
ENGROSSED SECOND SUBSTITUTE HOUSE BILL 2582

State of Washington

59th Legislature

2006 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Upthegrove, Hunter, Appleton, Hasegawa, Quall, Clibborn, Simpson, Green, Ormsby, Kenney, Hudgins and Kagi)

READ FIRST TIME 02/08/06.

1 AN ACT Relating to high school completion programs; amending RCW
2 28B.50.535, 28A.230.120, 28A.655.061, 28B.15.520, and 28B.15.067;
3 adding a new section to chapter 28B.50 RCW; adding a new section to
4 chapter 28A.600 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that the goal of
7 Washington's education reform is for all students to meet rigorous
8 academic standards so that they are prepared for success in college,
9 work, and life. Educators know that not all students learn at the same
10 rate or in the same way. Some students will take longer to meet the
11 state's standards for high school graduation. Older students who
12 cannot graduate with their peers need an appropriate learning
13 environment and flexible programming that enables them simultaneously
14 to earn a diploma, work, and pursue other training options. Providing
15 learning options in locations in addition to high schools will
16 encourage older students to complete their diplomas. The legislature
17 further finds that the state's commitment to providing a basic
18 education for all public school students under the age of twenty-one
19 should continue until a student earns a diploma. Therefore the

1 legislature intends to expand high school completion programs at
2 community and technical colleges for older students who have not yet
3 received a diploma but are eligible for state basic education support.

4 **Sec. 2.** RCW 28B.50.535 and 1991 c 238 s 58 are each amended to
5 read as follows:

6 A community or technical college may issue a high school diploma or
7 certificate, subject to rules (~~(and regulations promulgated)~~) adopted
8 by the superintendent of public instruction and the state board of
9 education.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW
11 to read as follows:

12 (1) In accordance with this section, each community or technical
13 college shall make available courses or a program of study, on the
14 college campus, designed to enable students under the age of twenty-one
15 who have completed all state and local high school graduation
16 requirements except the certificate of academic achievement or
17 certificate of individual achievement to complete their high school
18 education and obtain a high school diploma.

19 (a) Colleges may make courses or programs under this section
20 available by entering into contracts with local school districts to
21 deliver the courses or programs. Colleges that offer courses or
22 programs under contract shall be reimbursed for each enrolled eligible
23 student as provided in the contract, and the high school diploma shall
24 be issued by the local school district;

25 (b) Colleges may deliver courses or programs under this section
26 directly. Colleges that deliver courses or programs directly shall be
27 reimbursed for each enrolled eligible student as provided in section 4
28 of this act, and the high school diploma shall be issued by the
29 college; or

30 (c) Colleges may make courses or programs under this section
31 available through a combination of contracts with local school
32 districts, collaboration with educational service districts, and direct
33 service delivery. Colleges may also make courses or programs under
34 this section available for students at locations in addition to the
35 college campus but not on a high school campus.

1 (2) Regardless of the service delivery method chosen, colleges
2 shall ensure that all eligible students have an opportunity to enroll
3 in a course or program under this section.

4 (3) Colleges shall not require students enrolled under this section
5 to pay tuition or services and activities fees, however this waiver of
6 tuition and services and activities fees shall be in effect only for
7 those courses that lead to a high school diploma.

8 (4) Nothing in this section or section 4 of this act precludes a
9 community or technical college from offering courses or a program of
10 study for students other than eligible students as defined by section
11 4 of this act to obtain a high school diploma, nor is intended to
12 restrict diploma completion programs offered by school districts or
13 educational service districts. Community and technical colleges and
14 school districts are encouraged to consult with educational service
15 districts in the development and delivery of programs and courses
16 required under this section.

17 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600
18 RCW to read as follows:

19 (1) For purposes of this section and section 3 of this act,
20 "eligible student" means a student who has completed all state and
21 local high school graduation requirements except the certificate of
22 academic achievement under RCW 28A.655.061 or the certificate of
23 individual achievement under RCW 28A.155.045, and who is less than age
24 twenty-one as of September 1st of the academic year the student enrolls
25 at a community and technical college under this section.

26 (2) An eligible student may enroll in courses or a program of study
27 made available by a community or technical college under section 3 of
28 this act for the purpose of obtaining a high school diploma.

29 (3) For eligible students in courses or programs delivered directly
30 by the community or technical college under section 3 of this act and
31 only for enrollment in courses that lead to a high school diploma, the
32 superintendent of public instruction shall transmit to the college an
33 amount per each full-time equivalent college student at statewide
34 uniform rates. The amount shall be the sum of (a), (b), (c), and (d)
35 of this subsection, as applicable.

36 (a) The superintendent shall separately calculate and allocate
37 moneys appropriated for basic education under RCW 28A.150.260 for

1 purposes of making payments under this section. The calculations and
2 allocations shall be based upon the estimated statewide annual average
3 per full-time equivalent high school student allocations under RCW
4 28A.150.260, excluding small high school enhancements, and applicable
5 rules adopted under chapter 34.05 RCW.

6 (b) The superintendent shall allocate an amount equal to the per
7 funded student state allocation for the learning assistance program
8 under chapter 28A.165 RCW for each full-time equivalent college student
9 or a pro rata amount for less than full-time enrollment.

10 (c) The superintendent shall allocate an amount equal to the per
11 full-time equivalent student allocation for the student achievement
12 program under RCW 28A.505.210 for each full-time equivalent college
13 student or a pro rata amount for less than full-time enrollment.

14 (d) For eligible students who meet eligibility criteria for the
15 state transitional bilingual instruction program under chapter 28A.180
16 RCW, the superintendent shall allocate an amount equal to the per
17 student state allocation for the transitional bilingual instruction
18 program or a pro rata amount for less than full-time enrollment.

19 (4) The superintendent may adopt rules establishing enrollment
20 reporting, recordkeeping, and accounting requirements necessary to
21 ensure accountability for the use of basic education, learning
22 assistance, and transitional bilingual program funds under this
23 section.

24 (5) All school districts shall provide information about the high
25 school completion option under section 3 of this act to students in
26 grades ten, eleven, and twelve and the parents or guardians of those
27 students.

28 **Sec. 5.** RCW 28A.230.120 and 2003 c 234 s 1 are each amended to
29 read as follows:

30 (1) School districts shall issue diplomas to students signifying
31 graduation from high school upon the students' satisfactory completion
32 of all local and state graduation requirements. Districts shall grant
33 students the option of receiving a final transcript in addition to the
34 regular diploma. Students who satisfactorily complete all local and
35 state graduation requirements except the certificate of academic
36 achievement under RCW 28A.655.061 or the certificate of individual

1 achievement under RCW 28A.155.045 may participate in high school
2 graduation ceremonies.

3 (2) School districts or schools of attendance shall establish
4 policies and procedures to notify senior students of the transcript
5 option and shall direct students to indicate their decisions in a
6 timely manner. School districts shall make appropriate provisions to
7 assure that students who choose to receive a copy of their final
8 transcript shall receive such transcript after graduation.

9 (3)(a) A school district may issue a high school diploma to a
10 person who:

11 (i) Is an honorably discharged member of the armed forces of the
12 United States;

13 (ii) Was scheduled to graduate from high school in the years 1940
14 through 1955; and

15 (iii) Left high school before graduation to serve in World War II
16 or the Korean conflict.

17 (b) A school district may issue a diploma to or on behalf of a
18 person otherwise eligible under (a) of this subsection notwithstanding
19 the fact that the person holds a high school equivalency certification
20 or is deceased.

21 (c) The superintendent of public instruction shall adopt a form for
22 a diploma application to be used by a veteran or a person acting on
23 behalf of a deceased veteran under this subsection (3). The
24 superintendent of public instruction shall specify what constitutes
25 acceptable evidence of eligibility for a diploma.

26 **Sec. 6.** RCW 28A.655.061 and 2004 c 19 s 101 are each amended to
27 read as follows:

28 (1) The high school assessment system shall include but need not be
29 limited to the Washington assessment of student learning, opportunities
30 for a student to retake the content areas of the assessment in which
31 the student was not successful, and if approved by the legislature
32 pursuant to subsection (11) of this section, one or more objective
33 alternative assessments for a student to demonstrate achievement of
34 state academic standards. The objective alternative assessments for
35 each content area shall be comparable in rigor to the skills and
36 knowledge that the student must demonstrate on the Washington
37 assessment of student learning for each content area.

1 (2) Subject to the conditions in this section, a certificate of
2 academic achievement shall be obtained by most students at about the
3 age of sixteen, and is evidence that the students have successfully met
4 the state standard in the content areas included in the certificate.
5 With the exception of students satisfying the provisions of RCW
6 28A.155.045, acquisition of the certificate is required for graduation
7 from a public high school but is not the only requirement for
8 graduation.

9 (3) Beginning with the graduating class of 2008, with the exception
10 of students satisfying the provisions of RCW 28A.155.045, a student who
11 meets the state standards on the reading, writing, and mathematics
12 content areas of the high school Washington assessment of student
13 learning shall earn a certificate of academic achievement. If a
14 student does not successfully meet the state standards in one or more
15 content areas required for the certificate of academic achievement,
16 then the student may retake the assessment in the content area up to
17 four times at no cost to the student. If the student successfully
18 meets the state standards on a retake of the assessment then the
19 student shall earn a certificate of academic achievement. Once
20 objective alternative assessments are authorized pursuant to subsection
21 (11) of this section, a student may use the objective alternative
22 assessments to demonstrate that the student successfully meets the
23 state standards for that content area if the student has retaken the
24 Washington assessment of student learning at least once. If the
25 student successfully meets the state standards on the objective
26 alternative assessments then the student shall earn a certificate of
27 academic achievement. The student's transcript shall note whether the
28 certificate of academic achievement was acquired by means of the
29 Washington assessment of student learning or by an alternative
30 assessment.

31 (4) Beginning with the graduating class of 2010, a student must
32 meet the state standards in science in addition to the other content
33 areas required under subsection (3) of this section on the Washington
34 assessment of student learning or the objective alternative assessments
35 in order to earn a certificate of academic achievement.

36 (5) The state board of education may not require the acquisition of
37 the certificate of academic achievement for students in home-based

1 instruction under chapter 28A.200 RCW, for students enrolled in private
2 schools under chapter 28A.195 RCW, or for students satisfying the
3 provisions of RCW 28A.155.045.

4 (6) A student may retain and use the highest result from each
5 successfully completed content area of the high school assessment.

6 (7) Beginning with the graduating class of 2006, the highest scale
7 score and level achieved in each content area on the high school
8 Washington assessment of student learning shall be displayed on a
9 student's transcript. In addition, beginning with the graduating class
10 of 2008, each student shall receive a scholar's designation on his or
11 her transcript for each content area in which the student achieves
12 level four the first time the student takes that content area
13 assessment.

14 (8) Beginning in 2006, school districts must make available to
15 students the following options:

16 (a) To retake the Washington assessment of student learning up to
17 four times in the content areas in which the student did not meet the
18 state standards if the student is enrolled in a public school; or

19 (b) To retake the Washington assessment of student learning up to
20 four times in the content areas in which the student did not meet the
21 state standards if the student is enrolled in a high school completion
22 program at a community or technical college. The superintendent of
23 public instruction and the state board for community and technical
24 colleges shall jointly identify means by which students in these
25 programs can be assessed.

26 (9) Students who achieve the standard in a content area of the high
27 school assessment but who wish to improve their results shall pay for
28 retaking the assessment, using a uniform cost determined by the
29 superintendent of public instruction.

30 (10) Subject to available funding, the superintendent shall pilot
31 opportunities for retaking the high school assessment beginning in the
32 2004-05 school year. Beginning no later than September 2006,
33 opportunities to retake the assessment at least twice a year shall be
34 available to each school district.

35 (11) The office of the superintendent of public instruction shall
36 develop options for implementing objective alternative assessments,
37 which may include an appeals process, for students to demonstrate
38 achievement of the state academic standards. The objective alternative

1 assessments shall be comparable in rigor to the skills and knowledge
2 that the student must demonstrate on the Washington assessment of
3 student learning and be objective in its determination of student
4 achievement of the state standards. Before any objective alternative
5 assessments are used by a student to demonstrate that the student has
6 met the state standards in a content area required to obtain a
7 certificate, the legislature shall formally approve the use of any
8 objective alternative assessments through the omnibus appropriations
9 act or by statute or concurrent resolution.

10 (12) By December 15, 2004, the house of representatives and senate
11 education committees shall obtain information and conclusions from
12 recognized, independent, national assessment experts regarding the
13 validity and reliability of the high school Washington assessment of
14 student learning for making individual student high school graduation
15 determinations.

16 (13) To help assure continued progress in academic achievement as
17 a foundation for high school graduation and to assure that students are
18 on track for high school graduation, each school district shall prepare
19 plans for students as provided in this subsection (13).

20 (a) Student learning plans are required for eighth through twelfth
21 grade students who were not successful on any or all of the content
22 areas of the Washington assessment for student learning during the
23 previous school year. The plan shall include the courses,
24 competencies, and other steps needed to be taken by the student to meet
25 state academic standards and stay on track for graduation. If
26 applicable, the plan shall also include the high school completion
27 option created under section 3 of this act. This requirement shall be
28 phased in as follows:

29 (i) Beginning no later than the 2004-05 school year ninth grade
30 students as described in this subsection (13)(a) shall have a plan.

31 (ii) Beginning no later than the 2005-06 school year and every year
32 thereafter eighth grade students as described in this subsection
33 (13)(a) shall have a plan.

34 (iii) The parent or guardian shall be notified, preferably through
35 a parent conference, of the student's results on the Washington
36 assessment of student learning, actions the school intends to take to
37 improve the student's skills in any content area in which the student

1 was unsuccessful, strategies to help them improve their student's
2 skills, and the content of the student's plan.

3 (iv) Progress made on the student plan shall be reported to the
4 student's parents or guardian at least annually and adjustments to the
5 plan made as necessary.

6 (b) Beginning with the 2005-06 school year and every year
7 thereafter, all fifth grade students who were not successful in one or
8 more of the content areas of the fourth grade Washington assessment of
9 student learning shall have a student learning plan.

10 (i) The parent or guardian of a student described in this
11 subsection (13)(b) shall be notified, preferably through a parent
12 conference, of the student's results on the Washington assessment of
13 student learning, actions the school intends to take to improve the
14 student's skills in any content area in which the student was
15 unsuccessful, and provide strategies to help them improve their
16 student's skills.

17 (ii) Progress made on the student plan shall be reported to the
18 student's parents or guardian at least annually and adjustments to the
19 plan made as necessary.

20 **Sec. 7.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended
21 to read as follows:

22 Subject to the limitations of RCW 28B.15.910, the governing boards
23 of the community colleges may:

24 (1) Waive all or a portion of tuition fees and services and
25 activities fees for:

26 (a) Students nineteen years of age or older who are eligible for
27 resident tuition and fee rates as defined in RCW 28B.15.012 through
28 28B.15.015 (~~and~~), who enroll in a course of study or program which
29 will enable them to finish their high school education and obtain a
30 high school diploma or certificate, but who are not eligible students
31 as defined by section 4 of this act; and

32 (b) Children of any law enforcement officer or fire fighter who
33 lost his or her life or became totally disabled in the line of duty
34 while employed by any public law enforcement agency or full time or
35 volunteer fire department in this state: PROVIDED, That such persons
36 may receive the waiver only if they begin their course of study at a

1 community college within ten years of their graduation from high
2 school;

3 (2) Waive all or a portion of the nonresident tuition fees
4 differential for:

5 (a) Nonresident students enrolled in a community college course of
6 study or program which will enable them to finish their high school
7 education and obtain a high school diploma or certificate but who are
8 not eligible students as defined by section 4 of this act. The waiver
9 shall be in effect only for those courses which lead to a high school
10 diploma or certificate; and

11 (b) Up to forty percent of the students enrolled in the regional
12 education program for deaf students, subject to federal funding of such
13 program.

14 **Sec. 8.** RCW 28B.15.067 and 2003 c 232 s 4 are each amended to read
15 as follows:

16 (1) Tuition fees shall be established under the provisions of this
17 chapter.

18 (2) Beginning with the 2003-04 academic year and ending with the
19 2008-09 academic year, reductions or increases in full-time tuition
20 fees for resident undergraduates shall be as provided in the omnibus
21 appropriations act.

22 (3) Beginning with the 2003-04 academic year and ending with the
23 2008-09 academic year, the governing boards of the state universities,
24 the regional universities, The Evergreen State College, and the state
25 board for community and technical colleges may reduce or increase full-
26 time tuition fees for all students other than resident undergraduates,
27 including summer school students and students in other self-supporting
28 degree programs. Percentage increases in full-time tuition fees may
29 exceed the fiscal growth factor. Reductions or increases may be made
30 for all or portions of an institution's programs, campuses, courses, or
31 students.

32 (4) Academic year tuition for full-time students at the state's
33 institutions of higher education beginning with 2009-10, other than
34 summer term, shall be as charged during the 2008-09 academic year
35 unless different rates are adopted by the legislature.

36 (5) The tuition fees established under this chapter shall not apply

1 to high school students enrolling in participating institutions of
2 higher education under RCW 28A.600.300 through 28A.600.400.

3 (6) The tuition fees established under this chapter shall not apply
4 to eligible students enrolling in a community or technical college
5 under section 3 of this act for the purpose of obtaining a high school
6 diploma.

7 (7) For the academic years 2003-04 through 2008-09, the University
8 of Washington shall use an amount equivalent to ten percent of all
9 revenues received as a result of law school tuition increases beginning
10 in academic year 2000-01 through academic year 2008-09 to assist needy
11 low and middle income resident law students.

12 ~~((7))~~ (8) For the academic years 2003-04 through 2008-09,
13 institutions of higher education shall use an amount equivalent to ten
14 percent of all revenues received as a result of graduate academic
15 school tuition increases beginning in academic year 2003-04 through
16 academic year 2008-09 to assist needy low and middle-income resident
17 graduate academic students.

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