
SECOND SUBSTITUTE HOUSE BILL 1674

State of Washington

56th Legislature

1999 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Talcott, Voloria, Carlson, DeBolt, Wensman, Rockefeller, Bush, Thomas, Clements and Romero)

Read first time 03/08/1999.

1 AN ACT Relating to educational accountability for students and
2 schools; amending RCW 28A.630.885, 28A.195.010, 28A.200.010,
3 28A.230.090, 28B.80.350, 28B.20.130, and 28B.30.150; adding a new
4 section to chapter 28A.630 RCW; adding a new section to chapter 28B.35
5 RCW; adding a new section to chapter 28B.40 RCW; creating a new
6 section; repealing 1995 c 209 s 2 and 1992 c 141 s 203 (uncodified);
7 repealing 1995 c 209 s 3 (uncodified); and repealing 1998 c 225 s 3
8 (uncodified).

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

10 **Sec. 1.** RCW 28A.630.885 and 1998 c 225 s 1 are each amended to
11 read as follows:

12 (1) The Washington commission on student learning is hereby
13 established. The primary purposes of the commission are to identify
14 the knowledge and skills all public school students need to know and be
15 able to do based on the student learning goals in RCW 28A.150.210, to
16 develop student assessment and school accountability systems, to review
17 current school district data reporting requirements and make
18 recommendations on what data is necessary for the purposes of
19 accountability and meeting state information needs, and to take other

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

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

24 (3) The commission, with the assistance of the advisory committees,
25 shall:

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

1 (b)(i) The commission shall present to the state board of education
2 and superintendent of public instruction a state-wide academic
3 assessment system for use in the elementary, middle, and high school
4 years designed to determine if each student has mastered the essential
5 academic learning requirements identified in (a) of this subsection.
6 The academic assessment system shall include a variety of assessment
7 methods, including criterion-referenced and performance-based measures.
8 Performance standards for determining if a student has successfully
9 completed an assessment shall be initially determined by the commission
10 in consultation with the advisory committees required in subsection (2)
11 of this section.

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

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

37 The completed assessments and assessments still in development
38 shall be transferred to the superintendent of public instruction by
39 June 30, 1999, unless the legislature takes action to delay

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

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

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

1 commission on student learning in a manner determined by the commission
2 on student learning. Schools that desire to participate after the
3 1998-99 school year, shall notify the superintendent of public
4 instruction in a manner determined by the superintendent. Beginning in
5 the 2000-01 school year, all school districts shall be required to
6 participate in the assessment system for reading, writing,
7 communications, mathematics, and science.

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

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

20 (c) (~~After a determination is made by~~) (i) No later than the date
21 by which each subject matter assessment is required state-wide, the
22 state board of education ((that)) shall determine whether the high
23 school assessment ((system)) has been implemented and ((that)) if it is
24 sufficiently reliable and valid((~~r~~)). From the time the board makes
25 the determination until (c)(ii) of this subsection becomes mandatory,
26 school districts may offer a certificate of academic proficiency to any
27 student who successfully completes the required high school
28 assessments.

29 (ii) Beginning with the 2000-01 school year, successful completion
30 of the high school assessments ((shall lead to a certificate of
31 mastery)) in reading, writing, communications, mathematics, and science
32 shall meet the requirements for a certificate of academic proficiency.
33 Successful completion of the high school assessments in arts and health
34 and fitness shall lead to an endorsement on a student's diploma and
35 transcript. Successful completion of the high school social studies
36 assessment may be required to achieve the certificate or may lead to an
37 endorsement on the high school diploma and transcript, as determined by
38 law. The certificate of ((mastery)) academic proficiency shall be
39 obtained by most students at about the age of sixteen, and is evidence

1 that the student has successfully (~~((mastered))~~) demonstrated proficiency
2 in the essential academic learning requirements during his or her
3 educational career. Beginning with the graduating class of 2008, the
4 achievement of a certificate of ((mastery)) academic proficiency shall
5 be required for graduation but shall not be the only requirement for
6 graduation. ((The commission shall make recommendations to the state
7 board of education regarding the relationship between the certificate
8 of mastery and high school graduation requirements.))

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

34 (iv) If a student fails to meet the high school assessment standard
35 in a content area required for the certificate of academic proficiency,
36 the student may retake the assessment at no cost to the student. A
37 student who meets the assessment standard in any content area may
38 retake the assessment once at student expense for the purpose of
39 improving the student's proficiency level. Any student who has met the

1 standard but is retaking the assessment to improve the student's
2 proficiency level may not be charged more than the cost of
3 administering the assessment. Opportunities for students to retake the
4 assessments shall be provided at least once each year.

5 (v) School districts shall designate on each student's official
6 transcript whether the student met the requirements for the certificate
7 of academic proficiency and the highest proficiency level attained by
8 content area.

9 (vi) As a local option, school districts may establish requirements
10 in addition to achievement of the certificate of academic proficiency
11 for high school graduation. The requirements may include, but need not
12 be limited to, community service, senior projects, Carnegie units,
13 student portfolios, and classroom-based assessments. However, this
14 subsection shall not be construed as modifying the requirements of
15 (c)(i) and (ii) of this subsection.

16 (vii) The state board of education shall not require students
17 receiving private education under chapter 28A.195 RCW or home-based
18 instruction under chapter 28A.200 RCW to meet the requirements for the
19 certificate of academic proficiency or the essential academic learning
20 requirements;

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

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

27 (f) Develop recommendations on the time, support, and resources,
28 including technical assistance, needed by schools and school districts
29 to help students achieve the essential academic learning requirements.
30 These recommendations shall include an estimate for the legislature,
31 superintendent of public instruction, and governor on the expected cost
32 of implementing the academic assessment system;

33 (g) Develop recommendations for consideration by the higher
34 education coordinating board for adopting college and university
35 entrance requirements for public school students that are consistent
36 with the essential academic learning requirements and the certificate
37 of ~~((mastery))~~ academic proficiency;

38 (h) Review current school district data reporting requirements for
39 the purposes of accountability and meeting state information needs.

1 The commission on student learning shall report recommendations to the
2 joint select committee on education restructuring by September 15,
3 1996, on:

4 (i) What data is necessary to compare how school districts are
5 performing before the essential academic learning requirements and the
6 assessment system are implemented with how school districts are
7 performing after the essential academic learning requirements and the
8 assessment system are implemented; and

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

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

14 (i) A state-wide accountability system to monitor and evaluate
15 accurately and fairly at elementary, middle, and high schools the level
16 of learning occurring in individual schools and school districts with
17 regard to the goals included in RCW 28A.150.210 (1) through (4). The
18 accountability system must assess each school individually against its
19 own baseline, schools with similar characteristics, and schools state-
20 wide. The system shall include school-site, school district, and
21 state-level accountability reports;

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

26 (iii) A system to intervene in schools and school districts in
27 which significant numbers of students persistently fail to learn the
28 essential academic learning requirements or meet the standards
29 established for the elementary, middle school, and high school
30 assessments; and

31 (iv) An awards program to provide incentives to school staff to
32 help their students learn the essential academic learning requirements,
33 with each school being assessed individually against its own baseline,
34 schools with similar characteristics, and the state-wide average.
35 Incentives shall be based on the rate of percentage change of students
36 achieving the essential academic learning requirements and progress on
37 meeting the state-wide average. School staff shall determine how the
38 awards will be spent.

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

6 (j) Report annually by December 1st to the legislature, the
7 governor, the superintendent of public instruction, and the state board
8 of education on the progress, findings, and recommendations of the
9 commission; and

10 (k) Make recommendations to the legislature and take other actions
11 necessary or desirable to help students meet the student learning
12 goals.

13 (4) The commission shall coordinate its activities with the state
14 board of education and the office of the superintendent of public
15 instruction.

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

19 (6) The commission shall select an entity to provide staff support
20 and the office of the superintendent of public instruction shall
21 provide administrative oversight and be the fiscal agent for the
22 commission. The commission may direct the office of the superintendent
23 of public instruction to enter into subcontracts, within the
24 commission's resources, with school districts, teachers, higher
25 education faculty, state agencies, business organizations, and other
26 individuals and organizations to assist the commission in its
27 deliberations.

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

30 ~~(8)((a) By September 30, 1997, the commission on student learning,~~
31 ~~the state board of education, and the superintendent of public~~
32 ~~instruction shall jointly present recommendations to the education~~
33 ~~committees of the house of representatives and the senate regarding the~~
34 ~~high school assessments, the certificate of mastery, and high school~~
35 ~~graduation requirements.~~

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

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

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

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

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

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

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

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

18 ~~(b) The ad hoc working group shall report its recommendations to~~
19 ~~the commission on student learning, the state board of education, and~~
20 ~~the superintendent of public instruction by June 15, 1997. The~~
21 ~~commission shall report the ad hoc working group's recommendations to~~
22 ~~the education committees of the house of representatives and senate by~~
23 ~~July 15, 1997. Final recommendations of the commission on student~~
24 ~~learning, the state board of education, and the superintendent of~~
25 ~~public instruction shall be presented to the education committees of~~
26 ~~the house of representatives and the senate by September 30, 1997.~~

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

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

31 (1) By September 1, 1999, the office of the superintendent of
32 public instruction shall convene a certificate of academic proficiency
33 advisory committee.

34 (2) The advisory committee shall include, but need not be limited
35 to representatives of students, parents, educators, school directors,
36 school administrators, principals, community members, employers,
37 employee organizations, the state board of education, the higher
38 education coordinating board, the state board for community and

1 technical colleges, and the work force training and education
2 coordinating board. Advisory committee members shall serve without
3 additional compensation but are eligible for per diem and mileage
4 allowances under RCW 43.03.050 and 43.03.060.

5 (3) The advisory committee shall examine and make recommendations
6 on the following issues and such other issues as the committee may
7 identify:

8 (a) By December 31, 1999, incentives to encourage students to
9 obtain a certificate of academic proficiency before the certificate
10 becomes a state-wide graduation requirement. The incentives may not
11 apply to home school students who enroll in public schools in order to
12 participate in running start opportunities available through the
13 school;

14 (b) Assessment and meaningful educational program options for
15 students who are able to obtain a certificate of academic proficiency
16 early in their high school careers;

17 (c) Assistance and meaningful educational program options for
18 students who, through additional time and effort, will likely obtain a
19 certificate before the end of their high school careers;

20 (d) Processes through which students, parents, and instructional
21 staff can develop individual student improvement plans for students who
22 attempt to achieve, but do not meet, the requirements for the
23 certificate of academic proficiency;

24 (e) Processes to objectively identify students who, despite
25 additional time and effort, are not likely to meet the requirements for
26 a certificate before the end of the students' high school careers;

27 (f) By December 31, 2002, meaningful educational program options
28 for students who will not meet the requirements for the certificate
29 before the end of the students' high school careers; and

30 (g) By December 31, 2004, a review and analysis of the requirement
31 that students obtain a certificate as a condition for high school
32 graduation.

33 (4) By January 5, 2000, and no later than January 5th of each year
34 thereafter, the office of the superintendent of public instruction
35 shall provide to the house of representatives and senate committees on
36 education, a progress report on the deliberations of the advisory
37 committee. The report shall include the advisory committee's findings
38 and recommendations. Before any new policy recommended by the advisory
39 committee is implemented, the policy shall be submitted to the

1 education committees of the house of representatives and the senate for
2 the committees' review and comment.

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

5 The legislature hereby recognizes that private schools should be
6 subject only to those minimum state controls necessary to insure the
7 health and safety of all the students in the state and to insure a
8 sufficient basic education to meet usual graduation requirements.
9 However, the state board shall not require private school students to
10 meet the student learning goals, to obtain a certificate of academic
11 proficiency to graduate from high school, to master the essential
12 academic learning requirements, or to be assessed pursuant to RCW
13 28A.630.885. However, private schools may choose, on a voluntary
14 basis, to have their students master these essential academic learning
15 requirements, take these assessments, and obtain certificates of
16 academic proficiency. The state, any agency or official thereof, shall
17 not restrict or dictate any specific educational or other programs for
18 private schools except as hereinafter in this section provided.

19 Principals of private schools or superintendents of private school
20 districts shall file each year with the state superintendent of public
21 instruction a statement certifying that the minimum requirements
22 hereinafter set forth are being met, noting any deviations. After
23 review of the statement, the state superintendent will notify schools
24 or school districts of those deviations which must be corrected. In
25 case of major deviations, the school or school district may request and
26 the state board of education may grant provisional status for one year
27 in order that the school or school district may take action to meet the
28 requirements. Minimum requirements shall be as follows:

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

33 (2) The school day shall be the same as that required in RCW
34 28A.150.030 and 28A.150.220, except that the percentages of total
35 program hour offerings as prescribed in RCW 28A.150.220 for basic
36 skills, work skills, and optional subjects and activities shall not
37 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

30 (6) The physical facilities of the school or district shall be
31 adequate to meet the program offered by the school or district:
32 PROVIDED, That each school building shall meet reasonable health and
33 fire safety requirements. ~~((However, the state board shall not require
34 private school students to meet the student learning goals, obtain a
35 certificate of mastery to graduate from high school, to master the
36 essential academic learning requirements, or to be assessed pursuant to
37 RCW 28A.630.885. However, private schools may choose, on a voluntary
38 basis, to have their students master these essential academic learning
39 requirements, take these assessments, and obtain certificates of~~

1 mastery.)) A residential dwelling of the parent, guardian, or
2 custodian shall be deemed to be an adequate physical facility when a
3 parent, guardian, or person having legal custody is instructing his or
4 her child under subsection (4) of this section.

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

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

13 All decisions of policy, philosophy, selection of books, teaching
14 material, curriculum, except as in subsection (7) above provided,
15 school rules and administration, or other matters not specifically
16 referred to in this section, shall be the responsibility of the
17 administration and administrators of the particular private school
18 involved.

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

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

23 (1) File annually a signed declaration of intent that he or she is
24 planning to cause his or her child to receive home-based instruction.
25 The statement shall include the name and age of the child, shall
26 specify whether a certificated person will be supervising the
27 instruction, and shall be written in a format prescribed by the
28 superintendent of public instruction. Each parent shall file the
29 statement by September 15 of the school year or within two weeks of the
30 beginning of any public school quarter, trimester, or semester with the
31 superintendent of the public school district within which the parent
32 resides or the district that accepts the transfer, and the student
33 shall be deemed a transfer student of the nonresident district.
34 Parents may apply for transfer under RCW 28A.225.220;

35 (2) Ensure that test scores or annual academic progress assessments
36 and immunization records, together with any other records that are kept
37 relating to the instructional and educational activities provided, are
38 forwarded to any other public or private school to which the child

1 transfers. At the time of a transfer to a public school, the
2 superintendent of the local school district in which the child enrolls
3 may require a standardized achievement test to be administered and
4 shall have the authority to determine the appropriate grade and course
5 level placement of the child after consultation with parents and review
6 of the child's records; and

7 (3) Ensure that a standardized achievement test approved by the
8 state board of education is administered annually to the child by a
9 qualified individual or that an annual assessment of the student's
10 academic progress is written by a certificated person who is currently
11 working in the field of education. The state board of education shall
12 not require these children to meet the student learning goals, master
13 the essential academic learning requirements, to take the assessments,
14 or to obtain a certificate of ((~~mastery~~)) academic proficiency pursuant
15 to RCW 28A.630.885. The standardized test administered or the annual
16 academic progress assessment written shall be made a part of the
17 child's permanent records. If, as a result of the annual test or
18 assessment, it is determined that the child is not making reasonable
19 progress consistent with his or her age or stage of development, the
20 parent shall make a good faith effort to remedy any deficiency.

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

26 **Sec. 5.** RCW 28A.230.090 and 1997 c 222 s 2 are each amended to
27 read as follows:

28 (1) The state board of education shall establish minimum high
29 school graduation requirements or equivalencies for students. Before
30 the board adopts any requirements in rule, it shall present the
31 proposed requirements to the education committees of the house of
32 representatives and the senate for the committees' review and comment.
33 Any course in Washington state history and government used to fulfill
34 high school graduation requirements is encouraged to include
35 information on the culture, history, and government of the American
36 Indian peoples who were the first inhabitants of the state.

37 (2) In recognition of the statutory authority of the state board of
38 education to establish and enforce minimum high school graduation

1 requirements, the state board shall periodically reevaluate the
2 graduation requirements and shall report such findings to the
3 legislature in a timely manner as determined by the state board.

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

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

15 (a) The course was taken with high school students, if the academic
16 level of the course exceeds the requirements for seventh and eighth
17 grade classes, and the student has successfully passed by completing
18 the same course requirements and examinations as the high school
19 students enrolled in the class; or

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

25 (5) Students who have taken and successfully completed high school
26 courses under the circumstances in subsection (4) of this section shall
27 not be required to take an additional competency examination or perform
28 any other additional assignment to receive credit. Subsection (4) of
29 this section shall also apply to students enrolled in high school on
30 April 11, 1990, who took the courses before attending high school.

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

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

35 The board shall coordinate educational activities among all
36 segments of higher education taking into account the educational
37 programs, facilities, and other resources of both public and
38 independent two and four-year colleges and universities. The four-year

1 institutions and the state board for community and technical colleges
2 shall coordinate information and activities with the board. The board
3 shall have the following additional responsibilities:

4 (1) Promote interinstitutional cooperation;

5 (2) Establish minimum admission standards for four-year
6 institutions, including a requirement that coursework in American sign
7 language or an American Indian language shall satisfy any requirement
8 for instruction in a language other than English that the board or the
9 institutions may establish as a general undergraduate admissions
10 requirement. The board may not require students receiving a private
11 education under chapter 28A.195 RCW or home-based instruction under
12 chapter 28A.200 RCW to meet the essential academic learning
13 requirements or the requirements for a certificate of academic
14 proficiency;

15 (3) Establish transfer policies;

16 (4) Adopt rules implementing statutory residency requirements;

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

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

22 (7) Monitor higher education activities for compliance with all
23 relevant state policies for higher education;

24 (8) Arbitrate disputes between and among four-year institutions or
25 between and among four-year institutions and community colleges at the
26 request of one or more of the institutions involved, or at the request
27 of the governor, or from a resolution adopted by the legislature. The
28 decision of the board shall be binding on the participants in the
29 dispute;

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

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

35 (11) Make recommendations to increase minority participation, and
36 monitor and report on the progress of minority participation in higher
37 education.

1 **Sec. 7.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to
2 read as follows:

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

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

6 (2) To employ the president of the university, his or her
7 assistants, members of the faculty, and employees of the institution,
8 who except as otherwise provided by law, shall hold their positions
9 during the pleasure of said board of regents.

10 (3) Establish entrance requirements for students seeking admission
11 to the university which meet or exceed the standards specified under
12 RCW 28B.80.350(2). Completion of examinations satisfactory to the
13 university may be a prerequisite for entrance by any applicant at the
14 university's discretion. Evidence of completion of public high schools
15 and other educational institutions whose courses of study meet the
16 approval of the university may be acceptable for entrance. The board
17 may not require students receiving a private education under chapter
18 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
19 the essential academic learning requirements or the requirements for a
20 certificate of academic proficiency.

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

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

27 (6) Grant to students such certificates or degrees as recommended
28 for such students by the faculty. The board, upon recommendation of
29 the faculty, may also confer honorary degrees upon persons other than
30 graduates of this university in recognition of their learning or
31 devotion to literature, art, or science: PROVIDED, That no degree
32 shall ever be conferred in consideration of the payment of money or the
33 giving of property of whatsoever kind.

34 (7) Accept such gifts, grants, conveyances, bequests, and devises,
35 whether real or personal property, or both, in trust or otherwise, for
36 the use or benefit of the university, its colleges, schools,
37 departments, or agencies; and sell, lease or exchange, invest or expend
38 the same or the proceeds, rents, profits, and income thereof except as
39 limited by the terms of said gifts, grants, conveyances, bequests, and

1 devises. The board shall adopt proper rules to govern and protect the
2 receipt and expenditure of the proceeds of all fees, and the proceeds,
3 rents, profits, and income of all gifts, grants, conveyances, bequests,
4 and devises (~~(above-mentioned)~~) in this subsection.

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

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

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

14 **Sec. 8.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to
15 read as follows:

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

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

20 (2) Employ the president of the university, his or her assistants,
21 members of the faculty, and employees of the university, who, except as
22 otherwise provided by law, shall hold their positions during the
23 pleasure of said board of regents.

24 (3) Establish entrance requirements for students seeking admission
25 to the university which meet or exceed the standards specified under
26 RCW 28B.80.350(2). Completion of examinations satisfactory to the
27 university may be a prerequisite for entrance by any applicant, at the
28 university's discretion. Evidence of completion of public high schools
29 and other educational institutions whose courses of study meet the
30 approval of the university may be acceptable for entrance. The board
31 may not require students receiving a private education under chapter
32 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
33 the essential academic learning requirements or the requirements for a
34 certificate of academic proficiency.

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

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

6 (6) With the assistance of the faculty of the university, prescribe
7 the courses of instruction in the various colleges, schools, and
8 departments of the institution and publish the necessary catalogues
9 thereof.

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

13 (8) Provide for holding agricultural institutes including farm
14 marketing forums.

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

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

21 (11) Establish a department of elementary science and in connection
22 therewith provide instruction in elementary mathematics, including
23 elementary trigonometry, elementary mechanics, elementary and
24 mechanical drawing, and land surveying.

25 (12) Establish a department of agriculture and in connection
26 therewith provide instruction in physics with special application of
27 its principles to agriculture, chemistry with special application of
28 its principles to agriculture, morphology and physiology of plants with
29 special reference to common grown crops and fungus enemies, morphology
30 and physiology of the lower forms of animal life, with special
31 reference to insect pests, morphology and physiology of the higher
32 forms of animal life and in particular of the horse, cow, sheep, and
33 swine, agriculture with special reference to the breeding and feeding
34 of livestock and the best mode of cultivation of farm produce, and
35 mining and metallurgy, appointing demonstrators in each of these
36 subjects to superintend the equipment of a laboratory and to give
37 practical instruction therein.

38 (13) Establish agricultural experiment stations in connection with
39 the department of agriculture, including at least one in the western

1 portion of the state, and appoint the officers and prescribe
2 regulations for their management.

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

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

10 (16) Adopt plans and specifications for university buildings and
11 facilities or improvements thereto and employ skilled architects and
12 engineers to prepare such plans and specifications and supervise the
13 construction of buildings or facilities which the board is authorized
14 to erect, and fix the compensation for such services. The board shall
15 enter into contracts with one or more contractors for such suitable
16 buildings, facilities, or improvements as the available funds will
17 warrant, upon the most advantageous terms offered at a public
18 competitive letting, pursuant to public notice under rules established
19 by the board. The board shall require of all persons with whom they
20 contract for construction and improvements a good and sufficient bond
21 for the faithful performance of the work and full protection against
22 all liens.

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

25 (18) Receive and expend the money appropriated under the act of
26 congress approved May 8, 1914, entitled "An Act to provide for
27 cooperative agricultural extension work between the agricultural
28 colleges in the several States receiving the benefits of the Act of
29 Congress approved July 2, 1862, and Acts supplemental thereto and the
30 United States Department of Agriculture" and organize and conduct
31 agricultural extension work in connection with the state university in
32 accordance with the terms and conditions expressed in the acts of
33 congress.

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

36 (20) Acquire by lease, gift, or otherwise, lands necessary to
37 further the work of the university or for experimental or
38 demonstrational purposes.

1 (21) Establish and maintain at least one agricultural experiment
2 station in an irrigation district to conduct investigational work upon
3 the principles and practices of irrigational agriculture including the
4 utilization of water and its relation to soil types, crops, climatic
5 conditions, ditch and drain construction, fertility investigations,
6 plant disease, insect pests, marketing, farm management, utilization of
7 fruit byproducts, and general development of agriculture under
8 irrigation conditions.

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

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

16 (24) Accept such gifts, grants, conveyances, devises, and bequests,
17 whether real or personal property, in trust or otherwise, for the use
18 or benefit of the university, its colleges, schools, or departments;
19 and sell, lease or exchange, invest or expend the same or the proceeds,
20 rents, profits, and income thereof except as limited by the terms of
21 said gifts, grants, conveyances, bequests, and devises; and adopt
22 proper rules to govern and protect the receipt and expenditure of the
23 proceeds of all fees, and the proceeds, rents, profits, and income of
24 all gifts, grants, conveyances, bequests, and devises.

25 (25) Construct when the board so determines a new foundry and a
26 mining, physical, technological building, and fabrication shop at the
27 university, or add to the present foundry and other buildings, in order
28 that both instruction and research be expanded to include permanent
29 molding and die casting with a section for new fabricating techniques,
30 especially for light metals, including magnesium and aluminum; purchase
31 equipment for the shops and laboratories in mechanical, electrical, and
32 civil engineering; establish a pilot plant for the extraction of
33 alumina from native clays and other possible light metal research;
34 purchase equipment for a research laboratory for technological research
35 generally; and purchase equipment for research in electronics,
36 instrumentation, energy sources, plastics, food technology, mechanics
37 of materials, hydraulics, and similar fields.

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

4 NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.35 RCW
5 to read as follows:

6 The board of trustees may not require students receiving a private
7 education under chapter 28A.195 RCW or home-based instruction under
8 chapter 28A.200 RCW to meet the essential academic learning
9 requirements or the requirements for a certificate of academic
10 proficiency as a condition of meeting minimum college admission
11 standards.

12 NEW SECTION. **Sec. 10.** A new section is added to chapter 28B.40
13 RCW to read as follows:

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

20 NEW SECTION. **Sec. 11.** If specific funding for the purposes of
21 section 2 of this act, referencing section 2 of this act by bill or
22 chapter and section number, is not provided by June 30, 1999, in the
23 omnibus appropriations act, section 2 of this act is null and void.

24 NEW SECTION. **Sec. 12.** The following acts or parts of acts are
25 each repealed:

- 26 (1) 1995 c 209 s 2 & 1992 c 141 s 203 (uncodified);
27 (2) 1995 c 209 s 3 (uncodified); and
28 (3) 1998 c 225 s 3 (uncodified).

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