

CERTIFICATION OF ENROLLMENT

HOUSE BILL 1051

60th Legislature
2007 Regular Session

Passed by the House April 22, 2007
Yeas 86 Nays 11

Speaker of the House of Representatives

Passed by the Senate April 22, 2007
Yeas 30 Nays 18

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 1051** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

HOUSE BILL 1051

AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington 60th Legislature 2007 Regular Session

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

Prefiled 1/5/2007. Read first time 01/08/2007. Referred to Committee on Education.

1 AN ACT Relating to high school completion programs; amending RCW
2 28B.50.535, 28A.655.061, 28B.15.520, and 28B.15.067; adding a new
3 section to chapter 28B.50 RCW; adding a new section to chapter 28A.600
4 RCW; adding a new section to chapter 28A.320 RCW; and creating new
5 sections.

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

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

1 two community and technical colleges for older students who have not
2 yet received a diploma but are eligible for state basic education
3 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) A pilot program is created for two community or technical
13 colleges to 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) The colleges participating in the pilot program in this section
20 may make courses or programs under this section available by entering
21 into contracts with local school districts to deliver the courses or
22 programs. Colleges participating in the pilot program that offer
23 courses or programs under contract shall be reimbursed for each
24 enrolled eligible student as provided in the contract, and the high
25 school diploma shall be issued by the local school district;

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

31 (c) Colleges participating in the pilot program may make courses or
32 programs under this section available through a combination of
33 contracts with local school districts, collaboration with educational
34 service districts, and direct service delivery. Colleges participating
35 in the pilot program may also make courses or programs under this

1 section available for students at locations in addition to the college
2 campus; or

3 (d) Colleges participating in the pilot program may enter into
4 regional partnerships to carry out the provisions of this subsection
5 (1).

6 (2) Regardless of the service delivery method chosen, colleges
7 participating in the pilot program shall ensure that all eligible
8 students located in school districts within their college district as
9 defined in RCW 28B.50.040 have an opportunity to enroll in a course or
10 program under this section.

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

16 (4) Nothing in this section or section 4 of this act precludes a
17 community or technical college from offering courses or a program of
18 study for students other than eligible students as defined by section
19 4 of this act to obtain a high school diploma, nor is this section or
20 section 4 of this act intended to restrict diploma completion programs
21 offered by school districts or educational service districts.
22 Community and technical colleges and school districts are encouraged to
23 consult with educational service districts in the development and
24 delivery of programs and courses required under this section.

25 (5) Community and technical colleges participating in the pilot
26 program shall not be required to administer the Washington assessment
27 of student learning.

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

30 (1) For purposes of this section and section 3 of this act,
31 "eligible student" means a student who has completed all state and
32 local high school graduation requirements except the certificate of
33 academic achievement under RCW 28A.655.061 or the certificate of
34 individual achievement under RCW 28A.155.045, who is less than age
35 twenty-one as of September 1st of the academic year the student enrolls
36 at a community and technical college under this section, and who meets
37 the following criteria:

1 (a) Receives a level 2 (basic) score on the reading and writing
2 content areas of the high school Washington assessment of student
3 learning;

4 (b) Has not successfully met state standards on a retake of the
5 assessment or an alternative assessment;

6 (c) Has participated in assessment remediation; and

7 (d) Receives a recommendation to enroll in courses or a program of
8 study made available under section 3 of this act from his or her high
9 school principal.

10 (2) An eligible student may enroll in courses or a program of study
11 made available by a community or technical college participating in the
12 pilot program created under section 3 of this act for the purpose of
13 obtaining a high school diploma.

14 (3) For eligible students in courses or programs delivered directly
15 by the community or technical college participating in the pilot
16 program under section 3 of this act and only for enrollment in courses
17 that lead to a high school diploma, the superintendent of public
18 instruction shall transmit to the colleges participating in the pilot
19 program an amount per each full-time equivalent college student at
20 statewide uniform rates. The amount shall be the sum of (a), (b), (c),
21 and (d) of this subsection, as applicable.

22 (a) The superintendent shall separately calculate and allocate
23 moneys appropriated for basic education under RCW 28A.150.260 for
24 purposes of making payments under this section. The calculations and
25 allocations shall be based upon the estimated statewide annual average
26 per full-time equivalent high school student allocations under RCW
27 28A.150.260, excluding small high school enhancements, and applicable
28 rules adopted under chapter 34.05 RCW.

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

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

37 (d) For eligible students who meet eligibility criteria for the
38 state transitional bilingual instruction program under chapter 28A.180

1 RCW, the superintendent shall allocate an amount equal to the per
2 student state allocation for the transitional bilingual instruction
3 program or a pro rata amount for less than full-time enrollment.

4 (4) The superintendent may adopt rules establishing enrollment
5 reporting, recordkeeping, and accounting requirements necessary to
6 ensure accountability for the use of basic education, learning
7 assistance, and transitional bilingual program funds under this section
8 for the pilot program created under section 3 of this act.

9 (5) All school districts in the geographic area of the two
10 community and technical colleges selected pursuant to section 8 of this
11 act to participate in the pilot program shall provide information about
12 the high school completion option under section 3 of this act to
13 students in grades ten, eleven, and twelve and the parents or guardians
14 of those students.

15 **Sec. 5.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
16 read as follows:

17 (1) The high school assessment system shall include but need not be
18 limited to the Washington assessment of student learning, opportunities
19 for a student to retake the content areas of the assessment in which
20 the student was not successful, and if approved by the legislature
21 pursuant to subsection (10) of this section, one or more objective
22 alternative assessments for a student to demonstrate achievement of
23 state academic standards. The objective alternative assessments for
24 each content area shall be comparable in rigor to the skills and
25 knowledge that the student must demonstrate on the Washington
26 assessment of student learning for each content area.

27 (2) Subject to the conditions in this section, a certificate of
28 academic achievement shall be obtained by most students at about the
29 age of sixteen, and is evidence that the students have successfully met
30 the state standard in the content areas included in the certificate.
31 With the exception of students satisfying the provisions of RCW
32 28A.155.045, acquisition of the certificate is required for graduation
33 from a public high school but is not the only requirement for
34 graduation.

35 (3) Beginning with the graduating class of 2008, with the exception
36 of students satisfying the provisions of RCW 28A.155.045, a student who
37 meets the state standards on the reading, writing, and mathematics

1 content areas of the high school Washington assessment of student
2 learning shall earn a certificate of academic achievement. If a
3 student does not successfully meet the state standards in one or more
4 content areas required for the certificate of academic achievement,
5 then the student may retake the assessment in the content area up to
6 four times at no cost to the student. If the student successfully
7 meets the state standards on a retake of the assessment then the
8 student shall earn a certificate of academic achievement. Once
9 objective alternative assessments are authorized pursuant to subsection
10 (10) of this section, a student may use the objective alternative
11 assessments to demonstrate that the student successfully meets the
12 state standards for that content area if the student has retaken the
13 Washington assessment of student learning at least once. If the
14 student successfully meets the state standards on the objective
15 alternative assessments then the student shall earn a certificate of
16 academic achievement.

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

22 (5) The state board of education may not require the acquisition of
23 the certificate of academic achievement for students in home-based
24 instruction under chapter 28A.200 RCW, for students enrolled in private
25 schools under chapter 28A.195 RCW, or for students satisfying the
26 provisions of RCW 28A.155.045.

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

29 (7) Beginning in 2006, school districts must make available to
30 students the following options:

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

34 (b) To retake the Washington assessment of student learning up to
35 four times in the content areas in which the student did not meet the
36 state standards if the student is enrolled in a high school completion
37 program at a community or technical college. The superintendent of

1 public instruction and the state board for community and technical
2 colleges shall jointly identify means by which students in these
3 programs can be assessed.

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

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

13 (10)(a) The office of the superintendent of public instruction
14 shall develop options for implementing objective alternative
15 assessments, which may include an appeals process, for students to
16 demonstrate achievement of the state academic standards. The objective
17 alternative assessments shall be comparable in rigor to the skills and
18 knowledge that the student must demonstrate on the Washington
19 assessment of student learning and be objective in its determination of
20 student achievement of the state standards. Before any objective
21 alternative assessments in addition to those authorized in RCW
22 28A.655.065 or (b) of this subsection are used by a student to
23 demonstrate that the student has met the state standards in a content
24 area required to obtain a certificate, the legislature shall formally
25 approve the use of any objective alternative assessments through the
26 omnibus appropriations act or by statute or concurrent resolution.

27 (b) A student's score on the mathematics portion of the preliminary
28 scholastic assessment test (PSAT), the scholastic assessment test
29 (SAT), or the American college test (ACT) may be used as an objective
30 alternative assessment under this section for demonstrating that a
31 student has met or exceeded the mathematics standards for the
32 certificate of academic achievement. The state board of education
33 shall identify the scores students must achieve on the mathematics
34 portion of the PSAT, SAT, or ACT to meet or exceed the state standard
35 for mathematics. The state board of education shall identify the first
36 scores by December 1, 2006, and thereafter may increase but not
37 decrease the scores required for students to meet or exceed the state
38 standard for mathematics.

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

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

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

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

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

25 (iii) The parent or guardian shall be notified, preferably through
26 a parent conference, of the student's results on the Washington
27 assessment of student learning, actions the school intends to take to
28 improve the student's skills in any content area in which the student
29 was unsuccessful, strategies to help them improve their student's
30 skills, and the content of the student's plan.

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

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

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

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

11 **Sec. 6.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended
12 to read as follows:

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

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

17 (a) Students nineteen years of age or older who are eligible for
18 resident tuition and fee rates as defined in RCW 28B.15.012 through
19 28B.15.015 (~~and~~), who enroll in a course of study or program which
20 will enable them to finish their high school education and obtain a
21 high school diploma or certificate, but who are not eligible students
22 as defined by section 4 of this act; and

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

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

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

1 (b) Up to forty percent of the students enrolled in the regional
2 education program for deaf students, subject to federal funding of such
3 program.

4 **Sec. 7.** RCW 28B.15.067 and 2006 c 161 s 6 are each amended to read
5 as follows:

6 (1) Tuition fees shall be established under the provisions of this
7 chapter.

8 (2) Beginning with the 2003-04 academic year and ending with the
9 2008-09 academic year, reductions or increases in full-time tuition
10 fees for resident undergraduates shall be as provided in the omnibus
11 appropriations act.

12 (3) Beginning with the 2003-04 academic year and ending with the
13 2008-09 academic year, the governing boards of the state universities,
14 the regional universities, The Evergreen State College, and the state
15 board for community and technical colleges may reduce or increase full-
16 time tuition fees for all students other than resident undergraduates,
17 including summer school students and students in other self-supporting
18 degree programs. Percentage increases in full-time tuition fees may
19 exceed the fiscal growth factor. Reductions or increases may be made
20 for all or portions of an institution's programs, campuses, courses, or
21 students.

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

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

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

32 (7) The tuition fees established under this chapter shall not apply
33 to eligible students enrolling in a community or technical college
34 participating in the pilot program under section 3 of this act for the
35 purpose of obtaining a high school diploma.

36 (8) For the academic years 2003-04 through 2008-09, the University
37 of Washington shall use an amount equivalent to ten percent of all

1 revenues received as a result of law school tuition increases beginning
2 in academic year 2000-01 through academic year 2008-09 to assist needy
3 low and middle income resident law students.

4 ~~((+8))~~ (9) For the academic years 2003-04 through 2008-09,
5 institutions of higher education shall use an amount equivalent to ten
6 percent of all revenues received as a result of graduate academic
7 school tuition increases beginning in academic year 2003-04 through
8 academic year 2008-09 to assist needy low and middle-income resident
9 graduate academic students.

10 NEW SECTION. **Sec. 8.** (1) The office of the superintendent of
11 public instruction and the state board for community and technical
12 colleges shall:

13 (a) By June 30, 2007, select the two community and technical
14 colleges to be involved in the pilot program created in section 3 of
15 this act. The criteria for selecting the two pilot program sites shall
16 include, but are not limited to: (i) The quality of the courses or
17 program offerings; (ii) having the appropriate type of staff and
18 facility to deliver the program; and (iii) the number of eligible
19 students;

20 (b) Identify and analyze possible service delivery models in
21 addition to those described in section 3 of this act, particularly to
22 address the challenges faced by community and technical colleges
23 serving school districts dispersed across large geographic areas and
24 with limited staffing and facilities resources for the programs;

25 (c) Submit a report with an implementation plan for the two
26 community and technical colleges participating in the pilot program
27 created under section 3 of this act and submit findings and
28 recommendations to the education and fiscal committees of the
29 legislature by December 15, 2007; and

30 (d) By December 15, 2009, submit a report to the education and
31 fiscal committees of the legislature on the progress of the pilot
32 program created under section 3 of this act that shall include the
33 following:

34 (i) The number of students taking part in the high school
35 completion programs, reported by their high school of last attendance
36 and the community or technical college that offered the program;

1 (ii) The types of high school completion programs offered at the
2 two community or technical colleges;

3 (iii) The number of students successfully receiving a high school
4 diploma and other identified outcome measures;

5 (iv) The amount of funds spent in support of this effort compared
6 to actual reimbursement costs that are provided under section 4(3) (a),
7 (b), (c), and (d) of this act; and

8 (v) A plan for implementing the program statewide.

9 (2) The state institute for public policy shall develop an estimate
10 of the number of students statewide likely to participate in the
11 program authorized under section 3 of this act if established on a
12 statewide basis. The assumptions shall take into account programs and
13 alternatives offered for fifth-year seniors by school districts and
14 educational service districts. The institute shall report to the
15 education and fiscal committees of the legislature by December 15,
16 2007.

17 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.320
18 RCW to read as follows:

19 (1) Any school district board of directors may adopt a policy to
20 award a certificate of academic completion to students who complete all
21 state and local high school graduation requirements except the
22 certificate of academic achievement under RCW 28A.655.061 or the
23 certificate of individual achievement under RCW 28A.155.045. Such a
24 certificate is not the equivalent of a high school diploma.

25 (2) The office of the superintendent of public instruction shall
26 notify school districts of their authority to adopt a policy under this
27 section and shall provide technical assistance upon request.

28 (3) To be eligible for a certificate of academic completion, a
29 student must:

30 (a) Pass all state and local high school graduation requirements
31 except for obtaining a certificate of academic achievement or a
32 certificate of individual achievement and have retaken the Washington
33 assessment of student learning at least once or have taken an
34 alternative assessment; and

35 (b) Meet with counselors, teachers, and parents, as appropriate, to
36 develop a fifth year plan for how the student will meet standard on the

- 1 Washington assessment of student learning and obtain a certificate of
- 2 academic achievement or certificate of individual achievement.

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