1) Tuition fees shall be established under the provisions of this
11 chapter.

12 (2) Beginning with the 2003-04 academic year and ending with the
13 2012-13 academic year, reductions or increases in full-time tuition
14 fees for resident undergraduates shall be as provided in the omnibus
15 appropriations act.

16 (3)(a) Beginning with the 2003-04 academic year and ending with the
17 2012-13 academic year, the governing boards of the state universities,
18 the regional universities, The Evergreen State College, and the state
19 board for community and technical colleges may reduce or increase full-
20 time tuition fees for all students other than resident undergraduates,
21 including summer school students and students in other self-supporting
22 degree programs. Percentage increases in full-time tuition fees may
23 exceed the fiscal growth factor. Reductions or increases may be made
24 for all or portions of an institution's programs, campuses, courses, or
25 students.

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

35 (c) Prior to reducing or increasing tuition for each academic year,
36 each college in the state board for community and technical college
37 system shall consult with existing student associations or

1 organizations with undergraduate student representation regarding the
2 impacts of potential tuition increases. Colleges shall provide data
3 regarding the percentage of students receiving financial aid, the
4 sources of aid, and the percentage of total costs of attendance paid
5 for by aid.

6 (4) Academic year tuition for full-time students at the state's
7 institutions of higher education beginning with 2015-16, other than
8 summer term, shall be as charged during the 2014-15 academic year
9 unless different rates are adopted by the legislature.

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

13 (6) The tuition fees established under this chapter shall not apply
14 to eligible students enrolling in a dropout reengagement program
15 through an interlocal agreement between a school district and a
16 community or technical college under RCW 28A.175.100 through
17 28A.175.110.

18 ~~(7) ((The tuition fees established under this chapter shall not
19 apply to eligible students enrolling in a community or technical
20 college participating in the pilot program under RCW 28B.50.534 for the
21 purpose of obtaining a high school diploma.~~

22 ~~(8))~~ For the academic years 2003-04 through 2008-09, the
23 University of Washington shall use an amount equivalent to ten percent
24 of all revenues received as a result of law school tuition increases
25 beginning in academic year 2000-01 through academic year 2008-09 to
26 assist needy low and middle-income resident law students.

27 ~~((9))~~ (8) For the academic years 2003-04 through 2008-09,
28 institutions of higher education shall use an amount equivalent to ten
29 percent of all revenues received as a result of graduate academic
30 school tuition increases beginning in academic year 2003-04 through
31 academic year 2008-09 to assist needy low and middle-income resident
32 graduate academic students.

33 ~~((10))~~ (9) Any tuition increases above seven percent shall fund
34 costs of instruction, library and student services, utilities and
35 maintenance, other costs related to instruction as well as
36 institutional financial aid. Through 2010-11, any funding reductions
37 to instruction, library and student services, utilities and maintenance

1 and other costs related to instruction shall be proportionally less
2 than other program areas including administration.

3 NEW SECTION. **Sec. 13.** 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.655.0611 (Graduation without certificate of academic
10 achievement or certificate of individual achievement) and 2009 c 17 s
11 1 & 2007 c 354 s 4;

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

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

19 (6) RCW 28A.600.405 (Participation in high school completion pilot
20 program--Eligible students--Funding allocations--Rules--Information for
21 students and parents) and 2007 c 355 s 4; and

22 (7) RCW 28B.50.534 (High school completion pilot program) and 2007
23 c 355 s 3.

--- END ---