

ESSB 5889 - H AMD 878

By Representative Quall

WITHDRAWN 04/23/2009

1 Strike everything after the enacting clause and insert the
2 following:

3 "Sec. 1. RCW 28A.165.025 and 2004 c 20 s 3 are each amended to
4 read as follows:

5 ~~((By July 1st of each year,))~~ (1) A participating school district
6 shall submit the district's plan for using learning assistance funds to
7 the office of the superintendent of public instruction for approval, to
8 the extent required under subsection (2) of this section. ~~((For the~~
9 ~~2004-05 school year, school districts must identify the program~~
10 ~~activities to be implemented from RCW 28A.165.035 and are encouraged to~~
11 ~~implement the elements in subsections (1) through (8) of this section.~~
12 ~~Beginning in the 2005-06 school year,))~~ The program plan must identify
13 the program activities to be implemented from RCW 28A.165.035 and
14 implement all of the elements in ~~((subsections (1)))~~ (a) through
15 ~~((+8))~~ (h) of this ~~((section))~~ subsection. The school district plan
16 shall include the following:

17 ~~((+1))~~ (a) District and school-level data on reading, writing, and
18 mathematics achievement as reported pursuant to chapter 28A.655 RCW and
19 relevant federal law;

20 ~~((+2))~~ (b) Processes used for identifying the underachieving
21 students to be served by the program, including the identification of
22 school or program sites providing program activities;

23 ~~((+3))~~ (c) How accelerated learning plans are developed and
24 implemented for participating students. Accelerated learning plans may
25 be developed as part of existing student achievement plan process such
26 as student plans for achieving state high school graduation standards,
27 individual student academic plans, or the achievement plans for groups
28 of students. Accelerated learning plans shall include:

29 ~~((+a))~~ (i) Achievement goals for the students;

- 1 ~~((b))~~ (ii) Roles of the student, parents, or guardians and
2 teachers in the plan;
- 3 ~~((c))~~ (iii) Communication procedures regarding student
4 accomplishment; and
- 5 ~~((d))~~ (iv) Plan reviews and adjustments processes;
- 6 ~~((4))~~ (d) How state level and classroom assessments are used to
7 inform instruction;
- 8 ~~((5))~~ (e) How focused and intentional instructional strategies
9 have been identified and implemented;
- 10 ~~((6))~~ (f) How highly qualified instructional staff are developed
11 and supported in the program and in participating schools;
- 12 ~~((7))~~ (g) How other federal, state, district, and school
13 resources are coordinated with school improvement plans and the
14 district's strategic plan to support underachieving students; and
- 15 ~~((8))~~ (h) How a program evaluation will be conducted to determine
16 direction for the following school year.

17 (2) If a school district has received approval of its plan once, it
18 is not required to submit a plan for approval under RCW 28A.165.045 or
19 this section unless the district has made a significant change to the
20 plan. If a district has made a significant change to only a portion of
21 the plan the district need only submit a description of the changes
22 made and not the entire plan. Plans or descriptions of changes to the
23 plan must be submitted by July 1st as required under this section. The
24 office of the superintendent of public instruction shall establish
25 guidelines for what a "significant change" is.

26 **Sec. 2.** RCW 28A.165.045 and 2004 c 20 s 5 are each amended to read
27 as follows:

28 A participating school district shall ~~((annually))~~ submit a program
29 plan to the office of the superintendent of public instruction for
30 approval to the extent required by RCW 28A.165.025. The program plan
31 must address all of the elements in RCW 28A.165.025 and identify the
32 program activities to be implemented from RCW 28A.165.035.

33 School districts achieving state reading and mathematics goals as
34 prescribed in chapter 28A.655 RCW shall have their program approved
35 once the program plan and activities submittal is completed.

36 School districts not achieving state reading and mathematics goals
37 as prescribed in chapter 28A.655 RCW and that are not in a state or

1 federal program of school improvement shall be subject to program
2 approval once the plan components are reviewed by the office of the
3 superintendent of public instruction for the purpose of receiving
4 technical assistance in the final development of the plan.

5 School districts with one or more schools in a state or federal
6 program of school improvement shall have their plans and activities
7 reviewed and approved in conjunction with the state or federal program
8 school improvement program requirements.

9 **Sec. 3.** RCW 28A.210.010 and 1971 c 32 s 1 are each amended to read
10 as follows:

11 The state board of health, after consultation with the
12 superintendent of public instruction, shall adopt reasonable rules
13 (~~and regulations~~) regarding the presence of persons on or about any
14 school premises who have, or who have been exposed to, contagious
15 diseases deemed by the state board of health as dangerous to the public
16 health. Such rules (~~and regulations~~) shall specify reasonable and
17 precautionary procedures as to such presence and/or readmission of such
18 persons and may include the requirement for a certificate from a
19 licensed physician that there is no danger of contagion. The
20 superintendent of public instruction shall (~~print and distribute the~~)
21 provide to appropriate school officials and personnel, access and
22 notice of these rules (~~and regulations~~) of the state board of health
23 (~~above provided to appropriate school officials and personnel~~).
24 Providing online access to these rules satisfies the requirements of
25 this section. The superintendent of public instruction is required to
26 provide this notice only when there are significant changes to the
27 rules.

28 **Sec. 4.** RCW 28A.210.040 and 1990 c 33 s 189 are each amended to
29 read as follows:

30 The superintendent of public instruction shall (~~print and~~
31 ~~distribute~~) provide access to appropriate school officials the rules
32 (~~and regulations~~) adopted by the state board of health pursuant to
33 RCW 28A.210.020 and the recommended records and forms to be used in
34 making and reporting such screenings. Providing online access to the
35 materials satisfies the requirements of this section.

1 **Sec. 5.** RCW 28A.225.005 and 1992 c 205 s 201 are each amended to
2 read as follows:

3 Each school within a school district shall inform the students and
4 the parents of the students enrolled in the school about the compulsory
5 education requirements under this chapter. The school shall
6 ~~((distribute))~~ provide access to the information at least annually.
7 Providing online access to the information satisfies the requirements
8 of this section unless a parent or guardian specifically requests
9 information to be provided in written form.

10 **Sec. 6.** RCW 28A.225.290 and 1990 1st ex.s. c 9 s 207 are each
11 amended to read as follows:

12 (1) The superintendent of public instruction shall prepare and
13 annually ~~((distribute an))~~ provide access to information ~~((booklet))~~
14 outlining parents' and guardians' enrollment options for their
15 children. Providing online access to the information satisfies the
16 requirements of this section unless a parent or guardian specifically
17 requests information to be provided in written form.

18 (2) ~~((Before the 1991-92 school year, the booklet shall be~~
19 ~~distributed to all school districts by the office of the superintendent~~
20 ~~of public instruction. School districts shall have a copy of the~~
21 ~~information booklet available for public inspection at each school in~~
22 ~~the district, at the district office, and in public libraries))~~ School
23 districts shall provide access to the information in this section to
24 the public. Providing online access to the information satisfies the
25 requirements of this subsection unless a parent or guardian
26 specifically requests the information be provided in written form.

27 (3) The booklet shall include:

28 (a) Information about enrollment options and program opportunities,
29 including but not limited to programs in RCW 28A.225.220, 28A.185.040,
30 28A.225.200 through 28A.225.215, 28A.225.230 through 28A.225.250,
31 28A.175.090, 28A.340.010 through 28A.340.070 (small high school
32 cooperative projects), and 28A.335.160.

33 (b) Information about the running start - community college or
34 vocational-technical institute choice program under RCW 28A.600.300
35 through ~~((28A.600.395))~~ 28A.600.390; and

36 (c) Information about the seventh and eighth grade choice program
37 under RCW 28A.230.090.

1 **Sec. 7.** RCW 28A.225.300 and 1990 1st ex.s. c 9 s 208 are each
2 amended to read as follows:

3 Each school district board of directors annually shall inform
4 parents of the district's intradistrict and interdistrict enrollment
5 options and parental involvement opportunities. Information on
6 intradistrict enrollment options and interdistrict acceptance policies
7 shall be provided to nonresidents on request. Providing online access
8 to the information satisfies the requirements of this section unless a
9 parent or guardian specifically requests information to be provided in
10 written form.

11 **Sec. 8.** RCW 28A.230.095 and 2006 c 113 s 2 are each amended to
12 read as follows:

13 (1) By the end of the 2008-09 school year, school districts shall
14 have in place in elementary schools, middle schools, and high schools
15 assessments or other strategies chosen by the district to assure that
16 students have an opportunity to learn the essential academic learning
17 requirements in social studies, the arts, and health and fitness.
18 Social studies includes history, geography, civics, economics, and
19 social studies skills. Beginning with the 2008-09 school year, school
20 districts shall annually submit an implementation verification report
21 to the office of the superintendent of public instruction. The office
22 of the superintendent of public instruction may not require school
23 districts to use a classroom-based assessment in social studies, the
24 arts, and health and fitness to meet the requirements of this section
25 and shall clearly communicate to districts their option to use other
26 strategies chosen by the district.

27 (2) Beginning with the 2008-09 school year, school districts shall
28 require students in ((~~the fourth or fifth grades~~ [~~grade~~],)) the seventh
29 or eighth ((~~grades~~ [~~grade~~])) grade, and the eleventh or twelfth
30 ((~~grades~~ [~~grade~~])) grade to each complete at least one classroom-based
31 assessment in civics. Beginning with the 2010-11 school year, school
32 districts shall require students in the fourth or fifth grade to
33 complete at least one classroom-based assessment in civics. The civics
34 assessment may be selected from a list of classroom-based assessments
35 approved by the office of the superintendent of public instruction.
36 Beginning with the 2008-09 school year, school districts shall annually

1 submit implementation verification reports to the office of the
2 superintendent of public instruction documenting the use of the
3 classroom-based assessments in civics.

4 (3) Verification reports shall require school districts to report
5 only the information necessary to comply with this section.

6 **Sec. 9.** RCW 28A.230.125 and 2006 c 263 s 401 and 2006 c 115 s 6
7 are each reenacted and amended to read as follows:

8 (1) The superintendent of public instruction, in consultation with
9 the higher education coordinating board, the state board for community
10 and technical colleges, and the workforce training and education
11 coordinating board, shall develop for use by all public school
12 districts a standardized high school transcript. The superintendent
13 shall establish clear definitions for the terms "credits" and "hours"
14 so that school programs operating on the quarter, semester, or
15 trimester system can be compared.

16 (2) The standardized high school transcript shall include a
17 notation of whether the student has earned a certificate of individual
18 achievement or a certificate of academic achievement.

19 ~~((3) Transcripts are important documents to students who will
20 apply for admission to postsecondary institutions of higher education.
21 Transcripts are also important to students who will seek employment
22 upon or prior to graduation from high school. It is recognized that
23 student transcripts may be the only record available to employers in
24 their decision-making processes regarding prospective employees. The
25 superintendent of public instruction shall require school districts to
26 inform annually all high school students that prospective employers may
27 request to see transcripts and that the prospective employee's decision
28 to release transcripts can be an important part of the process of
29 applying for employment.))~~

30 **Sec. 10.** RCW 28A.300.040 and 2006 c 263 s 104 are each amended to
31 read as follows:

32 In addition to any other powers and duties as provided by law, the
33 powers and duties of the superintendent of public instruction shall be:

34 (1) To have supervision over all matters pertaining to the public
35 schools of the state;

1 (2) To report to the governor and the legislature such information
2 and data as may be required for the management and improvement of the
3 schools;

4 (3) To prepare and have printed such forms, registers, courses of
5 study, rules for the government of the common schools, and such other
6 material and books as may be necessary for the discharge of the duties
7 of teachers and officials charged with the administration of the laws
8 relating to the common schools, and to distribute the same to
9 educational service district superintendents;

10 (4) To travel, without neglecting his or her other official duties
11 as superintendent of public instruction, for the purpose of attending
12 educational meetings or conventions, of visiting schools, and of
13 consulting educational service district superintendents or other school
14 officials;

15 (5) To prepare and from time to time to revise a manual of the
16 Washington state common school code, copies of which shall be
17 (~~provided in such numbers as determined by the superintendent of~~
18 ~~public instruction at no cost to those public agencies within the~~
19 ~~common school system~~) made available online and which shall be sold at
20 approximate actual cost of publication and distribution per volume to
21 (~~all other~~) public and nonpublic agencies or individuals, said manual
22 to contain Titles 28A and 28C RCW, rules related to the common schools,
23 and such other matter as the state superintendent or the state board of
24 education shall determine. Proceeds of the sale of such code shall be
25 transmitted to the public printer who shall credit the state
26 superintendent's account within the state printing plant revolving fund
27 by a like amount;

28 (6) To file all papers, reports and public documents transmitted to
29 the superintendent by the school officials of the several counties or
30 districts of the state, each year separately. Copies of all papers
31 filed in the superintendent's office, and the superintendent's official
32 acts, may, or upon request, shall be certified by the superintendent
33 and attested by the superintendent's official seal, and when so
34 certified shall be evidence of the papers or acts so certified to;

35 (7) To require annually, on or before the 15th day of August, of
36 the president, manager, or principal of every educational institution
37 in this state, a report as required by the superintendent of public

1 instruction; and it is the duty of every president, manager, or
2 principal, to complete and return such forms within such time as the
3 superintendent of public instruction shall direct;

4 (8) To keep in the superintendent's office a record of all teachers
5 receiving certificates to teach in the common schools of this state;

6 (9) To issue certificates as provided by law;

7 (10) To keep in the superintendent's office at the capital of the
8 state, all books and papers pertaining to the business of the
9 superintendent's office, and to keep and preserve in the
10 superintendent's office a complete record of statistics, as well as a
11 record of the meetings of the state board of education;

12 (11) With the assistance of the office of the attorney general, to
13 decide all points of law which may be submitted to the superintendent
14 in writing by any educational service district superintendent, or that
15 may be submitted to the superintendent by any other person, upon appeal
16 from the decision of any educational service district superintendent;
17 and the superintendent shall publish his or her rulings and decisions
18 from time to time for the information of school officials and teachers;
19 and the superintendent's decision shall be final unless set aside by a
20 court of competent jurisdiction;

21 (12) To administer oaths and affirmations in the discharge of the
22 superintendent's official duties;

23 (13) To deliver to his or her successor, at the expiration of the
24 superintendent's term of office, all records, books, maps, documents
25 and papers of whatever kind belonging to the superintendent's office or
26 which may have been received by the superintendent's for the use of the
27 superintendent's office;

28 (14) To administer family services and programs to promote the
29 state's policy as provided in RCW 74.14A.025;

30 (15) To promote the adoption of school-based curricula and policies
31 that provide quality, daily physical education for all students, and to
32 encourage policies that provide all students with opportunities for
33 physical activity outside of formal physical education classes;

34 (16) To perform such other duties as may be required by law.

35 **Sec. 11.** RCW 28A.300.525 and 2008 c 297 s 2 are each amended to
36 read as follows:

37 (1) The superintendent of public instruction shall provide an

1 annual aggregate report to the legislature on the educational
2 experiences and progress of students in children's administration out-
3 of-home care. This data should be disaggregated in the smallest units
4 allowable by law that do not identify an individual student, in order
5 to learn which school districts are experiencing the greatest success
6 and challenges in achieving quality educational outcomes with students
7 in children's administration out-of-home care.

8 (2) This section is suspended until July 1, 2011.

9 **Sec. 12.** RCW 28A.320.165 and 2001 c 333 s 4 are each amended to
10 read as follows:

11 Schools as defined in RCW 17.21.415 shall provide notice of
12 pesticide use to parents or guardians of students and employees
13 pursuant to chapter 17.21 RCW, upon the request of the parent or
14 guardian.

15 **Sec. 13.** RCW 28A.320.180 and 2007 c 396 s 11 are each amended to
16 read as follows:

17 (1) Subject to funding appropriated for this purpose and beginning
18 in the fall of 2009, school districts shall provide all high school
19 students enrolled in the district the option of taking the mathematics
20 college readiness test developed under RCW 28B.10.679 once at no cost
21 to the students. Districts shall encourage, but not require, students
22 to take the test in their junior or senior year of high school.

23 (2) Subject to funding appropriated for this purpose, the office of
24 the superintendent of public instruction shall reimburse each district
25 for the costs incurred by the district in providing students the
26 opportunity to take the mathematics placement test.

27 (3) This section is suspended until July 1, 2011.

28 **Sec. 14.** RCW 28A.600.160 and 1998 c 225 s 2 are each amended to
29 read as follows:

30 Any middle school, junior high school, or high school using
31 educational pathways shall ensure that all participating students will
32 continue to have access to the courses and instruction necessary to
33 meet admission requirements at baccalaureate institutions. Students
34 shall be allowed to enter the educational pathway of their choice.
35 Before accepting a student into an educational pathway, the school

1 shall inform the student's parent of the pathway chosen, the
2 opportunities available to the student through the pathway, and the
3 career objectives the student will have exposure to while pursuing the
4 pathway. Providing online access to the information satisfies the
5 requirements of this section unless a parent or guardian specifically
6 request information to be provided in written form. Parents and
7 students dissatisfied with the opportunities available through the
8 selected educational pathway shall be provided with the opportunity to
9 transfer the student to any other pathway provided in the school.
10 Schools may not develop educational pathways that retain students in
11 high school beyond the date they are eligible to graduate, and may not
12 require students who transfer between pathways to complete pathway
13 requirements beyond the date the student is eligible to graduate.
14 Educational pathways may include, but are not limited to, programs such
15 as work-based learning, (~~school-to-work transition,~~) tech prep,
16 (~~vocational-technical~~) career and technical education, running start,
17 and preparation for technical college, community college, or university
18 education.

19 **Sec. 15.** RCW 28A.655.075 and 2007 c 396 s 16 are each amended to
20 read as follows:

21 (1) Within funds specifically appropriated therefor, by December 1,
22 2008, the superintendent of public instruction shall develop essential
23 academic learning requirements and grade level expectations for
24 educational technology literacy and technology fluency that identify
25 the knowledge and skills that all public school students need to know
26 and be able to do in the areas of technology and technology literacy.
27 The development process shall include a review of current standards
28 that have been developed or are used by other states and national and
29 international technology associations. To the maximum extent possible,
30 the superintendent shall integrate goal four and the knowledge and
31 skill areas in the other goals in the technology essential academic
32 learning requirements.

33 (a) As used in this section, "technology literacy" means the
34 ability to responsibly, creatively, and effectively use appropriate
35 technology to communicate; access, collect, manage, integrate, and
36 evaluate information; solve problems and create solutions; build and

1 share knowledge; and improve and enhance learning in all subject areas
2 and experiences.

3 (b) Technology fluency builds upon technology literacy and is
4 demonstrated when students: Apply technology to real-world
5 experiences; adapt to changing technologies; modify current and create
6 new technologies; and personalize technology to meet personal needs,
7 interests, and learning styles.

8 (2)(a) Within funds specifically appropriated therefor, the
9 superintendent shall obtain or develop education technology assessments
10 that may be administered in the elementary, middle, and high school
11 grades to assess the essential academic learning requirements for
12 technology. The assessments shall be designed to be classroom or
13 project-based so that they can be embedded in classroom instruction and
14 be administered and scored by school staff throughout the regular
15 school year using consistent scoring criteria and procedures. By the
16 2010-11 school year, these assessments shall be made available to
17 school districts for the districts' voluntary use. If a school
18 district uses the assessments created under this section, then the
19 school district shall notify the superintendent of public instruction
20 of the use. The superintendent shall report annually to the
21 legislature on the number of school districts that use the assessments
22 each school year.

23 (b) Beginning December 1, 2010, and annually thereafter, the
24 superintendent of public instruction shall provide a report to the
25 relevant legislative committees regarding the use of the assessments.

26 (3) This section is suspended until July 1, 2011.

27 **Sec. 16.** RCW 17.21.415 and 2001 c 333 s 3 are each amended to read
28 as follows:

29 (1) As used in this section, "school" means a licensed day care
30 center or a public kindergarten or a public elementary or secondary
31 school.

32 (2) A school shall provide written notification (~~(annually or upon~~
33 ~~enrollment)~~), upon request, to parents or guardians of students and
34 employees describing the school's pest control policies and methods,
35 including the posting and notification requirements of this section.

36 (3) A school shall establish a notification system that, as a
37 minimum, notifies interested parents or guardians of students and

1 employees at least forty-eight hours before a pesticide application to
2 a school facility. The notification system shall include posting of
3 the notification in a prominent place in the main office of the school.

4 (4) All notifications to parents, guardians, and employees shall
5 include the heading "Notice: Pesticide Application" and, at a minimum,
6 shall state:

- 7 (a) The product name of the pesticide to be applied;
- 8 (b) The intended date and time of application;
- 9 (c) The location to which the pesticide is to be applied;
- 10 (d) The pest to be controlled; and
- 11 (e) The name and phone number of a contact person at the school.

12 (5) A school facility application must be made within forty-eight
13 hours following the intended date and time stated in the notification
14 or the notification process shall be repeated.

15 (6) A school shall, at the time of application, post notification
16 signs for all pesticide applications made to school facilities unless
17 the application is otherwise required to be posted by a certified
18 applicator under the provisions of RCW 17.21.410(1)(d).

19 (a) Notification signs for applications made to school grounds by
20 school employees shall be placed at the location of the application and
21 at each primary point of entry to the school grounds. The signs shall
22 be a minimum of four inches by five inches and shall include the words:
23 "THIS LANDSCAPE HAS BEEN RECENTLY SPRAYED OR TREATED WITH PESTICIDES BY
24 YOUR SCHOOL" as the headline and "FOR MORE INFORMATION PLEASE CALL" as
25 the footer. The footer shall provide the name and telephone number of
26 a contact person at the school.

27 (b) Notification signs for applications made to school facilities
28 other than school grounds shall be posted at the location of the
29 application. The signs shall be a minimum of eight and one-half by
30 eleven inches and shall include the heading "Notice: Pesticide
31 Application" and, at a minimum, shall state:

- 32 (i) The product name of the pesticide applied;
- 33 (ii) The date and time of application;
- 34 (iii) The location to which the pesticide was applied;
- 35 (iv) The pest to be controlled; and
- 36 (v) The name and phone number of a contact person at the school.

37 (c) Notification signs shall be printed in colors contrasting to
38 the background.

1 (d) Notification signs shall remain in place for at least
2 twenty-four hours from the time the application is completed. In the
3 event the pesticide label requires a restricted entry interval greater
4 than twenty-four hours, the notification sign shall remain in place
5 consistent with the restricted entry interval time as required by the
6 label.

7 (7) A school facility application does not include the application
8 of antimicrobial pesticides or the placement of insect or rodent baits
9 that are not accessible to children.

10 (8) The prenotification requirements of this section do not apply
11 if the school facility application is made when the school is not
12 occupied by students for at least two consecutive days after the
13 application.

14 (9) The prenotification requirements of this section do not apply
15 to any emergency school facility application for control of any pest
16 that poses an immediate human health or safety threat, such as an
17 application to control stinging insects. When an emergency school
18 facility application is made, notification consistent with the school's
19 notification system shall occur as soon as possible after the
20 application. The notification shall include information consistent
21 with subsection (6)(b) of this section.

22 (10) A school shall make the records of all pesticide applications
23 to school facilities required under this chapter, including an annual
24 summary of the records, readily accessible to interested persons.

25 (11) A school is not liable for the removal of signs by
26 unauthorized persons. A school that complies with this section may not
27 be held liable for personal property damage or bodily injury resulting
28 from signs that are placed as required.

29 **Sec. 17.** RCW 28A.650.015 and 2006 c 263 s 917 are each amended to
30 read as follows:

31 (1) The superintendent of public instruction, to the extent funds
32 are appropriated, shall develop and implement a Washington state K-12
33 education technology plan. The technology plan shall be updated on at
34 least a biennial basis, shall be developed to coordinate and expand the
35 use of education technology in the common schools of the state. The
36 plan shall be consistent with applicable provisions of chapter 43.105
37 RCW. The plan, at a minimum, shall address:

1 (a) The provision of technical assistance to schools and school
2 districts for the planning, implementation, and training of staff in
3 the use of technology in curricular and administrative functions;

4 (b) The continued development of a network to connect school
5 districts, institutions of higher learning, and other sources of online
6 information; and

7 (c) Methods to equitably increase the use of education technology
8 by students and school personnel throughout the state.

9 (2) The superintendent of public instruction shall appoint an
10 educational technology advisory committee to assist in the development
11 and implementation of the technology plan in subsection (1) of this
12 section. The committee shall include, but is not limited to, persons
13 representing: The department of information services, educational
14 service districts, school directors, school administrators, school
15 principals, teachers, classified staff, higher education faculty,
16 parents, students, business, labor, scientists and mathematicians, the
17 higher education coordinating board, the workforce training and
18 education coordinating board, and the state library.

19 (3) The plan adopted and implemented under this section may not
20 impose on school districts any requirements that are not specifically
21 required by federal law or regulation, including requirements to
22 maintain eligibility for the federal schools and libraries program of
23 the universal service fund.

24 **Sec. 18.** RCW 28A.210.020 and 1971 c 32 s 2 are each amended to
25 read as follows:

26 Every board of school directors shall have the power, and it shall
27 be its duty to provide for and require screening for the visual and
28 auditory acuity of all children attending schools in their districts to
29 ascertain which if any of such children have defects sufficient to
30 retard them in their studies. Auditory and visual screening shall be
31 made in accordance with procedures and standards adopted by rule or
32 regulation of the state board of health. Prior to the adoption or
33 revision of such rules or regulations the state board of health shall
34 seek the recommendations of the superintendent of public instruction
35 regarding the administration of visual and auditory screening and the
36 qualifications of persons competent to administer such screening.
37 Persons performing visual screening may include, but are not limited

1 to, ophthalmologists, optometrists, or opticians who donate their
2 professional services to schools or school districts. If a vision
3 professional who donates his or her services identifies a vision defect
4 sufficient to affect a student's learning, the vision professional must
5 notify the school nurse and/or the school principal in writing and may
6 not contact the student's parents or guardians directly. A school
7 official shall inform parents or guardians of students in writing that
8 a visual examination was recommended, but may not communicate the name
9 or contact information of the vision professional conducting the
10 screening.

11 **Sec. 19.** RCW 28A.655.065 and 2008 c 170 s 205 are each amended to
12 read as follows:

13 (1) The legislature has made a commitment to rigorous academic
14 standards for receipt of a high school diploma. The primary way that
15 students will demonstrate that they meet the standards in reading,
16 writing, mathematics, and science is through the Washington assessment
17 of student learning. Only objective assessments that are comparable in
18 rigor to the state assessment are authorized as an alternative
19 assessment. Before seeking an alternative assessment, the legislature
20 expects students to make a genuine effort to meet state standards,
21 through regular and consistent attendance at school and participation
22 in extended learning and other assistance programs.

23 (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,
24 the superintendent of public instruction shall implement objective
25 alternative assessment methods as provided in this section for students
26 to demonstrate achievement of the state standards in content areas in
27 which the student has not yet met the standard on the high school
28 Washington assessment of student learning. A student may access an
29 alternative if the student meets applicable eligibility criteria in RCW
30 28A.655.061 and this section and other eligibility criteria established
31 by the superintendent of public instruction, including but not limited
32 to attendance criteria and participation in the remediation or
33 supplemental instruction contained in the student learning plan
34 developed under RCW 28A.655.061. A school district may waive
35 attendance and/or remediation criteria for special, unavoidable
36 circumstances.

1 (3) For the purposes of this section, "applicant" means a student
2 seeking to use one of the alternative assessment methods in this
3 section.

4 (4) One alternative assessment method shall be a combination of the
5 applicant's grades in applicable courses and the applicant's highest
6 score on the high school Washington assessment of student learning, as
7 provided in this subsection. A student is eligible to apply for the
8 alternative assessment method under this subsection (4) if the student
9 has a cumulative grade point average of at least 3.2 on a four point
10 grading scale. The superintendent of public instruction shall
11 determine which high school courses are applicable to the alternative
12 assessment method and shall issue guidelines to school districts.

13 (a) Using guidelines prepared by the superintendent of public
14 instruction, a school district shall identify the group of students in
15 the same school as the applicant who took the same high school courses
16 as the applicant in the applicable content area. From the group of
17 students identified in this manner, the district shall select the
18 comparison cohort that shall be those students who met or slightly
19 exceeded the state standard on the Washington assessment of student
20 learning.

21 (b) The district shall compare the applicant's grades in high
22 school courses in the applicable content area to the grades of students
23 in the comparison cohort for the same high school courses. If the
24 applicant's grades are equal to or above the mean grades of the
25 comparison cohort, the applicant shall be deemed to have met the state
26 standard on the alternative assessment.

27 (c) An applicant may not use the alternative assessment under this
28 subsection (4) if there are fewer than six students in the comparison
29 cohort.

30 (5) The superintendent of public instruction shall develop an
31 alternative assessment method that shall be an evaluation of a
32 collection of work samples prepared and submitted by the applicant.
33 Effective September 1, 2009, collection of work samples may be
34 submitted only in content areas where meeting the state standard on the
35 high school assessment is required for purposes of graduation.

36 (a) The superintendent of public instruction shall develop
37 guidelines for the types and number of work samples in each content
38 area that may be submitted as a collection of evidence that the

1 applicant has met the state standard in that content area. Work
2 samples may be collected from academic, career and technical, or
3 remedial courses and may include performance tasks as well as written
4 products. The superintendent shall submit the guidelines for approval
5 by the state board of education.

6 (b) The superintendent shall develop protocols for submission of
7 the collection of work samples that include affidavits from the
8 applicant's teachers and school district that the samples are the work
9 of the applicant and a requirement that a portion of the samples be
10 prepared under the direct supervision of a classroom teacher. The
11 superintendent shall submit the protocols for approval by the state
12 board of education.

13 (c) The superintendent shall develop uniform scoring criteria for
14 evaluating the collection of work samples and submit the scoring
15 criteria for approval by the state board of education. Collections
16 shall be scored at the state level or regionally by a panel of
17 educators selected and trained by the superintendent to ensure
18 objectivity, reliability, and rigor in the evaluation. An educator may
19 not score work samples submitted by applicants from the educator's
20 school district. If the panel awards an applicant's collection of work
21 samples the minimum required score, the applicant shall be deemed to
22 have met the state standard on the alternative assessment.

23 (d) Using an open and public process that includes consultation
24 with district superintendents, school principals, and other educators,
25 the state board of education shall consider the guidelines, protocols,
26 scoring criteria, and other information regarding the collection of
27 work samples submitted by the superintendent of public instruction.
28 The collection of work samples may be implemented as an alternative
29 assessment after the state board of education has approved the
30 guidelines, protocols, and scoring criteria and determined that the
31 collection of work samples: (i) Will meet professionally accepted
32 standards for a valid and reliable measure of the grade level
33 expectations and the essential academic learning requirements; and (ii)
34 is comparable to or exceeds the rigor of the skills and knowledge that
35 a student must demonstrate on the Washington assessment of student
36 learning in the applicable content area. The state board shall make an
37 approval decision and determination no later than December 1, 2006, and

1 thereafter may increase the required rigor of the collection of work
2 samples.

3 (e) By September of 2006, the superintendent of public instruction
4 shall develop informational materials for parents, teachers, and
5 students regarding the collection of work samples and the status of its
6 development as an alternative assessment method. The materials shall
7 provide specific guidance regarding the type and number of work samples
8 likely to be required, include examples of work that meets the state
9 learning standards, and describe the scoring criteria and process for
10 the collection. The materials shall also encourage students in the
11 graduating class of 2008 to begin creating a collection if they believe
12 they may seek to use the collection once it is implemented as an
13 alternative assessment.

14 (6)(a) For students enrolled in a career and technical education
15 program approved under RCW 28A.700.030, the superintendent of public
16 instruction shall develop additional guidelines for collections of work
17 samples that are tailored to different career and technical programs.
18 The additional guidelines shall:

19 (i) Provide multiple examples of work samples that are related to
20 the particular career and technical program;

21 (ii) Permit work samples based on completed activities or projects
22 where demonstration of academic knowledge is inferred; and

23 (iii) Provide multiple examples of work samples drawn from career
24 and technical courses.

25 (b) The purpose of the additional guidelines is to provide a clear
26 pathway toward a certificate of academic achievement for career and
27 technical students by showing them applied and relevant opportunities
28 to demonstrate their knowledge and skills, and to provide guidance to
29 teachers in integrating academic and career and technical instruction
30 and assessment and assisting career and technical students in compiling
31 a collection. The superintendent of public instruction shall develop
32 and disseminate additional guidelines for no fewer than ten career and
33 technical education programs representing a variety of program
34 offerings by no later than September 1, 2008. Guidelines for ten
35 additional programs shall be developed and disseminated no later than
36 June 1, 2009.

37 (c) The superintendent shall consult with community and technical
38 colleges, employers, the workforce training and education coordinating

1 board, apprenticeship programs, and other regional and national experts
2 in career and technical education to create appropriate guidelines and
3 examples of work samples and other evidence of a career and technical
4 student's knowledge and skills on the state academic standards.

5 (7) The superintendent of public instruction shall study the
6 feasibility of using existing mathematics assessments in languages
7 other than English as an additional alternative assessment option. The
8 study shall include an estimation of the cost of translating the tenth
9 grade mathematics assessment into other languages and scoring the
10 assessments should they be implemented.

11 (8) The superintendent of public instruction shall implement:

12 (a) By June 1, 2006, a process for students to appeal the score
13 they received on the high school assessments; and

14 (b) By January 1, 2007, guidelines and appeal processes for waiving
15 specific requirements in RCW 28A.655.061 pertaining to the certificate
16 of academic achievement and to the certificate of individual
17 achievement for students who: (i) Transfer to a Washington public
18 school in their junior or senior year with the intent of obtaining a
19 public high school diploma, or (ii) have special, unavoidable
20 circumstances.

21 (9) The state board of education shall examine opportunities for
22 additional alternative assessments, including the possible use of one
23 or more standardized norm-referenced student achievement tests and the
24 possible use of the reading, writing, or mathematics portions of the
25 ACT ASSET and ACT COMPASS test instruments as objective alternative
26 assessments for demonstrating that a student has met the state
27 standards for the certificate of academic achievement. The state board
28 shall submit its findings and recommendations to the education
29 committees of the legislature by January 10, 2008.

30 (10) The superintendent of public instruction shall adopt rules to
31 implement this section.

32 **Sec. 20.** RCW 28A.655.061 and 2008 c 321 s 2 are each amended to
33 read as follows:

34 (1) The high school assessment system shall include but need not be
35 limited to the Washington assessment of student learning, opportunities
36 for a student to retake the content areas of the assessment in which
37 the student was not successful, and if approved by the legislature

1 pursuant to subsection (10) of this section, one or more objective
2 alternative assessments for a student to demonstrate achievement of
3 state academic standards. The objective alternative assessments for
4 each content area shall be comparable in rigor to the skills and
5 knowledge that the student must demonstrate on the Washington
6 assessment of student learning for each content area.

7 (2) Subject to the conditions in this section, a certificate of
8 academic achievement shall be obtained by most students at about the
9 age of sixteen, and is evidence that the students have successfully met
10 the state standard in the content areas included in the certificate.
11 With the exception of students satisfying the provisions of RCW
12 28A.155.045 or 28A.655.0611, acquisition of the certificate is required
13 for graduation from a public high school but is not the only
14 requirement for graduation.

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

34 (4) Beginning no later than with the graduating class of 2013, a
35 student must meet the state standards in science in addition to the
36 other content areas required under subsection (3) of this section on
37 the Washington assessment of student learning or the objective
38 alternative assessments in order to earn a certificate of academic

1 achievement. The state board of education may adopt a rule that
2 implements the requirements of this subsection (4) beginning with a
3 graduating class before the graduating class of 2013, if the state
4 board of education adopts the rule by September 1st of the freshman
5 school year of the graduating class to which the requirements of this
6 subsection (4) apply. The state board of education's authority under
7 this subsection (4) does not alter the requirement that any change in
8 performance standards for the tenth grade assessment must comply with
9 RCW 28A.305.130.

10 (5) The state board of education may not require the acquisition of
11 the certificate of academic achievement for students in home-based
12 instruction under chapter 28A.200 RCW, for students enrolled in private
13 schools under chapter 28A.195 RCW, or for students satisfying the
14 provisions of RCW 28A.155.045.

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

17 (7) School districts must make available to students the following
18 options:

19 (a) 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 public school; or

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

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

33 (9) Opportunities to retake the assessment at least twice a year
34 shall be available to each school district.

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

1 standards. The objective alternative assessments shall be comparable
2 in rigor to the skills and knowledge that the student must demonstrate
3 on the Washington assessment of student learning and be objective in
4 its determination of student achievement of the state standards.
5 Before any objective alternative assessments in addition to those
6 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
7 student to demonstrate that the student has met the state standards in
8 a content area required to obtain a certificate, the legislature shall
9 formally approve the use of any objective alternative assessments
10 through the omnibus appropriations act or by statute or concurrent
11 resolution.

12 (b)(i) A student's score on the mathematics, reading or English, or
13 writing portion of the (~~(scholastic assessment test (-))~~)SAT((+)) or the
14 (~~(American college test (-))~~)ACT((+)) may be used as an objective
15 alternative assessment under this section for demonstrating that a
16 student has met or exceeded the state standards for the certificate of
17 academic achievement. The state board of education shall identify the
18 scores students must achieve on the relevant portion of the SAT or ACT
19 to meet or exceed the state standard in the relevant content area on
20 the Washington assessment of student learning. The state board of
21 education shall identify the first scores by December 1, 2007. After
22 the first scores are established, the state board may increase but not
23 decrease the scores required for students to meet or exceed the state
24 standards.

25 (ii) Until August 31, 2008, a student's score on the mathematics
26 portion of the (~~(preliminary scholastic assessment test (-))~~)PSAT((+))
27 may be used as an objective alternative assessment under this section
28 for demonstrating that a student has met or exceeded the state standard
29 for the certificate of academic achievement. The state board of
30 education shall identify the score students must achieve on the
31 mathematics portion of the PSAT to meet or exceed the state standard in
32 that content area on the Washington assessment of student learning.

33 (iii) A student who scores at least a three on the grading scale of
34 one to five for selected AP examinations may use the score as an
35 objective alternative assessment under this section for demonstrating
36 that a student has met or exceeded state standards for the certificate
37 of academic achievement. A score of three on the AP examinations in
38 calculus or statistics may be used as an alternative assessment for the

1 mathematics portion of the Washington assessment of student learning.
2 A score of three on the AP examinations in English language and
3 composition may be used as an alternative assessment for the writing
4 portion of the Washington assessment of student learning. A score of
5 three on the AP examinations in English literature and composition,
6 macroeconomics, microeconomics, psychology, United States history,
7 world history, United States government and politics, or comparative
8 government and politics may be used as an alternative assessment for
9 the reading portion of the Washington assessment of student learning.

10 (11) 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 ~~((12) 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 and notify students and their parents or legal guardians as
20 provided in this subsection (12)).~~

21 ~~(a) Student learning plans are required for eighth through twelfth
22 grade students who were not successful on any or all of the content
23 areas of the Washington assessment for student learning during the
24 previous school year or who may not be on track to graduate due to
25 credit deficiencies or absences. The parent or legal guardian shall be
26 notified about the information in the student learning plan, preferably
27 through a parent conference and at least annually. To the extent
28 feasible, schools serving English language learner students and their
29 parents shall translate the plan into the primary language of the
30 family. The plan shall include the following information as
31 applicable:~~

32 ~~(i) The student's results on the Washington assessment of student
33 learning;~~

34 ~~(ii) If the student is in the transitional bilingual program, the
35 score on his or her Washington language proficiency test II;~~

36 ~~(iii) Any credit deficiencies;~~

37 ~~(iv) The student's attendance rates over the previous two years;~~

1 ~~(v) The student's progress toward meeting state and local~~
2 ~~graduation requirements;~~

3 ~~(vi) The courses, competencies, and other steps needed to be taken~~
4 ~~by the student to meet state academic standards and stay on track for~~
5 ~~graduation;~~

6 ~~(vii) Remediation strategies and alternative education options~~
7 ~~available to students, including informing students of the option to~~
8 ~~continue to receive instructional services after grade twelve or until~~
9 ~~the age of twenty-one;~~

10 ~~(viii) The alternative assessment options available to students~~
11 ~~under this section and RCW 28A.655.065;~~

12 ~~(ix) School district programs, high school courses, and career and~~
13 ~~technical education options available for students to meet graduation~~
14 ~~requirements; and~~

15 ~~(x) Available programs offered through skill centers or community~~
16 ~~and technical colleges.~~

17 ~~(b) All fifth grade students who were not successful in one or more~~
18 ~~of the content areas of the fourth grade Washington assessment of~~
19 ~~student learning shall have a student learning plan.~~

20 ~~(i) The parent or guardian of the student shall be notified,~~
21 ~~preferably through a parent conference, of the student's results on the~~
22 ~~Washington assessment of student learning, actions the school intends~~
23 ~~to take to improve the student's skills in any content area in which~~
24 ~~the student was unsuccessful, and provide strategies to help them~~
25 ~~improve their student's skills.~~

26 ~~(ii) Progress made on the student plan shall be reported to the~~
27 ~~student's parents or guardian at least annually and adjustments to the~~
28 ~~plan made as necessary.))~~

29 NEW SECTION. **Sec. 21.** The following acts or parts of acts, as now
30 existing or hereafter amended, are each repealed:

31 (1) RCW 28A.230.092 (Washington state history and government--
32 Course content) and 2008 c 190 s 2;

33 (2) RCW 28A.230.185 (Family preservation education program) and
34 2005 c 491 s 2;

35 (3) RCW 28A.300.412 (Washington civil liberties public education
36 program--Report) and 2000 c 210 s 6;

1 (4) RCW 28A.600.415 (Alternatives to suspension--Community service
2 encouraged--Information provided to school districts) and 1992 c 155 s
3 2;

4 (5) RCW 28A.625.010 (Short title) and 1995 c 335 s 107, 1990 c 33
5 s 513, & 1986 c 147 s 1;

6 (6) RCW 28A.625.020 (Recipients--Awards) and 1991 c 255 s 1;

7 (7) RCW 28A.625.030 (Washington State Christa McAuliffe award for
8 teachers) and 1991 c 255 s 2 & 1986 c 147 s 3;

9 (8) RCW 28A.625.042 (Certificates--Recognition awards) and 1994 c
10 279 s 4;

11 (9) RCW 28A.625.050 (Rules) and 1995 c 335 s 108, 1991 c 255 s 8,
12 1990 c 33 s 516, 1988 c 251 s 2, & 1986 c 147 s 5;

13 (10) RCW 28A.625.350 (Short title) and 1990 1st ex.s. c 10 s 1;

14 (11) RCW 28A.625.360 (Excellence in teacher preparation award) and
15 2006 c 263 s 804 & 1990 1st ex.s. c 10 s 2;

16 (12) RCW 28A.625.370 (Award for teacher educator) and 2006 c 263 s
17 820 & 1990 1st ex.s. c 10 s 3;

18 (13) RCW 28A.625.380 (Rules) and 2006 c 263 s 821 & 1990 1st ex.s.
19 c 10 s 4;

20 (14) RCW 28A.625.390 (Educational grant--Eligibility--Award) and
21 2006 c 263 s 822 & 1990 1st ex.s. c 10 s 5;

22 (15) RCW 28A.625.900 (Severability--1990 1st ex.s. c 10) and 1990
23 1st ex.s. c 10 s 10;

24 (16) RCW 28A.630.045 (Local control and flexibility in
25 assessments--Pilot project) and 2006 c 175 s 1; and

26 (17) RCW 28A.630.881 (School-to-work transition project--Findings--
27 Intent--Outreach--Technical assistance) and 1997 c 58 s 304.

28 NEW SECTION. **Sec. 22.** Sections 11, 13, and 15 of this act expire
29 July 1, 2011."

30 Correct the title.

EFFECT: (1) Removes the following provisions from the bill:
(a) A requirement for SPI to provide information about immunization
requirements is repealed.

(b) Requirements for school districts to provide visual and auditory screening and prepare and provide records are suspended until July 1, 2011, except as required by the federal IDEA or to serve low-income children.

(c) School districts may satisfy information requirements to parents about various diseases and vaccines through online information.

(d) Requirements for school districts to prepare Student Learning Plans for certain students are repealed.

(e) Requirements for certain specified information to be included in traffic safety education course materials are repealed.

(2) Adds the following provisions to the bill:

(a) A requirement that SPI must encourage school districts to use community service as an alternative to suspension and distribute information on programs is repealed.

(b) A requirement that SPI must submit an application to US DOE for flexibility in the state's assessment and conduct a pilot project with certain districts is repealed.

(c) Districts must provide information about Running Start to 10-12th graders, including opportunity to enroll through online courses.

(d) Requirements that are imposed on school-to-work transition projects and a federal grant for school-to-work transition are repealed.

(e) The state education technology plan's requirements on school districts are restricted to only what is required by federal rule or E-rate eligibility.

(f) SPI cannot require districts to use classroom-based assessments in social studies, arts, and health and fitness and must communicate clearly districts' option to use other strategies chosen by district.

(g) The Award for Excellence in Education is repealed.

(h) The Award for Excellence in Teaching Preparation is repealed.

(3) Modifies the following provision in the bill: Rather than suspending until July 1, 2011, a requirement that SPI publish and distribute a Common School Manual for free to public school agencies, SPI is required to make the Common School Manual available online. SPI is authorized to charge any agency for hard copies of the Manual rather than just nonpublic school agencies.

(4) Allows visual screening in schools to be performed by ophthalmologists, optometrists, or opticians who donate their professional services and requires these professionals to notify the school nurse and/or principal of any vision defects and not to contact the student's parents directly.

(5) Beginning September 1, 2009, allows a Collection of Work Samples to be submitted as an alternative assessment to the high school WASL only in content areas required for graduation.

--- END ---