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**SUBSTITUTE HOUSE BILL 2848**

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**State of Washington                      55th Legislature                      1998 Regular Session**

**By** House Committee on Education (originally sponsored by Representatives Talcott, B. Thomas, Johnson, L. Thomas, Robertson, Lambert, Carrell, Bush, Backlund, Pennington, Lisk, McDonald, Zellinsky, Mielke, Radcliff, D. Schmidt, Cairnes, Sterk, D. Sommers, Sheahan, Carlson, Chandler, Smith, Boldt and Thompson)

Read first time 02/03/98. Referred to Committee on .

1            AN ACT Relating to the assessment of student learning; amending RCW  
2 28A.630.885, 28A.195.010, 28A.200.010, 28B.80.350, 28B.20.130, and  
3 28B.30.150; adding a new section to chapter 28A.630 RCW; adding a new  
4 section to chapter 28B.35 RCW; and adding a new section to chapter  
5 28B.40 RCW.

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

7            **Sec. 1.** RCW 28A.630.885 and 1997 c 268 s 1 are each amended to  
8 read as follows:

9            (1) The Washington commission on student learning is hereby  
10 established. The primary purposes of the commission are to identify  
11 the knowledge and skills all public school students need to know and be  
12 able to do based on the student learning goals in RCW 28A.150.210, to  
13 develop student assessment and school accountability systems, to review  
14 current school district data reporting requirements and make  
15 recommendations on what data is necessary for the purposes of  
16 accountability and meeting state information needs, and to take other  
17 steps necessary to develop a performance-based education system. The  
18 commission shall include three members of the state board of education,  
19 three members appointed by the governor before July 1, 1992, and five

1 members appointed no later than June 1, 1993, by the governor elected  
2 in the November 1992 election. The governor shall appoint a chair from  
3 the commission members, and fill any vacancies in gubernatorial  
4 appointments that may occur. The state board of education shall fill  
5 any vacancies of state board of education appointments that may occur.  
6 In making the appointments, educators, business leaders, and parents  
7 shall be represented, and nominations from state-wide education,  
8 business, and parent organizations shall be requested. Efforts shall  
9 be made to ensure that the commission reflects the racial and ethnic  
10 diversity of the state's K-12 student population and that the major  
11 geographic regions in the state are represented. Appointees shall be  
12 qualified individuals who are supportive of educational restructuring,  
13 who have a positive record of service, and who will devote sufficient  
14 time to the responsibilities of the commission to ensure that the  
15 objectives of the commission are achieved.

16 (2) The commission shall establish advisory committees. Membership  
17 of the advisory committees shall include, but not necessarily be  
18 limited to, professionals from the office of the superintendent of  
19 public instruction and the state board of education, and other state  
20 and local educational practitioners and student assessment specialists.

21 (3) The commission, with the assistance of the advisory committees,  
22 shall:

23 (a) Develop essential academic learning requirements based on the  
24 student learning goals in RCW 28A.150.210. Essential academic learning  
25 requirements shall be developed, to the extent possible, for each of  
26 the student learning goals in RCW 28A.150.210. Goals one and two shall  
27 be considered primary. Essential academic learning requirements for  
28 RCW 28A.150.210(1), goal one, and the mathematics component of RCW  
29 28A.150.210(2), goal two, shall be completed no later than March 1,  
30 1995. Essential academic learning requirements that incorporate the  
31 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and  
32 four, shall be completed no later than March 1, 1996. To the maximum  
33 extent possible, the commission shall integrate goal four and the  
34 knowledge and skill areas in the other goals in the development of the  
35 essential academic learning requirements;

36 (b)(i) The commission shall present to the state board of education  
37 and superintendent of public instruction a state-wide academic  
38 assessment system for use in the elementary, middle, and high school  
39 years designed to determine if each student has mastered the essential

1 academic learning requirements identified in (a) of this subsection.  
2 The academic assessment system shall include a variety of assessment  
3 methods, including criterion-referenced and performance-based measures.  
4 Performance standards for determining if a student has successfully  
5 completed an assessment shall be initially determined by the commission  
6 in consultation with the advisory committees required in subsection (2)  
7 of this section.

8 (ii) The assessment system shall be designed so that the results  
9 under the assessment system are used by educators as tools to evaluate  
10 instructional practices, and to initiate appropriate educational  
11 support for students who have not mastered the essential academic  
12 learning requirements at the appropriate periods in the student's  
13 educational development.

14 (iii) Assessments measuring the essential academic learning  
15 requirements developed for RCW 28A.150.210(1) and the mathematics  
16 component of RCW 28A.150.210(2) referred to in this section as reading,  
17 writing, communications, and mathematics shall be developed and  
18 initially implemented by the commission before transferring the  
19 assessment system to the superintendent of public instruction on June  
20 30, 1999. The elementary assessments for reading, writing,  
21 communications, and mathematics shall be available for use by school  
22 districts no later than the 1996-97 school year, the middle school  
23 assessment no later than the 1997-98 school year, and the high school  
24 assessment no later than the 1998-99 school year, unless the  
25 legislature takes action to delay or prevent implementation of the  
26 assessment system and essential academic learning requirements.  
27 (~~Assessments measuring the essential academic learning requirements~~  
28 ~~developed for the science component of RCW 28A.150.210(2) at the middle~~  
29 ~~school and high school levels shall be available for use by districts~~  
30 ~~no later than the 1998-99 school year unless the legislature takes~~  
31 ~~action to delay or prevent implementation of the assessment system and~~  
32 ~~essential academic learning requirements.~~)

33 The completed assessments and assessments still in development  
34 shall be transferred to the superintendent of public instruction by  
35 June 30, 1999, unless the legislature takes action to delay  
36 implementation of the assessment system and essential academic learning  
37 requirements. The superintendent shall continue the development of  
38 assessments on the following schedule: The science assessments at the  
39 middle and high school levels shall be available for use by districts

1 no later than the 1999-2000 school year; the history, civics, and  
2 geography assessments at the middle and high school levels shall be  
3 available for use by districts no later than ((~~the~~)) the 2000-01  
4 school year; the arts assessment for middle and high school levels  
5 shall be available for use by districts no later than ((~~the~~)) the  
6 2000-01 school year; and the health and fitness assessments for middle  
7 and high school levels shall be available no later than the 2001-02  
8 school year. The elementary science assessment shall be available for  
9 use by districts not later than the 2001-02 school year. The  
10 commission or the superintendent, as applicable, shall upon request,  
11 provide opportunities for the education committees of the house of  
12 representatives and the senate to review the assessments and proposed  
13 modifications to the essential academic learning requirements before  
14 the modifications are adopted. By December 15, 1998, the commission on  
15 student learning shall recommend to the appropriate committees of the  
16 legislature a revised timeline for implementing these assessments and  
17 when the school districts should be required to participate. All  
18 school districts shall be required to participate in the history,  
19 civics, geography, arts, health, fitness, and ((~~elementary~~)) science  
20 assessments in the third year after the assessments are available to  
21 school districts.

22 To the maximum extent possible, the commission shall integrate  
23 knowledge and skill areas in development of the assessments.

24 (iv) Assessments for goals three and four of RCW 28A.150.210 shall  
25 be integrated in the essential academic learning requirements and  
26 assessments for goals one and two. Before the 1997-98 school year, the  
27 elementary assessment system in reading, writing, communications, and  
28 mathematics shall be optional. School districts that desire to  
29 participate before the 1997-98 school year shall notify the commission  
30 on student learning in a manner determined by the commission.  
31 Beginning in the 1997-98 school year, school districts shall be  
32 required to participate in the elementary assessment system for  
33 reading, writing, communications, and mathematics. Before the 2000-01  
34 school year, participation by school districts in the middle school and  
35 high school assessment system for reading, writing, communications, and  
36 mathematics((~~, and science~~)) shall be optional. School districts that  
37 desire to participate before the 1998-99 school year shall notify the  
38 commission on student learning in a manner determined by the commission  
39 on student learning. Schools that desire to participate after the

1 1998-99 school year, shall notify the superintendent of public  
2 instruction in a manner determined by the superintendent. Beginning in  
3 the 2000-01 school year, all school districts shall be required to  
4 participate in the assessment system for reading, writing,  
5 communications, and mathematics(~~(, and science)~~).

6 (v) The commission on student learning may modify the essential  
7 academic learning requirements and the assessments for reading,  
8 writing, communications, mathematics, and science, as needed, before  
9 June 30, 1999. The commission shall, upon request, provide  
10 opportunities for the education committees of the house of  
11 representatives and the senate to review the assessments and proposed  
12 modifications to the essential academic learning requirements before  
13 the modifications are adopted.

14 (vi) The commission shall develop assessments that are directly  
15 related to the essential academic learning requirements, and are not  
16 biased toward persons with different learning styles, racial or ethnic  
17 backgrounds, or on the basis of gender;

18 (c) (~~(After a determination is made)~~) (i) By September 1, 2002, the  
19 state board of education (~~(that)~~) shall determine whether the high  
20 school assessment system has been implemented and (~~(that)~~) if it is  
21 sufficiently reliable and valid, then beginning with the graduating  
22 class of 2006, successful completion of the high school assessments  
23 (shall lead to a certificate of mastery) in reading, writing,  
24 communications-listening, and mathematics shall meet the requirements  
25 for a certificate of academic proficiency. Beginning with the  
26 graduating class of 2008, successful completion of the high school  
27 assessments in reading, writing, communications-listening, mathematics,  
28 and science shall meet the requirements for a certificate of academic  
29 proficiency. The certificate of (~~(mastery)~~) academic proficiency shall  
30 be obtained by most students at about the age of sixteen, and is  
31 evidence that the student has successfully (~~(mastered)~~) learned the  
32 essential academic learning requirements during his or her educational  
33 career. The achievement of a certificate of (~~(mastery)~~) academic  
34 proficiency shall be required for graduation but shall not be the only  
35 requirement for graduation. (The commission shall make  
36 recommendations to the state board of education regarding the  
37 relationship between the certificate of mastery and high school  
38 graduation requirements.))

1       (ii) Upon achieving the certificate of ~~((mastery, schools shall~~  
2 ~~provide))~~ academic proficiency, students shall be provided by schools  
3 with the opportunity to pursue career and educational objectives  
4 through educational pathways that emphasize integration of academic and  
5 vocational education. Educational pathways may include, but are not  
6 limited to, programs such as work-based learning, school-to-work  
7 transition, tech prep, vocational-technical education, running start,  
8 and preparation for technical college, community college, or university  
9 education. Any middle school, junior high school, or high school using  
10 educational pathways shall ensure that all pathways adopted in the  
11 school provide students with access to the courses and instruction  
12 necessary to meet admission requirements at baccalaureate institutions.  
13 Students shall be allowed to enter the educational pathway of their  
14 choice. Before accepting a student into an educational pathway, the  
15 school shall inform the student's parent of the pathway chosen, the  
16 opportunities available to the student through the pathway, and the  
17 career objectives to which the student will have exposure while  
18 pursuing the pathway. Parents and students dissatisfied with the  
19 opportunities available through the selected educational pathway shall  
20 be provided with the opportunity to transfer the student to any other  
21 pathway provided in the school. Schools may not develop educational  
22 pathways that retain students in high school beyond the date they are  
23 eligible to graduate, and may not require students who transfer between  
24 pathways to complete pathway requirements beyond the date the student  
25 is eligible to graduate.

26       (iii) If a student fails to meet the high school assessment  
27 standard in any content area required to meet the requirements for the  
28 certificate of academic proficiency, then the student may retake the  
29 assessment at no cost to the student. A student who meets the  
30 assessment standard in any content area may retake the assessment at  
31 student expense for the purpose of improving scores. Students retaking  
32 the assessment to improve scores may not be charged more than the cost  
33 of administering the assessment.

34       (iv) School districts shall designate on each student's official  
35 transcript whether the student met the requirements for the certificate  
36 of academic proficiency, the highest scores attained by content area,  
37 and the dates on which the assessments were taken.

38       (v) As a local option, school districts may establish requirements  
39 in addition to achievement of the certificate of academic proficiency

1 for high school graduation. The requirements may include, but need not  
2 be limited to, community service, senior projects, student portfolios,  
3 and classroom-based assessments. However, this subsection shall not be  
4 construed as modifying the requirements of (c)(i) of this subsection.

5 (vi) The state board of education shall not require students  
6 receiving a private education under chapter 28A.195 RCW or home-based  
7 instruction under chapter 28A.200 RCW to meet the requirements for the  
8 certificate of academic proficiency;

9 (d) Consider methods to address the unique needs of special  
10 education students when developing the assessments in (b) and (c) of  
11 this subsection;

12 (e) Consider methods to address the unique needs of highly capable  
13 students when developing the assessments in (b) and (c) of this  
14 subsection;

15 (f) Develop recommendations on the time, support, and resources,  
16 including technical assistance, needed by schools and school districts  
17 to help students achieve the essential academic learning requirements.  
18 These recommendations shall include an estimate for the legislature,  
19 superintendent of public instruction, and governor on the expected cost  
20 of implementing the academic assessment system;

21 (g) Develop recommendations for consideration by the higher  
22 education coordinating board for adopting college and university  
23 entrance requirements for public school students that are consistent  
24 with the essential academic learning requirements and the certificate  
25 of ~~((mastery))~~ academic proficiency;

26 (h) Review current school district data reporting requirements for  
27 the purposes of accountability and meeting state information needs.  
28 The commission on student learning shall report recommendations to the  
29 joint select committee on education restructuring by September 15,  
30 1996, on:

31 (i) What data is necessary to compare how school districts are  
32 performing before the essential academic learning requirements and the  
33 assessment system are implemented with how school districts are  
34 performing after the essential academic learning requirements and the  
35 assessment system are implemented; and

36 (ii) What data is necessary pertaining to school district reports  
37 under the accountability systems developed by the commission on student  
38 learning under this section;

1 (i) Recommend to the legislature, governor, state board of  
2 education, and superintendent of public instruction:

3 (i) A state-wide accountability system to monitor and evaluate  
4 accurately and fairly at elementary, middle, and high schools the level  
5 of learning occurring in individual schools and school districts with  
6 regard to the goals included in RCW 28A.150.210 (1) through (4). The  
7 accountability system must assess each school individually against its  
8 own baseline, schools with similar characteristics, and schools state-  
9 wide. The system shall include school-site, school district, and  
10 state-level accountability reports;

11 (ii) A school assistance program to help schools and school  
12 districts that are having difficulty helping students meet the  
13 essential academic learning requirements as measured by performance on  
14 the elementary, middle school, and high school assessments;

15 (iii) A system to intervene in schools and school districts in  
16 which significant numbers of students persistently fail to learn the  
17 essential academic learning requirements or meet the standards  
18 established for the elementary, middle school, and high school  
19 assessments; and

20 (iv) An awards program to provide incentives to school staff to  
21 help their students learn the essential academic learning requirements,  
22 with each school being assessed individually against its own baseline,  
23 schools with similar characteristics, and the state-wide average.  
24 Incentives shall be based on the rate of percentage change of students  
25 achieving the essential academic learning requirements and progress on  
26 meeting the state-wide average. School staff shall determine how the  
27 awards will be spent.

28 The commission shall make recommendations regarding a state-wide  
29 accountability system for reading in grades kindergarten through four  
30 by November 1, 1997. Recommendations for an accountability system in  
31 the other subject areas and grade levels shall be made no later than  
32 June 30, 1999;

33 (j) Report annually by December 1st to the legislature, the  
34 governor, the superintendent of public instruction, and the state board  
35 of education on the progress, findings, and recommendations of the  
36 commission; and

37 (k) Make recommendations to the legislature and take other actions  
38 necessary or desirable to help students meet the student learning  
39 goals.



1 (4) The commission shall coordinate its activities with the state  
2 board of education and the office of the superintendent of public  
3 instruction.

4 (5) The commission shall seek advice broadly from the public and  
5 all interested educational organizations in the conduct of its work,  
6 including holding periodic regional public hearings.

7 (6) The commission shall select an entity to provide staff support  
8 and the office of the superintendent of public instruction shall  
9 provide administrative oversight and be the fiscal agent for the  
10 commission. The commission may direct the office of the superintendent  
11 of public instruction to enter into subcontracts, within the  
12 commission's resources, with school districts, teachers, higher  
13 education faculty, state agencies, business organizations, and other  
14 individuals and organizations to assist the commission in its  
15 deliberations.

16 (7) Members of the commission shall be reimbursed for travel  
17 expenses as provided in RCW 43.03.050 and 43.03.060.

18 ~~(8)((a) By September 30, 1997, the commission on student learning,~~  
19 ~~the state board of education, and the superintendent of public~~  
20 ~~instruction shall jointly present recommendations to the education~~  
21 ~~committees of the house of representatives and the senate regarding the~~  
22 ~~high school assessments, the certificate of mastery, and high school~~  
23 ~~graduation requirements.~~

24 ~~In preparing recommendations, the commission on student learning~~  
25 ~~shall convene an ad hoc working group to address questions, including:~~

26 ~~(i) What type of document shall be used to identify student~~  
27 ~~performance and achievement and how will the document be described?~~

28 ~~(ii) Should the students be required to pass the high school~~  
29 ~~assessments in all skill and content areas, or only in select skill and~~  
30 ~~content areas, to graduate?~~

31 ~~(iii) How will the criteria for establishing the standards for~~  
32 ~~passing scores on the assessments be determined?~~

33 ~~(iv) What timeline should be used in phasing in the assessments as~~  
34 ~~a graduation requirement?~~

35 ~~(v) What options may be used in demonstrating how the results of~~  
36 ~~the assessments will be displayed in a way that is meaningful to~~  
37 ~~students, parents, institutions of higher education, and potential~~  
38 ~~employers?~~

1       ~~(vi) Are there other or additional methods by which the assessments~~  
2 ~~could be used to identify achievement such as endorsements, standards~~  
3 ~~of proficiency, merit badges, or levels of achievement?~~

4       ~~(vii) Should the assessments and certificate of mastery be used to~~  
5 ~~satisfy college or university entrance criteria for public school~~  
6 ~~students? If yes, how should these methods be phased in?~~

7       ~~(b) The ad hoc working group shall report its recommendations to~~  
8 ~~the commission on student learning, the state board of education, and~~  
9 ~~the superintendent of public instruction by June 15, 1997. The~~  
10 ~~commission shall report the ad hoc working group's recommendations to~~  
11 ~~the education committees of the house of representatives and senate by~~  
12 ~~July 15, 1997. Final recommendations of the commission on student~~  
13 ~~learning, the state board of education, and the superintendent of~~  
14 ~~public instruction shall be presented to the education committees of~~  
15 ~~the house of representatives and the senate by September 30, 1997.~~

16       ~~(9)) The Washington commission on student learning shall expire on~~  
17 ~~June 30, 1999.~~

18       NEW SECTION.   **Sec. 2.**   A new section is added to chapter 28A.630  
19 RCW to read as follows:

20       (1) The superintendent of public instruction shall appoint a  
21 certificate of academic proficiency advisory committee that shall  
22 report to the state board of education. The committee shall consist of  
23 not more than fifteen members. Committee membership shall include, but  
24 need not be limited to, representatives of public and private  
25 education, higher education, a parent organization, parents not  
26 representing any organization but having students enrolled in public  
27 schools and in private schools, legislators, the business community,  
28 and taxpayers not having an affiliation with school or parent  
29 organizations. The committee may examine the following issues and such  
30 other issues as the state board of education may identify:

31       (a) The content areas required for the certificate of academic  
32 proficiency;

33       (b) Endorsement policies, including adding endorsements in other  
34 content areas as the assessments are made available, and adding  
35 endorsements as requirements for the certificate of academic  
36 proficiency;

37       (c) The adequacy of standards required for the certificate of  
38 academic proficiency; and

1 (d) Implementation of the certificate of academic proficiency  
2 system.

3 (2) The superintendent of public instruction shall convene the  
4 committee not later than September 1, 1999. The committee shall report  
5 its findings and recommendations to the state board of education, which  
6 shall report annually to the education committees of the senate and  
7 house of representatives, with its first written report submitted not  
8 later than September 1, 2000, and each succeeding report submitted not  
9 later than September 1st of each year thereafter. Committee members  
10 shall serve without additional compensation but are eligible for per  
11 diem and mileage allowances under RCW 43.03.050 and 43.03.060.

12 (3) The state board of education and the superintendent of public  
13 instruction shall assist the committee in conducting pilot studies to:

14 (a) Determine the feasibility of certifying proficiency in content  
15 areas beyond reading, writing, communications-listening, mathematics,  
16 and science;

17 (b) Explore methods, in addition to state-level assessments, to  
18 certify proficiency in content areas;

19 (c) Gather information about assessment methods already in use or  
20 planned for use by school districts;

21 (d) Gather information about school district cooperative efforts  
22 related to the certificate of academic proficiency; and

23 (e) Investigate any issues that the state board of education or the  
24 committee identifies relating to the effective implementation of the  
25 certificate of academic proficiency.

26 **Sec. 3.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended to  
27 read as follows:

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

35 Principals of private schools or superintendents of private school  
36 districts shall file each year with the state superintendent of public  
37 instruction a statement certifying that the minimum requirements  
38 hereinafter set forth are being met, noting any deviations. After

1 review of the statement, the state superintendent will notify schools  
2 or school districts of those deviations which must be corrected. In  
3 case of major deviations, the school or school district may request and  
4 the state board of education may grant provisional status for one year  
5 in order that the school or school district may take action to meet the  
6 requirements. Minimum requirements shall be as follows:

7 (1) The minimum school year for instructional purposes shall  
8 consist of no less than one hundred eighty school days or the  
9 equivalent in annual minimum program hour offerings as prescribed in  
10 RCW 28A.150.220.

11 (2) The school day shall be the same as that required in RCW  
12 28A.150.030 and 28A.150.220, except that the percentages of total  
13 program hour offerings as prescribed in RCW 28A.150.220 for basic  
14 skills, work skills, and optional subjects and activities shall not  
15 apply to private schools or private sectarian schools.

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. However, the state board shall not require  
11 private school students to meet the student learning goals, to obtain  
12 a certificate of ((~~mastery~~)) academic proficiency to graduate from high  
13 school, to master the essential academic learning requirements, or to  
14 be assessed pursuant to RCW 28A.630.885. However, private schools may  
15 choose, on a voluntary basis, to have their students master these  
16 essential academic learning requirements, take these assessments, and  
17 obtain certificates of ((~~mastery~~)) academic proficiency. A residential  
18 dwelling of the parent, guardian, or custodian shall be deemed to be an  
19 adequate physical facility when a parent, guardian, or person having  
20 legal custody is instructing his or her child under subsection (4) of  
21 this section.

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

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

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

36 **Sec. 4.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to read  
37 as follows:

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

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

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

25 (3) Ensure that a standardized achievement test approved by the  
26 state board of education is administered annually to the child by a  
27 qualified individual or that an annual assessment of the student's  
28 academic progress is written by a certificated person who is currently  
29 working in the field of education. The state board of education shall  
30 not require these children to meet the student learning goals, master  
31 the essential academic learning requirements, to take the assessments,  
32 or to obtain a certificate of (~~mastery~~) academic proficiency pursuant  
33 to RCW 28A.630.885. The standardized test administered or the annual  
34 academic progress assessment written shall be made a part of the  
35 child's permanent records. If, as a result of the annual test or  
36 assessment, it is determined that the child is not making reasonable  
37 progress consistent with his or her age or stage of development, the  
38 parent shall make a good faith effort to remedy any deficiency.

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

6 **Sec. 5.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read  
7 as follows:

8 The board shall coordinate educational activities among all  
9 segments of higher education taking into account the educational  
10 programs, facilities, and other resources of both public and  
11 independent two and four-year colleges and universities. The four-year  
12 institutions and the state board for community and technical colleges  
13 shall coordinate information and activities with the board. The board  
14 shall have the following additional responsibilities:

15 (1) Promote interinstitutional cooperation;

16 (2) Establish minimum admission standards for four-year  
17 institutions, including a requirement that coursework in American sign  
18 language or an American Indian language shall satisfy any requirement  
19 for instruction in a language other than English that the board or the  
20 institutions may establish as a general undergraduate admissions  
21 requirement. The board may not require students receiving a private  
22 education under chapter 28A.195 RCW or home-based instruction under  
23 chapter 28A.200 RCW to meet the requirements for a certificate of  
24 academic proficiency;

25 (3) Establish transfer policies;

26 (4) Adopt rules implementing statutory residency requirements;

27 (5) Develop and administer reciprocity agreements with bordering  
28 states and the province of British Columbia;

29 (6) Review and recommend compensation practices and levels for  
30 administrative employees, exempt under chapter 28B.16 RCW, and faculty  
31 using comparative data from peer institutions;

32 (7) Monitor higher education activities for compliance with all  
33 relevant state policies for higher education;

34 (8) Arbitrate disputes between and among four-year institutions or  
35 between and among four-year institutions and community colleges at the  
36 request of one or more of the institutions involved, or at the request  
37 of the governor, or from a resolution adopted by the legislature. The

1 decision of the board shall be binding on the participants in the  
2 dispute;

3 (9) Establish and implement a state system for collecting,  
4 analyzing, and distributing information;

5 (10) Recommend to the governor and the legislature ways to remove  
6 any economic incentives to use off-campus program funds for on-campus  
7 activities; and

8 (11) Make recommendations to increase minority participation, and  
9 monitor and report on the progress of minority participation in higher  
10 education.

11 **Sec. 6.** RCW 28B.20.130 and 1985 c 370 s 92 are each amended to  
12 read as follows:

13 General powers and duties of the board of regents are as follows:

14 (1) To have full control of the university and its property of  
15 various kinds, except as otherwise provided by law.

16 (2) To employ the president of the university, his assistants,  
17 members of the faculty, and employees of the institution, who except as  
18 otherwise provided by law, shall hold their positions during the  
19 pleasure of said board of regents.

20 (3) Establish entrance requirements for students seeking admission  
21 to the university which meet or exceed the standards specified under  
22 RCW 28B.80.350(2). Completion of examinations satisfactory to the  
23 university may be a prerequisite for entrance by any applicant at the  
24 university's discretion. Evidence of completion of public high schools  
25 and other educational institutions whose courses of study meet the  
26 approval of the university may be acceptable for entrance. The board  
27 may not require students receiving a private education under chapter  
28 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet  
29 the requirements for a certificate of academic proficiency.

30 (4) Establish such colleges, schools or departments necessary to  
31 carry out the purpose of the university and not otherwise proscribed by  
32 law.

33 (5) With the assistance of the faculty of the university, prescribe  
34 the course of study in the various colleges, schools and departments of  
35 the institution and publish the necessary catalogues thereof.

36 (6) Grant to students such certificates or degrees as recommended  
37 for such students by the faculty. The board, upon recommendation of  
38 the faculty, may also confer honorary degrees upon persons other than



1 graduates of this university in recognition of their learning or  
2 devotion to literature, art or science: PROVIDED, That no degree shall  
3 ever be conferred in consideration of the payment of money or the  
4 giving of property of whatsoever kind.

5 (7) Accept such gifts, grants, conveyances, bequests and devises,  
6 whether real or personal property, or both, in trust or otherwise, for  
7 the use or benefit of the university, its colleges, schools,  
8 departments, or agencies; and sell, lease or exchange, invest or expend  
9 the same or the proceeds, rents, profits and income thereof except as  
10 limited by the terms of said gifts, grants, conveyances, bequests and  
11 devises. The board shall adopt proper rules to govern and protect the  
12 receipt and expenditure of the proceeds of all fees, and the proceeds,  
13 rents, profits and income of all gifts, grants, conveyances, bequests  
14 and devises above-mentioned, and shall make full report of the same in  
15 the customary biennial report to the governor and members of the  
16 legislature, or more frequently if required by law(~~(:—PROVIDED,~~  
17 ~~HOWEVER, That nothing herein contained shall be construed to repeal,~~  
18 ~~amend or in any way modify any of the provisions of RCW 28B.20.380)).~~

19 (8) Except as otherwise provided by law, to enter into such  
20 contracts as the regents deem essential to university purposes.

21 (9) To submit upon request such reports as will be helpful to the  
22 governor and to the legislature in providing for the institution.

23 (10) Subject to the approval of the higher education coordinating  
24 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-  
25 campus programs, participate in consortia or centers, contract for off-  
26 campus educational programs, and purchase or lease major off-campus  
27 facilities.

28 **Sec. 7.** RCW 28B.30.150 and 1985 c 370 s 93 are each amended to  
29 read as follows:

30 The regents of Washington State University, in addition to other  
31 duties prescribed by law, shall:

32 (1) Have full control of the university and its property of various  
33 kinds, except as otherwise provided by law.

34 (2) Employ the president of the university, his assistants, members  
35 of the faculty, and employees of the university, who, except as  
36 otherwise provided by law, shall hold their positions during the  
37 pleasure of said board of regents.

1 (3) Establish entrance requirements for students seeking admission  
2 to the university which meet or exceed the standards specified under  
3 RCW 28B.80.350(2). Completion of examinations satisfactory to the  
4 university may be a prerequisite for entrance by any applicant, at the  
5 university's discretion. Evidence of completion of public high schools  
6 and other educational institutions whose courses of study meet the  
7 approval of the university may be acceptable for entrance. The board  
8 may not require students receiving a private education under chapter  
9 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet  
10 the requirements for a certificate of academic proficiency.

11 (4) Establish such colleges, schools or departments necessary to  
12 carry out the purpose of the university and not otherwise proscribed by  
13 law.

14 (5) Subject to the approval of the higher education coordinating  
15 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-  
16 campus programs, participate in consortia or centers, contract for off-  
17 campus educational programs, and purchase or lease major off-campus  
18 facilities.

19 (6) With the assistance of the faculty of the university, prescribe  
20 the courses of instruction in the various colleges, schools and  
21 departments of the institution and publish the necessary catalogues  
22 thereof.

23 (7) Collect such information as the board deems desirable as to the  
24 schemes of technical instruction adopted in other parts of the United  
25 States and foreign countries.

26 (8) Provide for holding agricultural institutes including farm  
27 marketing forums.

28 (9) Provide that instruction given in the university, as far as  
29 practicable, be conveyed by means of laboratory work and provide in  
30 connection with the university one or more physical, chemical, and  
31 biological laboratories, and suitably furnish and equip the same.

32 (10) Provide training in military tactics for those students  
33 electing to participate therein.

34 (11) Establish a department of elementary science and in connection  
35 therewith provide instruction in elementary mathematics, including  
36 elementary trigonometry, elementary mechanics, elementary and  
37 mechanical drawing and land surveying.

38 (12) Establish a department of agriculture and in connection  
39 therewith provide instruction in physics with special application of

1 its principles to agriculture, chemistry with special application of  
2 its principles to agriculture, morphology and physiology of plants with  
3 special reference to common grown crops and fungus enemies, morphology  
4 and physiology of the lower forms of animal life, with special  
5 reference to insect pests, morphology and physiology of the higher  
6 forms of animal life and in particular of the horse, cow, sheep and  
7 swine, agriculture with special reference to the breeding and feeding  
8 of livestock and the best mode of cultivation of farm produce, and  
9 mining and metallurgy, appointing demonstrators in each of these  
10 subjects to superintend the equipment of a laboratory and to give  
11 practical instruction therein.

12 (13) Establish agricultural experiment stations in connection with  
13 the department of agriculture, including at least one in the western  
14 portion of the state, and appoint the officers and prescribe  
15 regulations for their management.

16 (14) Grant to students such certificates or degrees, as recommended  
17 for such students by the faculty.

18 (15) Confer honorary degrees upon persons other than graduates of  
19 the university in recognition of their learning or devotion to  
20 literature, art or science when recommended thereto by the faculty:  
21 PROVIDED, That no degree shall ever be conferred in consideration of  
22 the payment of money or the giving of property of whatsoever kind.

23 (16) Adopt plans and specifications for university buildings and  
24 facilities or improvements thereto and employ skilled architects and  
25 engineers to prepare such plans and specifications and supervise the  
26 construction of buildings or facilities which the board is authorized  
27 to erect, and fix the compensation for such services. The board shall  
28 enter into contracts with one or more contractors for such suitable  
29 buildings, facilities or improvements as the available funds will  
30 warrant, upon the most advantageous terms offered at a public  
31 competitive letting, pursuant to public notice under regulations  
32 established by the board. The board shall require of all persons with  
33 whom they contract for construction and improvements a good and  
34 sufficient bond for the faithful performance of the work and full  
35 protection against all liens.

36 (17) Except as otherwise provided by law, direct the disposition of  
37 all money appropriated to or belonging to the state university.

38 (18) Receive and expend the money appropriated under the act of  
39 congress approved May 8, 1914, entitled "An Act to provide for

1 cooperative agricultural extension work between the agricultural  
2 colleges in the several States receiving the benefits of the Act of  
3 Congress approved July 2, 1862, and Acts supplemental thereto and the  
4 United States Department of Agriculture" and organize and conduct  
5 agricultural extension work in connection with the state university in  
6 accordance with the terms and conditions expressed in the acts of  
7 congress.

8 (19) Except as otherwise provided by law, to enter into such  
9 contracts as the regents deem essential to university purposes.

10 (20) Acquire by lease, gift, or otherwise, lands necessary to  
11 further the work of the university or for experimental or  
12 demonstrational purposes.

13 (21) Establish and maintain at least one agricultural experiment  
14 station in an irrigation district to conduct investigational work upon  
15 the principles and practices of irrigational agriculture including the  
16 utilization of water and its relation to soil types, crops, climatic  
17 conditions, ditch and drain construction, fertility investigations,  
18 plant disease, insect pests, marketing, farm management, utilization of  
19 fruit byproducts and general development of agriculture under  
20 irrigation conditions.

21 (22) Supervise and control the agricultural experiment station at  
22 Puyallup.

23 (23) Establish and maintain at Wenatchee an agricultural experiment  
24 substation for the purpose of conducting investigational work upon the  
25 principles and practices of orchard culture, spraying, fertilization,  
26 pollenization, new fruit varieties, fruit diseases and pests,  
27 byproducts, marketing, management and general horticultural problems.

28 (24) Accept such gifts, grants, conveyances, devises and bequests,  
29 whether real or personal property, in trust or otherwise, for the use  
30 or benefit of the university, its colleges, schools or departments; and  
31 sell, lease or exchange, invest or expend the same or the proceeds,  
32 rents, profits and income thereof except as limited by the terms of  
33 said gifts, grants, conveyances, bequests and devises; adopt proper  
34 rules to govern and protect the receipt and expenditure of the proceeds  
35 of all fees, and the proceeds, rents, profits and income of all gifts,  
36 grants, conveyances, bequests and devises, and make full report thereof  
37 in a biennial report to the governor and members of the legislature.

38 (25) Construct when the board so determines a new foundry and a  
39 mining, physical, technological building and fabrication shop at the

1 university, or add to the present foundry and other buildings, in order  
2 that both instruction and research be expanded to include permanent  
3 molding and die casting with a section for new fabricating techniques,  
4 especially for light metals, including magnesium and aluminum; purchase  
5 equipment for the shops and laboratories in mechanical, electrical, and  
6 civil engineering; establish a pilot plant for the extraction of  
7 alumina from native clays and other possible light metal research;  
8 purchase equipment for a research laboratory for technological research  
9 generally; and purchase equipment for research in electronics,  
10 instrumentation, energy sources, plastics, food technology, mechanics  
11 of materials, hydraulics and similar fields.

12 (26) Make and transmit to the governor and members of the  
13 legislature upon request such reports as will be helpful in providing  
14 for the institution.

15 NEW SECTION. **Sec. 8.** A new section is added to chapter 28B.35 RCW  
16 to read as follows:

17 The board of trustees may not require students receiving a private  
18 education under chapter 28A.195 RCW or home-based instruction under  
19 chapter 28A.200 RCW to meet the requirements for a certificate of  
20 academic proficiency as a condition of meeting minimum college  
21 admission standards.

22 NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.40 RCW  
23 to read as follows:

24 The board of trustees may not require students receiving a private  
25 education under chapter 28A.195 RCW or home-based instruction under  
26 chapter 28A.200 RCW to meet the requirements for a certificate of  
27 academic proficiency as a condition of meeting minimum college  
28 admission standards.

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