
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 designed to
14 enable students under the age of twenty-one who have completed all
15 state and local high school graduation requirements except the
16 certificate of academic achievement or certificate of individual
17 achievement to complete their high school education and obtain a high
18 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 at locations other than the high school
22 campus. Colleges that offer courses or programs under contract shall
23 be reimbursed for each enrolled eligible student as provided in the
24 contract, and the high school diploma shall be issued by the local
25 school district;

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

31 (c) Colleges may collaborate with educational service districts to
32 make courses or programs under this section available through an
33 educational service district, in which case the educational service
34 district may enter into contracts with local school districts and be
35 reimbursed for each enrolled eligible student as provided in the

1 contract, and the high school diploma shall be issued by the local
2 school district; or

3 (d) Colleges may make courses or programs under this section
4 available through a combination of contracts with local school
5 districts, collaboration with educational service districts, and direct
6 service delivery.

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

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

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

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

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

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

33 (a) The superintendent shall separately calculate and allocate
34 moneys appropriated for basic education under RCW 28A.150.260 for
35 purposes of making payments under this section. The calculations and
36 allocations shall be based upon the estimated statewide annual average

1 per full-time equivalent high school student allocations under RCW
2 28A.150.260, excluding small high school enhancements, and applicable
3 rules adopted under chapter 34.05 RCW.

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

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

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

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

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

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

28 (1) School districts shall issue diplomas to students signifying
29 graduation from high school upon the students' satisfactory completion
30 of all local and state graduation requirements. Districts shall grant
31 students the option of receiving a final transcript in addition to the
32 regular diploma. Students who satisfactorily complete all local and
33 state graduation requirements except the certificate of academic
34 achievement under RCW 28A.655.061 or the certificate of individual
35 achievement under RCW 28A.155.045 may participate in high school
36 graduation ceremonies.

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

7 (3)(a) A school district may issue a high school diploma to a
8 person who:

9 (i) Is an honorably discharged member of the armed forces of the
10 United States;

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

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

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

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

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

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

36 (2) Subject to the conditions in this section, a certificate of
37 academic achievement shall be obtained by most students at about the

1 age of sixteen, and is evidence that the students have successfully met
2 the state standard in the content areas included in the certificate.
3 With the exception of students satisfying the provisions of RCW
4 28A.155.045, acquisition of the certificate is required for graduation
5 from a public high school but is not the only requirement for
6 graduation.

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

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

34 (5) The state board of education may not require the acquisition of
35 the certificate of academic achievement for students in home-based
36 instruction under chapter 28A.200 RCW, for students enrolled in private
37 schools under chapter 28A.195 RCW, or for students satisfying the
38 provisions of RCW 28A.155.045.

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

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

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

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

16 (b) 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 high school completion
19 program at a community or technical college. The superintendent of
20 public instruction and the state board for community and technical
21 colleges shall jointly identify means by which students in these
22 programs can be assessed.

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

27 (10) Subject to available funding, the superintendent shall pilot
28 opportunities for retaking the high school assessment beginning in the
29 2004-05 school year. Beginning no later than September 2006,
30 opportunities to retake the assessment at least twice a year shall be
31 available to each school district.

32 (11) The office of the superintendent of public instruction shall
33 develop options for implementing objective alternative assessments,
34 which may include an appeals process, for students to demonstrate
35 achievement of the state academic standards. The objective alternative
36 assessments shall be comparable in rigor to the skills and knowledge
37 that the student must demonstrate on the Washington assessment of
38 student learning and be objective in its determination of student

1 achievement of the state standards. Before any objective alternative
2 assessments are used by a student to demonstrate that the student has
3 met the state standards in a content area required to obtain a
4 certificate, the legislature shall formally approve the use of any
5 objective alternative assessments through the omnibus appropriations
6 act or by statute or concurrent resolution.

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

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

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

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

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

31 (iii) The parent or guardian shall be notified, preferably through
32 a parent conference, of the student's results on the Washington
33 assessment of student learning, actions the school intends to take to
34 improve the student's skills in any content area in which the student
35 was unsuccessful, strategies to help them improve their student's
36 skills, and the content of the student's plan.

37 (iv) Progress made on the student plan shall be reported to the

1 student's parents or guardian at least annually and adjustments to the
2 plan made as necessary.

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

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

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

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

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

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

23 (a) Students nineteen years of age or older who are eligible for
24 resident tuition and fee rates as defined in RCW 28B.15.012 through
25 28B.15.015 (~~and~~), who enroll in a course of study or program which
26 will enable them to finish their high school education and obtain a
27 high school diploma or certificate, but who are not eligible students
28 as defined by section 4 of this act; and

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

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

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

7 (b) Up to forty percent of the students enrolled in the regional
8 education program for deaf students, subject to federal funding of such
9 program.

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

12 (1) Tuition fees shall be established under the provisions of this
13 chapter.

14 (2) Beginning with the 2003-04 academic year and ending with the
15 2008-09 academic year, reductions or increases in full-time tuition
16 fees for resident undergraduates shall be as provided in the omnibus
17 appropriations act.

18 (3) Beginning with the 2003-04 academic year and ending with the
19 2008-09 academic year, the governing boards of the state universities,
20 the regional universities, The Evergreen State College, and the state
21 board for community and technical colleges may reduce or increase full-
22 time tuition fees for all students other than resident undergraduates,
23 including summer school students and students in other self-supporting
24 degree programs. Percentage increases in full-time tuition fees may
25 exceed the fiscal growth factor. Reductions or increases may be made
26 for all or portions of an institution's programs, campuses, courses, or
27 students.

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

32 (5) The tuition fees established under this chapter shall not apply
33 to high school students enrolling in participating institutions of
34 higher education under RCW 28A.600.300 through 28A.600.400.

35 (6) The tuition fees established under this chapter shall not apply
36 to eligible students enrolling in a community or technical college

1 under section 3 of this act for the purpose of obtaining a high school
2 diploma.

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

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

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