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HOUSE BILL 1051

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State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Upthegrove, Kagi, P. Sullivan, Haigh, Simpson, Moeller, Green, Santos, Kenney, Williams, Hunter and Miloscia

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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 2006 c 115 s 4 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 (10) 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 (10) 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.

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

33 (5) The state board of education may not require the acquisition of  
34 the certificate of academic achievement for students in home-based  
35 instruction under chapter 28A.200 RCW, for students enrolled in private  
36 schools under chapter 28A.195 RCW, or for students satisfying the  
37 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 in 2006, school districts must make available to  
4 students the following options:

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

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

15 (8) Students who achieve the standard in a content area of the high  
16 school assessment but who wish to improve their results shall pay for  
17 retaking the assessment, using a uniform cost determined by the  
18 superintendent of public instruction.

19 (9) Subject to available funding, the superintendent shall pilot  
20 opportunities for retaking the high school assessment beginning in the  
21 2004-05 school year. Beginning no later than September 2006,  
22 opportunities to retake the assessment at least twice a year shall be  
23 available to each school district.

24 (10)(a) The office of the superintendent of public instruction  
25 shall develop options for implementing objective alternative  
26 assessments, which may include an appeals process, for students to  
27 demonstrate achievement of the state academic standards. The objective  
28 alternative assessments shall be comparable in rigor to the skills and  
29 knowledge that the student must demonstrate on the Washington  
30 assessment of student learning and be objective in its determination of  
31 student achievement of the state standards. Before any objective  
32 alternative assessments in addition to those authorized in RCW  
33 28A.655.065 or (b) of this subsection are used by a student to  
34 demonstrate that the student has met the state standards in a content  
35 area required to obtain a certificate, the legislature shall formally  
36 approve the use of any objective alternative assessments through the  
37 omnibus appropriations act or by statute or concurrent resolution.

1 (b) A student's score on the mathematics portion of the preliminary  
2 scholastic assessment test (PSAT), the scholastic assessment test  
3 (SAT), or the American college test (ACT) may be used as an objective  
4 alternative assessment under this section for demonstrating that a  
5 student has met or exceeded the mathematics standards for the  
6 certificate of academic achievement. The state board of education  
7 shall identify the scores students must achieve on the mathematics  
8 portion of the PSAT, SAT, or ACT to meet or exceed the state standard  
9 for mathematics. The state board of education shall identify the first  
10 scores by December 1, 2006, and thereafter may increase but not  
11 decrease the scores required for students to meet or exceed the state  
12 standard for mathematics.

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

19 (12) To help assure continued progress in academic achievement as  
20 a foundation for high school graduation and to assure that students are  
21 on track for high school graduation, each school district shall prepare  
22 plans for students as provided in this subsection (12).

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

32 (i) Beginning no later than the 2004-05 school year ninth grade  
33 students as described in this subsection (12)(a) shall have a plan.

34 (ii) Beginning no later than the 2005-06 school year and every year  
35 thereafter eighth grade students as described in this subsection  
36 (12)(a) shall have a plan.

37 (iii) The parent or guardian shall be notified, preferably through  
38 a parent conference, of the student's results on the Washington



1 assessment of student learning, actions the school intends to take to  
2 improve the student's skills in any content area in which the student  
3 was unsuccessful, strategies to help them improve their student's  
4 skills, and the content of the student's plan.

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

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

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

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

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

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

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

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

34 (b) Children of any law enforcement officer or fire fighter who  
35 lost his or her life or became totally disabled in the line of duty  
36 while employed by any public law enforcement agency or full time or  
37 volunteer fire department in this state: PROVIDED, That such persons

1 may receive the waiver only if they begin their course of study at a  
2 community college within ten years of their graduation from high  
3 school;

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

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

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

15 **Sec. 8.** RCW 28B.15.067 and 2006 c 161 s 6 are each amended to read  
16 as follows:

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

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

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

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

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

4 (6) The tuition fees established under this chapter shall not apply  
5 to eligible students enrolling in a community or technical college  
6 under RCW 28C.04.610.

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

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

16 ~~((+8))~~ (9) For the academic years 2003-04 through 2008-09,  
17 institutions of higher education shall use an amount equivalent to ten  
18 percent of all revenues received as a result of graduate academic  
19 school tuition increases beginning in academic year 2003-04 through  
20 academic year 2008-09 to assist needy low and middle-income resident  
21 graduate academic students.

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