
HOUSE BILL 2068

State of Washington

57th Legislature

2001 Regular Session

By Representatives Talcott, Quall, Santos, Anderson, Haigh, Cox, Doumit, Mastin, Hunt, Pflug, Mielke, B. Chandler, Kirby, Schoesler, Gombosky, Esser, Wood, Ahern, McDermott, Armstrong, Boldt, Simpson, Roach, Darneille, D. Schmidt, Kagi, Ericksen, Dunn, Schindler, Kenney and Hurst

Read first time 02/13/2001. Referred to Committee on Education.

1 AN ACT Relating to high school graduation requirements; amending
2 RCW 28A.655.060, 28A.195.010, 28A.200.010, 28B.80.350, 28B.20.130, and
3 28B.30.150; adding a new section to chapter 28A.655 RCW; adding a new
4 section to chapter 28B.35 RCW; adding a new section to chapter 28B.40
5 RCW; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that, by law and rule,
8 beginning with the class of 2008, students will be required to pass the
9 state high school assessment in a number of subjects before they are
10 permitted to graduate from public high schools. The legislature also
11 finds that this requirement will have a profound impact on the lives of
12 all students and on the adults who educate those students. Given that
13 profound impact, it is the responsibility of the legislature to
14 determine when passage of the high school assessment in each subject
15 becomes a high school graduation requirement. The legislature further
16 finds that there is a need to develop one or more rigorous, reliable,
17 and valid alternative methods to evaluate whether high school students
18 have met the state's academic standards.

1 Therefore, the legislature intends to clarify the dates by which
2 passage of the Washington assessment of student learning becomes
3 required for high school graduation. The legislature also intends to
4 clarify the types of opportunities students will have to retake the
5 assessments. In addition, the legislature intends to form an advisory
6 committee that will recommend strategies to help all students meet the
7 state's high school graduation requirements. The legislature further
8 intends that the committee recommend one or more alternative methods to
9 assess whether high school students have achieved the state's essential
10 academic learning requirements.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.655
12 RCW to read as follows:

13 (1) By October 31, 2001, the office of the superintendent of public
14 instruction shall convene an advisory committee to review high school
15 program and assessment options.

16 (2) The advisory committee shall examine and make recommendations
17 on the issues in this subsection and such other related issues as the
18 committee may identify:

19 (a) By October 31, 2001, incentives to encourage students to pass
20 any required high school assessments before the passage of the
21 assessments become a statewide graduation requirement. The incentives
22 may not apply to home school students who enroll in public schools in
23 order to participate in running start opportunities available through
24 the school;

25 (b) Assessment and meaningful educational program options for
26 students who are able to pass any required high school assessments
27 during the tenth grade;

28 (c) Assistance and meaningful educational program options for
29 students who, through additional time and effort, will likely pass the
30 required assessments before the end of high school;

31 (d) Processes through which students, parents, and instructional
32 staff can develop individual student improvement plans for students who
33 attempt, but do not pass, the required high school assessments;

34 (e) Processes to objectively identify, and meaningful educational
35 options for, students who, despite additional time and effort, are not
36 likely to pass the high school assessments before the students finish
37 high school;

1 (f) By October 31, 2003, one or more alternative assessment methods
2 that will permit high school students to demonstrate that they have met
3 state academic standards and the essential academic learning
4 requirements; and

5 (g) By October 31, 2006, a review and analysis of the requirement
6 that students pass certain high school assessments in order to graduate
7 from a public high school.

8 (3) By October 31, 2003, and no later than October 31st of each
9 year thereafter, the office of the superintendent of public instruction
10 shall provide to the house of representatives and senate committees on
11 education, a progress report on the deliberations of the advisory
12 committee. The report shall include the advisory committee's findings
13 and recommendations. Before any new policy recommended by the advisory
14 committee is implemented, the policy shall be submitted to the
15 education committees of the house of representatives and the senate for
16 the committees' review and comment.

17 (4) The advisory committee shall include, but need not be limited
18 to, representatives of students, parents, educators, school directors,
19 school administrators, principals, community members, employers,
20 employee organizations, the state board of education, the higher
21 education coordinating board, the state board for community and
22 technical colleges, the work force training and education coordinating
23 board, the academic achievement and accountability commission, and the
24 professional educators standards board. Advisory committee members
25 shall serve without additional compensation but are eligible for per
26 diem and mileage allowances under RCW 43.03.050 and 43.03.060.

27 **Sec. 3.** RCW 28A.655.060 and 1999 c 373 s 501 are each amended to
28 read as follows:

29 (1) The Washington commission on student learning is hereby
30 established. The primary purposes of the commission are to identify
31 the knowledge and skills all public school students need to know and be
32 able to do based on the student learning goals in RCW 28A.150.210, to
33 develop student assessment and school accountability systems, to review
34 current school district data reporting requirements and make
35 recommendations on what data is necessary for the purposes of
36 accountability and meeting state information needs, and to take other
37 steps necessary to develop a performance-based education system. The
38 commission shall include three members of the state board of education,

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

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

22 (3) The commission, with the assistance of the advisory committees,
23 shall((+)

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

37 ~~((b)(i))~~ (4)(a) The commission and superintendent of public
38 instruction shall develop a statewide academic assessment system for
39 use in the elementary, middle, and high school years designed to

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

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

16 ~~((iii))~~ (c) Assessments measuring the essential academic learning
 17 requirements shall be available for voluntary use by school districts
 18 and shall be required to be administered by school districts according
 19 to the following schedule unless the legislature takes action to delay
 20 or prevent implementation of the assessment system and essential
 21 academic learning requirements.

	Assessments available for voluntary use (School years)	Assessments required to be administered (School years)
Reading, Writing, Communication, Mathematics		
- Elementary school	1996-97	1997-98
- Middle school	1997-98	2000-01
- High school	1998-99	2000-01
Science		
- Middle and high school	1999-00	2000-01
- Elementary school	2001-02	2004-05
Social Studies		
- Elementary, middle, and high school	2002-03	2005-06

1 **Arts**

2 - Middle and high 2003-04 2006-07
3 school

4 - Elementary school 2003-04 2007-08

5 **Health, Fitness**

6 - Middle and high 2003-04 2006-07
7 school

8 - Elementary school 2003-04 2007-08

9 The completed assessments and assessments still in development
10 shall be transferred by the commission on student learning to the
11 superintendent of public instruction by June 30, 1999.

12 ~~((iv))~~ (d) To the maximum extent possible, the commission and the
13 superintendent of public instruction shall integrate knowledge and
14 skill areas in development of the assessments.

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

18 ~~((v))~~ (e) The commission on student learning may modify the
19 essential academic learning requirements and the assessments, as
20 needed, before June 30, 1999. The superintendent of public instruction
21 may modify the essential academic learning requirements and the
22 assessments, as needed, after June 30, 1999. The commission and
23 superintendent shall, upon request, provide opportunities for the
24 education committees of the house of representatives and the senate to
25 review the assessments and proposed modifications to the essential
26 academic learning requirements before the modifications are adopted.

27 ~~((vi))~~ (f) The commission and the superintendent of public
28 instruction shall develop assessments that are directly related to the
29 essential academic learning requirements, and are not biased toward
30 persons with different learning styles, racial or ethnic backgrounds,
31 or on the basis of gender~~((7))~~.

32 ~~((c) After a determination is made by the state board of education
33 that the high school assessment system has been implemented and that it
34 is sufficiently reliable and valid, successful completion of the high
35 school assessment shall lead to a certificate of mastery. The
36 certificate of mastery shall be obtained)) (5)(a) Beginning with the
37 graduating class of 2008, passage of the high school reading assessment
38 shall be one of the requirements for graduation from a public high~~

1 school. Beginning with the graduating class of 2010, passage of the
2 high school writing and mathematics assessments shall be two of the
3 conditions for graduation from a public high school, if the state board
4 of education has determined that the assessments are technically valid
5 and reliable.

6 (b) Passage of the high school assessments should be achieved by
7 most students at about the age of sixteen, and is evidence that the
8 students ~~((has))~~ have successfully ~~((mastered))~~ demonstrated
9 proficiency in the essential academic learning requirements during
10 ~~((his or her))~~ their educational careers. ~~((The certificate of~~
11 mastery)) Passage of the high school assessments shall be required for
12 graduation but shall not be the only requirement for graduation. The
13 date that each assessment shall become a graduation requirement shall
14 be determined by law. The commission shall make recommendations to the
15 state board of education regarding the relationship between the
16 certificate of mastery and high school graduation requirements.

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

1 to complete pathway requirements beyond the date the student is
2 eligible to graduate(~~(7)~~).

3 (d) If a student fails to meet the high school assessment standard
4 in a content area required for high school graduation, the student may
5 retake the assessment at no cost to the student. A student who meets
6 the assessment standard in any content area may retake the assessment
7 once at student expense for the purpose of improving the student's
8 proficiency level. Any student who has met the standard but is
9 retaking the assessment to improve the student's proficiency level may
10 not be charged more than the cost of administering the assessment.
11 Opportunities for students to retake the assessments shall be provided
12 at least once each year.

13 (e) School districts shall designate on each student's official
14 transcript whether the student passed the required high school
15 assessments and the highest score attained by content area.

16 (f) As a local option, school districts may establish requirements
17 in addition to passage of required high school assessments for high
18 school graduation. The requirements may include, but need not be
19 limited to, community service, senior projects, Carnegie units, student
20 portfolios, and classroom-based assessments. However, this subsection
21 (5)(f) shall not be construed as modifying the requirements of (a) and
22 (b) of this subsection.

23 (g) The state board of education shall not require students
24 receiving private education under chapter 28A.195 RCW or home-based
25 instruction under chapter 28A.200 RCW to meet the requirements for
26 passage of the high school assessments or the essential academic
27 learning requirements.

28 (6) The commission, with the assistance of advisory committees,
29 shall:

30 (a) Consider methods to address the unique needs of special
31 education students when developing the assessments in (~~(b) and (c) of~~
32 this)) subsections (4) and (5) of this section;

33 (~~(e)~~) (b) Consider methods to address the unique needs of highly
34 capable students when developing the assessments in (~~(b) and (c) of~~
35 this)) subsections (4) and (5) of this section;

36 (~~(f)~~) (c) Develop recommendations on the time, support, and
37 resources, including technical assistance, needed by schools and school
38 districts to help students achieve the essential academic learning
39 requirements. These recommendations shall include an estimate for the

1 legislature, superintendent of public instruction, and governor on the
2 expected cost of implementing the academic assessment system;

3 ~~((g))~~ (d) Develop recommendations for consideration by the higher
4 education coordinating board for adopting college and university
5 entrance requirements for public school students that are consistent
6 with the essential academic learning requirements and ~~((the certificate
7 of mastery))~~ passage of required high school assessments;

8 ~~((h))~~ (e) Review current school district data reporting
9 requirements for the purposes of accountability and meeting state
10 information needs. The commission on student learning shall report
11 recommendations to the joint select committee on education
12 restructuring by September 15, 1996, on:

13 (i) What data is necessary to compare how school districts are
14 performing before the essential academic learning requirements and the
15 assessment system are implemented with how school districts are
16 performing after the essential academic learning requirements and the
17 assessment system are implemented; and

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

21 ~~((i))~~ (f) Recommend to the legislature, governor, state board of
22 education, and superintendent of public instruction:

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

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

35 (iii) A system to intervene in schools and school districts in
36 which significant numbers of students persistently fail to learn the
37 essential academic learning requirements or meet the standards
38 established for the elementary, middle school, and high school
39 assessments; and

1 (iv) An awards program to provide incentives to school staff to
2 help their students learn the essential academic learning requirements,
3 with each school being assessed individually against its own baseline,
4 schools with similar characteristics, and the statewide average.
5 Incentives shall be based on the rate of percentage change of students
6 achieving the essential academic learning requirements and progress on
7 meeting the statewide average. School staff shall determine how the
8 awards will be spent.

9 The commission shall make recommendations regarding a statewide
10 accountability system for reading in grades kindergarten through four
11 by November 1, 1997. Recommendations for an accountability system in
12 the other subject areas and grade levels shall be made no later than
13 June 30, 1999;

14 (~~(+j)~~) (g) Report annually by December 1st to the legislature, the
15 governor, the superintendent of public instruction, and the state board
16 of education on the progress, findings, and recommendations of the
17 commission; and

18 (~~(+k)~~) (h) Make recommendations to the legislature and take other
19 actions necessary or desirable to help students meet the student
20 learning goals.

21 (~~(+4)~~) (7) The commission shall coordinate its activities with the
22 state board of education and the office of the superintendent of public
23 instruction.

24 (~~(+5)~~) (8) The commission shall seek advice broadly from the
25 public and all interested educational organizations in the conduct of
26 its work, including holding periodic regional public hearings.

27 (~~(+6)~~) (9) The commission shall select an entity to provide staff
28 support and the office of the superintendent of public instruction
29 shall provide administrative oversight and be the fiscal agent for the
30 commission. The commission may direct the office of the superintendent
31 of public instruction to enter into subcontracts, within the
32 commission's resources, with school districts, teachers, higher
33 education faculty, state agencies, business organizations, and other
34 individuals and organizations to assist the commission in its
35 deliberations.

36 (~~(+7)~~) (10) Members of the commission shall be reimbursed for
37 travel expenses as provided in RCW 43.03.050 and 43.03.060.

38 (~~(+8)~~) (11)(a) By September 30, 1997, the commission on student
39 learning, the state board of education, and the superintendent of

1 public instruction shall jointly present recommendations to the
2 education committees of the house of representatives and the senate
3 regarding the high school assessments, the certificate of mastery, and
4 high school graduation requirements.

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

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

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

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

14 (iv) What timeline should be used in phasing-in the assessments as
15 a graduation requirement?

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

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

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

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

35 ((+9)) (12) The Washington commission on student learning shall
36 expire on June 30, 1999.

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

1 The legislature hereby recognizes that private schools should be
2 subject only to those minimum state controls necessary to insure the
3 health and safety of all the students in the state and to insure a
4 sufficient basic education to meet usual graduation requirements.
5 However, the state board shall not require private school students to
6 meet the student learning goals, to take or pass the high school
7 assessment of student learning pursuant to RCW 28A.655.060, or to
8 master the essential academic learning requirements. However, private
9 schools may choose, on a voluntary basis, to have their students master
10 the essential academic learning requirements and take the Washington
11 assessment of student learning. The state, any agency or official
12 thereof, shall not restrict or dictate any specific educational or
13 other programs for private schools except as hereinafter in this
14 section provided.

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

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

29 (2) The school day shall be the same as that required in RCW
30 28A.150.030 and 28A.150.220, except that the percentages of total
31 program hour offerings as prescribed in RCW 28A.150.220 for basic
32 skills, work skills, and optional subjects and activities shall not
33 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

25 (6) The physical facilities of the school or district shall be
26 adequate to meet the program offered by the school or district:
27 PROVIDED, That each school building shall meet reasonable health and
28 fire safety requirements. (~~However, the state board shall not require
29 private school students to meet the student learning goals, obtain a
30 certificate of mastery to graduate from high school, to master the
31 essential academic learning requirements, or to be assessed pursuant to
32 RCW 28A.630.885. However, private schools may choose, on a voluntary
33 basis, to have their students master these essential academic learning
34 requirements, take these assessments, and obtain certificates of
35 mastery.~~) A residential dwelling of the parent, guardian, or
36 custodian shall be deemed to be an adequate physical facility when a
37 parent, guardian, or person having legal custody is instructing his or
38 her child under subsection (4) of this section.

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

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

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

15 **Sec. 5.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to read
16 as follows:

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

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

31 (2) Ensure that test scores or annual academic progress assessments
32 and immunization records, together with any other records that are kept
33 relating to the instructional and educational activities provided, are
34 forwarded to any other public or private school to which the child
35 transfers. At the time of a transfer to a public school, the
36 superintendent of the local school district in which the child enrolls
37 may require a standardized achievement test to be administered and
38 shall have the authority to determine the appropriate grade and course

1 level placement of the child after consultation with parents and review
2 of the child's records; and

3 (3) Ensure that a standardized achievement test approved by the
4 state board of education is administered annually to the child by a
5 qualified individual or that an annual assessment of the student's
6 academic progress is written by a certificated person who is currently
7 working in the field of education. The state board of education shall
8 not require these children to meet the student learning goals, master
9 the essential academic learning requirements, or to take or pass the
10 assessments(~~(, or to obtain a certificate of mastery)~~) pursuant to RCW
11 (~~(28A.630.885)~~) 28A.655.060. The standardized test administered or the
12 annual academic progress assessment written shall be made a part of the
13 child's permanent records. If, as a result of the annual test or
14 assessment, it is determined that the child is not making reasonable
15 progress consistent with his or her age or stage of development, the
16 parent shall make a good faith effort to remedy any deficiency.

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

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

24 The board shall coordinate educational activities among all
25 segments of higher education taking into account the educational
26 programs, facilities, and other resources of both public and
27 independent two and four-year colleges and universities. The four-year
28 institutions and the state board for community and technical colleges
29 shall coordinate information and activities with the board. The board
30 shall have the following additional responsibilities:

31 (1) Promote interinstitutional cooperation;

32 (2) Establish minimum admission standards for four-year
33 institutions, including a requirement that coursework in American sign
34 language or an American Indian language shall satisfy any requirement
35 for instruction in a language other than English that the board or the
36 institutions may establish as a general undergraduate admissions
37 requirement. The board may not require students receiving a private
38 education under chapter 28A.195 RCW or home-based instruction under

1 chapter 28A.200 RCW to meet the essential academic learning
2 requirements or to take or pass the Washington assessment of student
3 learning under RCW 28A.655.060;

4 (3) Establish transfer policies;

5 (4) Adopt rules implementing statutory residency requirements;

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

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

11 (7) Monitor higher education activities for compliance with all
12 relevant state policies for higher education;

13 (8) Arbitrate disputes between and among four-year institutions or
14 between and among four-year institutions and community colleges at the
15 request of one or more of the institutions involved, or at the request
16 of the governor, or from a resolution adopted by the legislature. The
17 decision of the board shall be binding on the participants in the
18 dispute;

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

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

24 (11) Make recommendations to increase minority participation, and
25 monitor and report on the progress of minority participation in higher
26 education.

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

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

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

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

36 (3) Establish entrance requirements for students seeking admission
37 to the university which meet or exceed the standards specified under
38 RCW 28B.80.350(2). Completion of examinations satisfactory to the

1 university may be a prerequisite for entrance by any applicant at the
2 university's discretion. Evidence of completion of public high schools
3 and other educational institutions whose courses of study meet the
4 approval of the university may be acceptable for entrance. The board
5 may not require students receiving a private education under chapter
6 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
7 the essential academic learning requirements or to take or pass the
8 Washington assessment of student learning under RCW 28A.655.060.

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

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

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

22 (7) Accept such gifts, grants, conveyances, bequests, and devises,
23 whether real or personal property, or both, in trust or otherwise, for
24 the use or benefit of the university, its colleges, schools,
25 departments, or agencies; and sell, lease or exchange, invest or expend
26 the same or the proceeds, rents, profits, and income thereof except as
27 limited by the terms of said gifts, grants, conveyances, bequests, and
28 devises. The board shall adopt proper rules to govern and protect the
29 receipt and expenditure of the proceeds of all fees, and the proceeds,
30 rents, profits, and income of all gifts, grants, conveyances, bequests,
31 and devises (~~(above-mentioned)~~) in this subsection.

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

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

36 (10) Subject to the approval of the higher education coordinating
37 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-
38 campus programs, participate in consortia or centers, contract for off-

1 campus educational programs, and purchase or lease major off-campus
2 facilities.

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

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

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

9 (2) Employ the president of the university, his or her assistants,
10 members of the faculty, and employees of the university, who, except as
11 otherwise provided by law, shall hold their positions during the
12 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 essential academic learning requirements or to take or pass the
23 Washington assessment of student learning under RCW 28A.655.060.

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

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

32 (6) With the assistance of the faculty of the university, prescribe
33 the courses of instruction in the various colleges, schools, and
34 departments of the institution and publish the necessary catalogues
35 thereof.

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

1 (8) Provide for holding agricultural institutes including farm
2 marketing forums.

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

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

9 (11) Establish a department of elementary science and in connection
10 therewith provide instruction in elementary mathematics, including
11 elementary trigonometry, elementary mechanics, elementary and
12 mechanical drawing, and land surveying.

13 (12) Establish a department of agriculture and in connection
14 therewith provide instruction in physics with special application of
15 its principles to agriculture, chemistry with special application of
16 its principles to agriculture, morphology and physiology of plants with
17 special reference to common grown crops and fungus enemies, morphology
18 and physiology of the lower forms of animal life, with special
19 reference to insect pests, morphology and physiology of the higher
20 forms of animal life and in particular of the horse, cow, sheep, and
21 swine, agriculture with special reference to the breeding and feeding
22 of livestock and the best mode of cultivation of farm produce, and
23 mining and metallurgy, appointing demonstrators in each of these
24 subjects to superintend the equipment of a laboratory and to give
25 practical instruction therein.

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

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

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

37 (16) Adopt plans and specifications for university buildings and
38 facilities or improvements thereto and employ skilled architects and
39 engineers to prepare such plans and specifications and supervise the

1 construction of buildings or facilities which the board is authorized
2 to erect, and fix the compensation for such services. The board shall
3 enter into contracts with one or more contractors for such suitable
4 buildings, facilities, or improvements as the available funds will
5 warrant, upon the most advantageous terms offered at a public
6 competitive letting, pursuant to public notice under rules established
7 by the board. The board shall require of all persons with whom they
8 contract for construction and improvements a good and sufficient bond
9 for the faithful performance of the work and full protection against
10 all liens.

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

13 (18) Receive and expend the money appropriated under the act of
14 congress approved May 8, 1914, entitled "An Act to provide for
15 cooperative agricultural extension work between the agricultural
16 colleges in the several States receiving the benefits of the Act of
17 Congress approved July 2, 1862, and Acts supplemental thereto and the
18 United States Department of Agriculture" and organize and conduct
19 agricultural extension work in connection with the state university in
20 accordance with the terms and conditions expressed in the acts of
21 congress.

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

24 (20) Acquire by lease, gift, or otherwise, lands necessary to
25 further the work of the university or for experimental or
26 demonstrational purposes.

27 (21) Establish and maintain at least one agricultural experiment
28 station in an irrigation district to conduct investigational work upon
29 the principles and practices of irrigational agriculture including the
30 utilization of water and its relation to soil types, crops, climatic
31 conditions, ditch and drain construction, fertility investigations,
32 plant disease, insect pests, marketing, farm management, utilization of
33 fruit byproducts, and general development of agriculture under
34 irrigation conditions.

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

37 (23) Establish and maintain at Wenatchee an agricultural experiment
38 substation for the purpose of conducting investigational work upon the
39 principles and practices of orchard culture, spraying, fertilization,

1 pollenization, new fruit varieties, fruit diseases and pests,
2 byproducts, marketing, management, and general horticultural problems.

3 (24) Accept such gifts, grants, conveyances, devises, and bequests,
4 whether real or personal property, in trust or otherwise, for the use
5 or benefit of the university, its colleges, schools, or departments;
6 and sell, lease or exchange, invest or expend the same or the proceeds,
7 rents, profits, and income thereof except as limited by the terms of
8 said gifts, grants, conveyances, bequests, and devises; and adopt
9 proper rules to govern and protect the receipt and expenditure of the
10 proceeds of all fees, and the proceeds, rents, profits, and income of
11 all gifts, grants, conveyances, bequests, and devises.

12 (25) Construct when the board so determines a new foundry and a
13 mining, physical, technological building, and fabrication shop at the
14 university, or add to the present foundry and other buildings, in order
15 that both instruction and research be expanded to include permanent
16 molding and die casting with a section for new fabricating techniques,
17 especially for light metals, including magnesium and aluminum; purchase
18 equipment for the shops and laboratories in mechanical, electrical, and
19 civil engineering; establish a pilot plant for the extraction of
20 alumina from native clays and other possible light metal research;
21 purchase equipment for a research laboratory for technological research
22 generally; and purchase equipment for research in electronics,
23 instrumentation, energy sources, plastics, food technology, mechanics
24 of materials, hydraulics, and similar fields.

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

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

30 The board of trustees may not require students receiving a private
31 education under chapter 28A.195 RCW or home-based instruction under
32 chapter 28A.200 RCW to meet the essential academic learning
33 requirements or to take or pass the Washington assessment of student
34 learning under RCW 28A.655.060 as a condition of meeting minimum
35 college admission standards.

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

1 The board of trustees may not require students receiving a private
2 education under chapter 28A.195 RCW or home-based instruction under
3 chapter 28A.200 RCW to meet the essential academic learning
4 requirements or to take or pass the Washington assessment of student
5 learning under RCW 28A.655.060 as a condition of meeting minimum
6 college admission standards.

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