
HOUSE BILL 1674

State of Washington 56th Legislature 1999 Regular Session

By Representatives Talcott, Veloria, Carlson, DeBolt, Wensman, Rockefeller, Bush, Thomas, Clements and Romero

Read first time 02/02/1999. Referred to Committee on Education.

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

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

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

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

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

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

22 (c) (~~(After a determination is made)~~) (i) By September 1, 2002, the
23 state board of education ((that)) shall determine whether the high
24 school assessment system has been implemented and ((that)) if it is
25 sufficiently reliable and valid((,)). From the time the board makes
26 the determination until (c)(iii) of this subsection becomes mandatory,
27 school districts may offer a certificate of academic proficiency to
28 students who successfully complete the high school assessments in
29 reading, writing, communications, and mathematics.

30 (ii) Beginning with the graduating class of 2006, successful
31 completion of the high school assessments ((shall lead to a certificate
32 of mastery)) in reading, writing, communications, and mathematics shall
33 meet the requirements for a certificate of academic proficiency.
34 Beginning with the graduating class of 2008, successful completion of
35 the high school assessments in reading, writing, communications,
36 mathematics, and science shall meet the requirements for a certificate
37 of academic proficiency. Successful completion of the high school
38 assessments in arts and fitness shall lead to an endorsement on the
39 certificate. Successful completion of the high school assessments in

1 history, civics, and geography may be required to achieve the
2 certificate or may lead to an endorsement on the certificate, as
3 determined by law. The certificate of ((~~mastery~~)) academic proficiency
4 shall be obtained by most students at about the age of sixteen, and is
5 evidence that the student has successfully ((~~mastered~~)) demonstrated
6 proficiency in the essential academic learning requirements during his
7 or her educational career. Beginning with the graduating class of
8 2006, the achievement of a certificate of ((~~mastery~~)) academic
9 proficiency shall be required for graduation but shall not be the only
10 requirement for graduation. ((~~The commission shall make~~
11 ~~recommendations to the state board of education regarding the~~
12 ~~relationship between the certificate of mastery and high school~~
13 ~~graduation requirements.~~))

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

1 (iv) If a student fails to meet the high school assessment standard
2 in any content area required to meet the requirements for the
3 certificate of academic proficiency, then the student may retake the
4 assessment at no cost to the student. A student who meets the
5 assessment standard in any content area may retake the assessment at
6 student expense for the purpose of improving scores. Students retaking
7 the assessment to improve scores may not be charged more than the cost
8 of administering the assessment. Opportunities for students to retake
9 the assessments shall be provided at least once each year.

10 (v) School districts shall designate on each student's official
11 transcript whether the student met the requirements for the certificate
12 of academic proficiency, the highest scores attained by content area,
13 and the dates on which the assessments were taken.

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

21 (vii) The state board of education shall not require students
22 receiving a private education under chapter 28A.195 RCW or home-based
23 instruction under chapter 28A.200 RCW to meet the requirements for the
24 certificate of academic proficiency;

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

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

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

37 (g) Develop recommendations for consideration by the higher
38 education coordinating board for adopting college and university
39 entrance requirements for public school students that are consistent

1 with the essential academic learning requirements and the certificate
2 of ((~~mastery~~)) academic proficiency;

3 (h) Review current school district data reporting requirements for
4 the purposes of accountability and meeting state information needs.
5 The commission on student learning shall report recommendations to the
6 joint select committee on education restructuring by September 15,
7 1996, on:

8 (i) What data is necessary to compare how school districts are
9 performing before the essential academic learning requirements and the
10 assessment system are implemented with how school districts are
11 performing after the essential academic learning requirements and the
12 assessment system are implemented; and

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

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

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

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

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

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

1 achieving the essential academic learning requirements and progress on
2 meeting the state-wide average. School staff shall determine how the
3 awards will be spent.

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

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

13 (k) Make recommendations to the legislature and take other actions
14 necessary or desirable to help students meet the student learning
15 goals.

16 (4) The commission shall coordinate its activities with the state
17 board of education and the office of the superintendent of public
18 instruction.

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

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

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

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

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

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

5 (ii) Should the students be required to pass the high school
6 assessments in all skill and content areas, or only in select skill and
7 content areas, to graduate?

8 (iii) How will the criteria for establishing the standards for
9 passing scores on the assessments be determined?

10 (iv) What timeline should be used in phasing in the assessments as
11 a graduation requirement?

12 (v) What options may be used in demonstrating how the results of
13 the assessments will be displayed in a way that is meaningful to
14 students, parents, institutions of higher education, and potential
15 employers?

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

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

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

31 (9)) The Washington commission on student learning shall expire on
32 June 30, 1999.

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

35 (1) A certificate of academic proficiency advisory committee to the
36 state board of education is created. The committee shall consist of
37 not more than fifteen members. Up to eleven members of the advisory
38 committee shall be appointed by the superintendent of public

1 instruction. The superintendent's appointments shall include, but need
2 not be limited to representatives of: Public and private education,
3 higher education, a parent organization, parents not representing any
4 organization but having students enrolled in public schools and in
5 private schools, the business community, and taxpayers not having an
6 affiliation with school or parent organizations. The advisory
7 committee shall also include one member from each major caucus of the
8 senate, appointed by the president of the senate, and one member from
9 each major caucus of the house of representatives, appointed by the
10 speaker of the house of representatives. The committee may examine the
11 following issues and such other issues as the state board of education
12 may identify:

13 (a) The content areas required for the certificate of academic
14 proficiency;

15 (b) Endorsement policies, including adding endorsements in other
16 content areas as the assessments are made available, and adding
17 endorsements as requirements for the certificate of academic
18 proficiency;

19 (c) The adequacy of standards required for the certificate of
20 academic proficiency;

21 (d) Implementation of the certificate of academic proficiency
22 system; and

23 (e) Educational options and policies to preserve opportunities for
24 students who are unable to achieve the certificate of academic
25 proficiency.

26 (2) The superintendent of public instruction shall convene the
27 committee not later than November 1, 1999. The committee shall report
28 its findings and recommendations to the state board of education, which
29 shall report annually to the education committees of the senate and
30 house of representatives, with its first written report submitted not
31 later than September 1, 2000, and each succeeding report submitted not
32 later than September 1st of each year thereafter. Committee members
33 shall serve without additional compensation but are eligible for per
34 diem and mileage allowances under RCW 43.03.050 and 43.03.060.

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

37 (a) Determine the feasibility of certifying proficiency in content
38 areas beyond reading, writing, communications-listening, mathematics,
39 and science;

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

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

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

7 (e) Investigate any issues that the state board of education or the
8 committee identifies relating to the effective implementation of the
9 certificate of academic proficiency.

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

12 The legislature hereby recognizes that private schools should be
13 subject only to those minimum state controls necessary to insure the
14 health and safety of all the students in the state and to insure a
15 sufficient basic education to meet usual graduation requirements. The
16 state, any agency or official thereof, shall not restrict or dictate
17 any specific educational or other programs for private schools except
18 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, to obtain
35 a certificate of (~~mastery~~) academic proficiency to graduate from high
36 school, to master the essential academic learning requirements, or to
37 be assessed pursuant to RCW 28A.630.885. However, private schools may
38 choose, on a voluntary basis, to have their students master these
39 essential academic learning requirements, take these assessments, and

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

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

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

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

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

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

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

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

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

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

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

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

29 (1) The state board of education shall establish minimum high
30 school graduation requirements or equivalencies for students who
31 graduate before 2006. Minimum graduation requirements for subsequent
32 graduating classes shall be established by statute. The statutory
33 requirements shall include one or more Carnegie unit requirements in
34 the arts. The state board of education shall adopt rules for the
35 implementation of the minimum graduation requirements. Any course in
36 Washington state history and government used to fulfill high school
37 graduation requirements is encouraged to include information on the

1 culture, history, and government of the American Indian peoples who
2 were the first inhabitants of the state.

3 (2) In recognition of the statutory authority of the state board of
4 education to establish and enforce minimum high school graduation
5 requirements, the state board shall periodically reevaluate the
6 graduation requirements and shall report such findings to the
7 legislature in a timely manner as determined by the state board.

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

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

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

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

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

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

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

1 The board shall coordinate educational activities among all
2 segments of higher education taking into account the educational
3 programs, facilities, and other resources of both public and
4 independent two and four-year colleges and universities. The four-year
5 institutions and the state board for community and technical colleges
6 shall coordinate information and activities with the board. The board
7 shall have the following additional responsibilities:

8 (1) Promote interinstitutional cooperation;

9 (2) Establish minimum admission standards for four-year
10 institutions, including a requirement that coursework in American sign
11 language or an American Indian language shall satisfy any requirement
12 for instruction in a language other than English that the board or the
13 institutions may establish as a general undergraduate admissions
14 requirement. The board 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 requirements for a certificate of
17 academic proficiency;

18 (3) Establish transfer policies;

19 (4) Adopt rules implementing statutory residency requirements;

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

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

25 (7) Monitor higher education activities for compliance with all
26 relevant state policies for higher education;

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

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

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

1 (11) Make recommendations to increase minority participation, and
2 monitor and report on the progress of minority participation in higher
3 education.

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

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

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

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

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

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

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

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

36 (7) Accept such gifts, grants, conveyances, bequests, and devises,
37 whether real or personal property, or both, in trust or otherwise, for
38 the use or benefit of the university, its colleges, schools,

1 departments, or agencies; and sell, lease or exchange, invest or expend
2 the same or the proceeds, rents, profits, and income thereof except as
3 limited by the terms of said gifts, grants, conveyances, bequests, and
4 devises. The board shall adopt proper rules to govern and protect the
5 receipt and expenditure of the proceeds of all fees, and the proceeds,
6 rents, profits, and income of all gifts, grants, conveyances, bequests,
7 and devises (~~(above-mentioned)~~) in this subsection.

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

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

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

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

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

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

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

27 (3) Establish entrance requirements for students seeking admission
28 to the university which meet or exceed the standards specified under
29 RCW 28B.80.350(2). Completion of examinations satisfactory to the
30 university may be a prerequisite for entrance by any applicant, at the
31 university's discretion. Evidence of completion of public high schools
32 and other educational institutions whose courses of study meet the
33 approval of the university may be acceptable for entrance. The board
34 may not require students receiving a private education under chapter
35 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
36 the requirements for a certificate of academic proficiency.

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

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

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

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

16 (8) Provide for holding agricultural institutes including farm
17 marketing forums.

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

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

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

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

1 subjects to superintend the equipment of a laboratory and to give
2 practical instruction therein.

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

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

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

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

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

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

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

1 (20) Acquire by lease, gift, or otherwise, lands necessary to
2 further the work of the university or for experimental or
3 demonstrational purposes.

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

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

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

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

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

1 instrumentation, energy sources, plastics, food technology, mechanics
2 of materials, hydraulics, and similar fields.

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

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

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

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

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

20 NEW SECTION. **Sec. 11.** The following acts or parts of acts are
21 each repealed:

- 22 (1) 1995 c 209 s 2 & 1992 c 141 s 203 (uncodified);
23 (2) 1995 c 209 s 3 (uncodified); and
24 (3) 1998 c 225 s 3 (uncodified).

25 NEW SECTION. **Sec. 12.** By October 30, 2000, the state board of
26 education shall recommend to the governor, the house of representatives
27 and senate committees on education, the superintendent of public
28 instruction, and other interested parties, a draft of proposed minimum
29 state-wide graduation requirements for the graduating class of 2006 and
30 graduating classes thereafter. Minimum graduation requirements for the
31 class of 2006 and classes thereafter must be established in statute.

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