
SUBSTITUTE HOUSE BILL 2210

State of Washington

57th Legislature

2001 Regular Session

By House Committee on Education (originally sponsored by Representatives Talcott, Santos, D. Schmidt, Armstrong, G. Chandler, Anderson, Rockefeller, Keiser, Haigh and Quall)

Read first time 02/26/2001. Referred to Committee on .

1 AN ACT Relating to student achievement; amending RCW 28A.655.186,
2 28A.655.060, 28A.195.010, 28A.230.090, 28A.200.010, 28B.80.350,
3 28B.20.130, and 28B.30.150; amending 1993 c 336 s 1010 (uncodified);
4 adding a new section to chapter 28B.35 RCW; adding a new section to
5 chapter 28B.40 RCW; creating new sections; repealing 1995 c 335 s 804
6 (uncodified); repealing 1994 c 245 s 16 (uncodified); and providing an
7 expiration date.

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

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

1 and valid alternative methods to evaluate whether high school students
2 have met the state's academic standards.

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

13 **Sec. 2.** RCW 28A.655.186 and 1995 c 335 s 506 are each amended to
14 read as follows:

15 (1) In addition to the duties in RCW ((28A.630.951)) 28A.655.184,
16 the joint select committee on education restructuring shall ((review
17 all laws pertaining to K-12 public education and to educator
18 preparation and certification with the intent of identifying laws that
19 inhibit the achievement of the new system of performance-based
20 education. The select committee shall report to the legislature by
21 November 15, 1994. The laws pertaining to home schooling and private
22 schools shall not be reviewed in this study.

23 (2) ~~The joint select committee on education restructuring shall
24 review the school district data reporting requirements for the purposes
25 of accountability and meeting state information needs reported by the
26 commission on student learning under RCW 28A.630.885. The joint select
27 committee shall report its recommendations to the legislature by
28 January 1996)):~~

29 (a) Review high school program and assessment options;

30 (b) Examine and make recommendations on the issues in this
31 subsection (1)(b) and such other related issues as the committee may
32 identify:

33 (i) Incentives to encourage students to pass any required high
34 school assessments before the passage of the assessments become a
35 statewide graduation requirement. The incentives may not apply to home
36 school students who enroll in public schools in order to participate in
37 running start opportunities available through the school;

1 (ii) Assessment and meaningful educational program options for
2 students who are able to pass any required high school assessments
3 during the tenth grade;

4 (iii) Assistance and meaningful educational program options for
5 students who, through additional time and effort, will likely pass the
6 required assessments before the end of high school;

7 (iv) Processes through which students, parents, and instructional
8 staff can develop individual student improvement plans for students who
9 attempt, but do not pass, the required high school assessments;

10 (v) Processes to objectively identify, and meaningful educational
11 options for, students who, despite additional time and effort, are not
12 likely to pass the high school assessments before the students finish
13 high school;

14 (vi) One or more alternative assessment methods that will permit
15 high school students to demonstrate that they have met state academic
16 standards and the essential academic learning requirements; and

17 (vii) By October 31, 2005, a review and analysis of the requirement
18 that students pass certain high school assessments in order to graduate
19 from a public high school.

20 (2) The committee may appoint advisory committees of parents,
21 educators, and other interested parties to assist it in its study.
22 Advisory committee members shall serve without additional compensation
23 but are eligible for per diem and mileage allowances under RCW
24 43.03.050 and 43.03.060.

25 (3) This section expires December 1, 2008.

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

28 (1) The Washington commission on student learning is hereby
29 established. The primary purposes of the commission are to identify
30 the knowledge and skills all public school students need to know and be
31 able to do based on the student learning goals in RCW 28A.150.210, to
32 develop student assessment and school accountability systems, to review
33 current school district data reporting requirements and make
34 recommendations on what data is necessary for the purposes of
35 accountability and meeting state information needs, and to take other
36 steps necessary to develop a performance-based education system. The
37 commission shall include three members of the state board of education,
38 three members appointed by the governor before July 1, 1992, and five

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

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

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

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

36 ((b)(i)) (4)(a) The commission and superintendent of public
37 instruction shall develop a statewide academic assessment system for
38 use in the elementary, middle, and high school years designed to
39 determine if each student has learned the essential academic learning

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

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

15 (~~(iii)~~) (c) Assessments measuring the essential academic learning
16 requirements shall be available for voluntary use by school districts
17 and shall be required to be administered by school districts according
18 to the following schedule unless the legislature takes action to delay
19 or prevent implementation of the assessment system and essential
20 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)) <u>2001-02</u>	((2000-01)) <u>2003-04</u>
- Elementary school	((2001-02)) <u>2002-03</u>	2004-05
Social Studies		
- Elementary, middle, and high school	((2002-03)) <u>2004-05</u>	((2005-06)) <u>2007-08</u>
Arts		

1	- ((Middle and)) <u>High</u>	2003-04	((2006-07))
2	school		<u>To be determined</u>
3	- <u>Middle school</u>	<u>2004-05</u>	<u>To be determined</u>
4	- Elementary school	((2003-04)) <u>2005-06</u>	((2007-08))
5			<u>To be determined</u>

6 **(~~(Health,))~~ Fitness**

7	- ((Middle and)) <u>High</u>	2003-04	((2006-07))
8	school		<u>To be determined</u>
9	- <u>Middle school</u>	<u>2004-05</u>	<u>To be determined</u>
10	- Elementary school	2003-04	2007-08

11 **Health**

12	- <u>Middle and high</u>	<u>To be determined</u>	<u>To be determined</u>
13	school		
14	- <u>Elementary school</u>	<u>To be determined</u>	<u>To be determined</u>

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

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

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

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

33 (~~(vi))~~ (f) The commission and the superintendent of public
 34 instruction shall develop assessments that are directly related to the
 35 essential academic learning requirements, and are not biased toward
 36 persons with different learning styles, racial or ethnic backgrounds,
 37 or on the basis of gender(~~(+))~~).

1 (~~((c) After a determination is made by the state board of education~~
2 ~~that the high school assessment system has been implemented and that it~~
3 ~~is sufficiently reliable and valid, successful completion of the high~~
4 ~~school assessment shall lead to a certificate of mastery. The~~
5 ~~certificate of mastery shall be obtained)) (5)(a) Beginning with the
6 graduating class of 2008, passage of the high school assessments in
7 reading, writing, and mathematics for graduation from a public high
8 school.~~

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

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

1 provided in the school. Schools may not develop educational pathways
2 that retain students in high school beyond the date they are eligible
3 to graduate, and may not require students who transfer between pathways
4 to complete pathway requirements beyond the date the student is
5 eligible to graduate(~~(+)~~).

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

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

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

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

31 (6) The commission, with the assistance of advisory committees,
32 shall:

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

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

1 ~~((f))~~ (c) Develop recommendations on the time, support, and
2 resources, including technical assistance, needed by schools and school
3 districts to help students achieve the essential academic learning
4 requirements. These recommendations shall include an estimate for the
5 legislature, superintendent of public instruction, and governor on the
6 expected cost of implementing the academic assessment system;

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

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

17 (i) What data is necessary to compare how school districts are
18 performing before the essential academic learning requirements and the
19 assessment system are implemented with how school districts are
20 performing after the essential academic learning requirements and the
21 assessment system are implemented; and

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

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

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

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

1 (iii) A system to intervene in schools and school districts in
2 which significant numbers of students persistently fail to learn the
3 essential academic learning requirements or meet the standards
4 established for the elementary, middle school, and high school
5 assessments; and

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

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

19 ~~((+j))~~ (g) Report annually by December 1st to the legislature, the
20 governor, the superintendent of public instruction, and the state board
21 of education on the progress, findings, and recommendations of the
22 commission; and

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

26 ~~((+4))~~ (7) The commission shall coordinate its activities with the
27 state board of education and the office of the superintendent of public
28 instruction.

29 ~~((+5))~~ (8) The commission shall seek advice broadly from the
30 public and all interested educational organizations in the conduct of
31 its work, including holding periodic regional public hearings.

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

1 individuals and organizations to assist the commission in its
2 deliberations.

3 ~~((7))~~ (10) Members of the commission shall be reimbursed for
4 travel expenses as provided in RCW 43.03.050 and 43.03.060.

5 ~~((8))~~ (11)(a) By September 30, 1997, the commission on student
6 learning, the state board of education, and the superintendent of
7 public instruction shall jointly present recommendations to the
8 education committees of the house of representatives and the senate
9 regarding the high school assessments, the certificate of mastery, and
10 high school graduation requirements.

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

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

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

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

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

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

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

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

32 (b) The ad hoc working group shall report its recommendations to
33 the commission on student learning, the state board of education, and
34 the superintendent of public instruction by June 15, 1997. The
35 commission shall report the ad hoc working group's recommendations to
36 the education committees of the house of representatives and senate by
37 July 15, 1997. Final recommendations of the commission on student
38 learning, the state board of education, and the superintendent of

1 public instruction shall be presented to the education committees of
2 the house of representatives and the senate by September 30, 1997.

3 ~~((+9+))~~ (12) The Washington commission on student learning shall
4 expire on June 30, 1999.

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

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

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

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

35 (2) The school day shall be the same as that required in RCW
36 28A.150.030 and 28A.150.220, except that the percentages of total
37 program hour offerings as prescribed in RCW 28A.150.220 for basic

1 skills, work skills, and optional subjects and activities shall not
2 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

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

1 ~~basis, to have their students master these essential academic learning~~
2 ~~requirements, take these assessments, and obtain certificates of~~
3 ~~mastery.))~~ A residential dwelling of the parent, guardian, or
4 custodian shall be deemed to be an adequate physical facility when a
5 parent, guardian, or person having legal custody is instructing his or
6 her child under subsection (4) of this section.

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

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

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

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

23 (1) The state board of education shall establish minimum high
24 school graduation requirements or equivalencies for students. Any
25 course in Washington state history and government used to fulfill high
26 school graduation requirements is encouraged to include information on
27 the culture, history, and government of the American Indian peoples who
28 were the first inhabitants of the state. When adopting minimum high
29 school graduation requirements, the state board of education shall
30 limit those requirements to the subject matter competencies that
31 students must demonstrate and the subject matter Carnegie units they
32 may complete. Local school directors have the sole authority to
33 determine the organization of a student's learning opportunities and
34 the means by which a student will demonstrate subject matter competence
35 and acquisition of the knowledge and skill needed to meet the goals of
36 the state's basic education act in RCW 28A.150.210.

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

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

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

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

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

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

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

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

33 **Sec. 6.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to read
34 as follows:

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

37 (1) File annually a signed declaration of intent that he or she is
38 planning to cause his or her child to receive home-based instruction.

1 The statement shall include the name and age of the child, shall
2 specify whether a certificated person will be supervising the
3 instruction, and shall be written in a format prescribed by the
4 superintendent of public instruction. Each parent shall file the
5 statement by September 15 of the school year or within two weeks of the
6 beginning of any public school quarter, trimester, or semester with the
7 superintendent of the public school district within which the parent
8 resides or the district that accepts the transfer, and the student
9 shall be deemed a transfer student of the nonresident district.
10 Parents may apply for transfer under RCW 28A.225.220;

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

21 (3) Ensure that a standardized achievement test approved by the
22 state board of education is administered annually to the child by a
23 qualified individual or that an annual assessment of the student's
24 academic progress is written by a certificated person who is currently
25 working in the field of education. The state board of education shall
26 not require these children to meet the student learning goals, master
27 the essential academic learning requirements, or to take or pass the
28 assessments(~~(, or to obtain a certificate of mastery)~~) pursuant to RCW
29 (~~(28A.630.885)~~) 28A.655.060. The standardized test administered or the
30 annual academic progress assessment written shall be made a part of the
31 child's permanent records. If, as a result of the annual test or
32 assessment, it is determined that the child is not making reasonable
33 progress consistent with his or her age or stage of development, the
34 parent shall make a good faith effort to remedy any deficiency.

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

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

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

10 (1) Promote interinstitutional cooperation;

11 (2) Establish minimum admission standards for four-year
12 institutions, including a requirement that coursework in American sign
13 language or an American Indian language shall satisfy any requirement
14 for instruction in a language other than English that the board or the
15 institutions may establish as a general undergraduate admissions
16 requirement. The board may not require students receiving a private
17 education under chapter 28A.195 RCW or home-based instruction under
18 chapter 28A.200 RCW to meet the essential academic learning
19 requirements or to take or pass the Washington assessment of student
20 learning under RCW 28A.655.060;

21 (3) Establish transfer policies;

22 (4) Adopt rules implementing statutory residency requirements;

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

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

28 (7) Monitor higher education activities for compliance with all
29 relevant state policies for higher education;

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

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

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

4 (11) Make recommendations to increase minority participation, and
5 monitor and report on the progress of minority participation in higher
6 education.

7 **Sec. 8.** RCW 28B.20.130 and 1998 c 245 s 16 are each amended to
8 read as follows:

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

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

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

16 (3) Establish entrance requirements for students seeking admission
17 to the university which meet or exceed the standards specified under
18 RCW 28B.80.350(2). Completion of examinations satisfactory to the
19 university may be a prerequisite for entrance by any applicant at the
20 university's discretion. Evidence of completion of public high schools
21 and other educational institutions whose courses of study meet the
22 approval of the university may be acceptable for entrance. The board
23 may not require students receiving a private education under chapter
24 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
25 the essential academic learning requirements or to take or pass the
26 Washington assessment of student learning under RCW 28A.655.060.

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

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

33 (6) Grant to students such certificates or degrees as recommended
34 for such students by the faculty. The board, upon recommendation of
35 the faculty, may also confer honorary degrees upon persons other than
36 graduates of this university in recognition of their learning or
37 devotion to literature, art, or science: PROVIDED, That no degree

1 shall ever be conferred in consideration of the payment of money or the
2 giving of property of whatsoever kind.

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

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

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

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

22 **Sec. 9.** RCW 28B.30.150 and 1998 c 245 s 19 are each amended to
23 read as follows:

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

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

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

32 (3) Establish entrance requirements for students seeking admission
33 to the university which meet or exceed the standards specified under
34 RCW 28B.80.350(2). Completion of examinations satisfactory to the
35 university may be a prerequisite for entrance by any applicant, at the
36 university's discretion. Evidence of completion of public high schools
37 and other educational institutions whose courses of study meet the
38 approval of the university may be acceptable for entrance. The board

1 may not require students receiving a private education under chapter
2 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
3 the essential academic learning requirements or to take or pass the
4 Washington assessment of student learning under RCW 28A.655.060.

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

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

13 (6) With the assistance of the faculty of the university, prescribe
14 the courses of instruction in the various colleges, schools, and
15 departments of the institution and publish the necessary catalogues
16 thereof.

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

20 (8) Provide for holding agricultural institutes including farm
21 marketing forums.

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

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

28 (11) Establish a department of elementary science and in connection
29 therewith provide instruction in elementary mathematics, including
30 elementary trigonometry, elementary mechanics, elementary and
31 mechanical drawing, and land surveying.

32 (12) Establish a department of agriculture and in connection
33 therewith provide instruction in physics with special application of
34 its principles to agriculture, chemistry with special application of
35 its principles to agriculture, morphology and physiology of plants with
36 special reference to common grown crops and fungus enemies, morphology
37 and physiology of the lower forms of animal life, with special
38 reference to insect pests, morphology and physiology of the higher
39 forms of animal life and in particular of the horse, cow, sheep, and

1 swine, agriculture with special reference to the breeding and feeding
2 of livestock and the best mode of cultivation of farm produce, and
3 mining and metallurgy, appointing demonstrators in each of these
4 subjects to superintend the equipment of a laboratory and to give
5 practical instruction therein.

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

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

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

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

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

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

1 accordance with the terms and conditions expressed in the acts of
2 congress.

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

5 (20) Acquire by lease, gift, or otherwise, lands necessary to
6 further the work of the university or for experimental or
7 demonstrational purposes.

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

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

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

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

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

1 alumina from native clays and other possible light metal research;
2 purchase equipment for a research laboratory for technological research
3 generally; and purchase equipment for research in electronics,
4 instrumentation, energy sources, plastics, food technology, mechanics
5 of materials, hydraulics, and similar fields.

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

9 NEW SECTION. **Sec. 10.** A new section is added to chapter 28B.35
10 RCW to read as follows:

11 The board of trustees may not require students receiving a private
12 education under chapter 28A.195 RCW or home-based instruction under
13 chapter 28A.200 RCW to meet the essential academic learning
14 requirements or to take or pass the Washington assessment of student
15 learning under RCW 28A.655.060 as a condition of meeting minimum
16 college admission standards.

17 NEW SECTION. **Sec. 11.** A new section is added to chapter 28B.40
18 RCW to read as follows:

19 The board of trustees may not require students receiving a private
20 education under chapter 28A.195 RCW or home-based instruction under
21 chapter 28A.200 RCW to meet the essential academic learning
22 requirements or to take or pass the Washington assessment of student
23 learning under RCW 28A.655.060 as a condition of meeting minimum
24 college admission standards.

25 **Sec. 12.** 1993 c 336 s 1010 (uncodified) is amended to read as
26 follows:

27 Sections 1001 (~~through~~), 1002, 1004, and 1005 of this act shall
28 expire December 1, (~~2001~~) 2008.

29 NEW SECTION. **Sec. 13.** 1995 c 335 s 804 (uncodified) is repealed.

30 NEW SECTION. **Sec. 14.** 1994 c 245 s 16 (uncodified) is repealed.

31 NEW SECTION. **Sec. 15.** The superintendent of public instruction,
32 in consultation with a representative of the governor and the chairs
33 and ranking minority members of the legislative education committees,

1 shall review the statutory timelines for the arts, fitness, and health
2 assessments based on the assessment system described in this section.
3 By November 1, 2001, the superintendent of public instruction shall
4 report and make recommendations to the governor and the legislative
5 education and fiscal committees on the following:

6 (1) An appropriate timeline for instituting a statewide juried
7 performance-based high school assessment system leading to an
8 endorsement in the arts;

9 (2) An appropriate timeline for instituting a statewide
10 performance-based high school assessment system leading to an
11 endorsement in fitness;

12 (3) An appropriate timeline for creating a locally based assessment
13 system for the arts and fitness in elementary and middle and junior
14 high schools;

15 (4) An appropriate timeline for creating a locally based assessment
16 system in health and the appropriate grades in which to assess students
17 in that subject; and

18 (5) Whether the statutory timelines in RCW 28A.655.060(3)(c) will
19 give the superintendent, working in cooperation with educators and
20 experts in the arts, fitness, and health, sufficient time to establish
21 the assessment system described in this section.

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