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SENATE BILL 6778

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State of Washington

61st Legislature

2010 Regular Session

By Senators McAuliffe, Shin, Kauffman, and Kline

Read first time 01/27/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to establishing an alternative route to a high  
2 school diploma; amending RCW 28A.150.220, 28A.230.120, 28A.655.061,  
3 28A.655.0611, and 28A.155.045; reenacting and amending RCW 28A.230.090;  
4 adding a new section to chapter 28A.230 RCW; creating a new section;  
5 and providing an effective date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the higher  
8 education coordinating board has established minimum standards for  
9 admission to a public four-year institution of higher education in  
10 Washington. The legislature further finds that, with only minor  
11 supplementation, all of the four-year institutions rely on these  
12 standards when it comes to minimum requirements for admission.  
13 Therefore, if the state's four-year colleges and universities consider  
14 the standards adopted by the higher education coordinating board to be  
15 sufficiently rigorous for admission, the legislature finds that  
16 students who can meet and exceed these standards should qualify for a  
17 high school diploma.

1       **Sec. 2.** RCW 28A.150.220 and 2009 c 548 s 104 are each amended to  
2 read as follows:

3       (1) In order for students to have the opportunity to develop the  
4 basic education knowledge and skills under RCW 28A.150.210, school  
5 districts must provide instruction of sufficient quantity and quality  
6 and give students the opportunity to complete graduation requirements  
7 that are intended to prepare them for postsecondary education, gainful  
8 employment, and citizenship. The program established under this  
9 section shall be the minimum instructional program of basic education  
10 offered by school districts.

11       (2) Each school district shall make available to students the  
12 following minimum instructional offering each school year:

13       (a) For students enrolled in grades one through twelve, at least a  
14 district-wide annual average of one thousand hours, which shall be  
15 increased to at least one thousand eighty instructional hours for  
16 students enrolled in each of grades seven through twelve and at least  
17 one thousand instructional hours for students in each of grades one  
18 through six according to an implementation schedule adopted by the  
19 legislature; and

20       (b) For students enrolled in kindergarten, at least four hundred  
21 fifty instructional hours, which shall be increased to at least one  
22 thousand instructional hours according to the implementation schedule  
23 under RCW 28A.150.315.

24       (3) The instructional program of basic education provided by each  
25 school district shall include:

26       (a) Instruction in the essential academic learning requirements  
27 under RCW 28A.655.070;

28       (b) Instruction that provides students the opportunity to complete  
29 their choice of:

30       (i) Twenty-four credits for high school graduation, subject to a  
31 phased-in implementation of the twenty-four credits as established by  
32 the legislature. Course distribution requirements may be established  
33 by the state board of education under RCW 28A.230.090; or

34       (ii) Credits that meet the minimum admission standards for public  
35 four-year institutions of higher education adopted by the higher  
36 education coordinating board under RCW 28B.76.290, including the  
37 required college academic distribution requirements adopted by the  
38 board;

1 (c) If the essential academic learning requirements include a  
2 requirement of languages other than English, the requirement may be met  
3 by students receiving instruction in one or more American Indian  
4 languages;

5 (d) Supplemental instruction and services for underachieving  
6 students through the learning assistance program under RCW 28A.165.005  
7 through 28A.165.065;

8 (e) Supplemental instruction and services for eligible and enrolled  
9 students whose primary language is other than English through the  
10 transitional bilingual instruction program under RCW 28A.180.010  
11 through 28A.180.080;

12 (f) The opportunity for an appropriate education at public expense  
13 as defined by RCW 28A.155.020 for all eligible students with  
14 disabilities as defined in RCW 28A.155.020; and

15 (g) Programs for highly capable students under RCW 28A.185.010  
16 through 28A.185.030.

17 (4) Nothing contained in this section shall be construed to require  
18 individual students to attend school for any particular number of hours  
19 per day or to take any particular courses.

20 (5) Each school district's kindergarten through twelfth grade basic  
21 educational program shall be accessible to all students who are five  
22 years of age, as provided by RCW 28A.225.160, and less than twenty-one  
23 years of age and shall consist of a minimum of one hundred eighty  
24 school days per school year in such grades as are conducted by a school  
25 district, and one hundred eighty half-days of instruction, or  
26 equivalent, in kindergarten, to be increased to a minimum of one  
27 hundred eighty school days per school year according to the  
28 implementation schedule under RCW 28A.150.315. However, effective May  
29 1, 1979, a school district may schedule the last five school days of  
30 the one hundred and eighty day school year for noninstructional  
31 purposes in the case of students who are graduating from high school,  
32 including, but not limited to, the observance of graduation and early  
33 release from school upon the request of a student, and all such  
34 students may be claimed as a full-time equivalent student to the extent  
35 they could otherwise have been so claimed for the purposes of RCW  
36 28A.150.250 and 28A.150.260.

37 (6) Nothing in this section precludes a school district from  
38 enriching the instructional program of basic education, such as

1 offering additional instruction or providing additional services,  
2 programs, or activities that the school district determines to be  
3 appropriate for the education of the school district's students.

4 (7) The state board of education shall adopt rules to implement and  
5 ensure compliance with the program requirements imposed by this  
6 section, RCW 28A.150.250 and 28A.150.260, and such related supplemental  
7 program approval requirements as the state board may establish.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.230  
9 RCW to read as follows:

10 As an alternative to the high school graduation requirements  
11 established under RCW 28A.230.090 and 28A.655.061, and any additional  
12 local graduation requirements established by school districts, any  
13 student who meets the following requirements shall receive a high  
14 school diploma:

15 (1) Successfully completes the minimum credits for admission to a  
16 public four-year institution of higher education adopted by the higher  
17 education coordinating board under RCW 28B.76.290, which includes  
18 meeting the required college academic distribution requirements;

19 (2) Earns a cumulative average grade of at least a three on a four-  
20 point scale, as determined by the school district, for the courses  
21 required under subsection (1) of this section; and

22 (3) Completes a culminating project and a high school and beyond  
23 plan according to rules adopted by the state board of education.

24 **Sec. 4.** RCW 28A.230.090 and 2009 c 548 s 111 and 2009 c 223 s 2  
25 are each reenacted and amended to read as follows:

26 (1) Except as provided in section 3 of this act, the state board of  
27 education shall establish high school graduation requirements or  
28 equivalencies for students, except those equivalencies established by  
29 local high schools or school districts under RCW 28A.230.097. The  
30 purpose of a high school diploma is to declare that a student is ready  
31 for success in postsecondary education, gainful employment, and  
32 citizenship, and is equipped with the skills to be a lifelong learner.

33 (a) Any course in Washington state history and government used to  
34 fulfill high school graduation requirements shall consider including  
35 information on the culture, history, and government of the American  
36 Indian peoples who were the first inhabitants of the state.

1 (b) Except for students meeting the requirements of section 3 of  
2 this act, the certificate of academic achievement requirements under  
3 RCW 28A.655.061 or the certificate of individual achievement  
4 requirements under RCW 28A.155.045 are required for graduation from a  
5 public high school but are not the only requirements for graduation.

6 (c) Any decision on whether a student has met the state board's  
7 high school graduation requirements for a high school and beyond plan  
8 shall remain at the local level.

9 (2)(a) In recognition of the statutory authority of the state board  
10 of education to establish and enforce minimum high school graduation  
11 requirements, the state board shall periodically reevaluate the  
12 graduation requirements and shall report such findings to the  
13 legislature in a timely manner as determined by the state board.

14 (b) The state board shall reevaluate the graduation requirements  
15 for students enrolled in vocationally intensive and rigorous career and  
16 technical education programs, particularly those programs that lead to  
17 a certificate or credential that is state or nationally recognized.  
18 The purpose of the evaluation is to ensure that students enrolled in  
19 these programs have sufficient opportunity to earn a certificate of  
20 academic achievement, complete the program and earn the program's  
21 certificate or credential, and complete other state and local  
22 graduation requirements.

23 (c) The state board shall forward any proposed changes to the high  
24 school graduation requirements to the education committees of the  
25 legislature for review and to the quality education council established  
26 under RCW 28A.290.010. The legislature shall have the opportunity to  
27 act during a regular legislative session before the changes are adopted  
28 through administrative rule by the state board. Changes that have a  
29 fiscal impact on school districts, as identified by a fiscal analysis  
30 prepared by the office of the superintendent of public instruction,  
31 shall take effect only if formally authorized and funded by the  
32 legislature through the omnibus appropriations act or other enacted  
33 legislation.

34 (3) Pursuant to any requirement for instruction in languages other  
35 than English established by the state board of education or a local  
36 school district, or both, for purposes of high school graduation,  
37 students who receive instruction in American sign language or one or

1 more American Indian languages shall be considered to have satisfied  
2 the state or local school district graduation requirement for  
3 instruction in one or more languages other than English.

4 (4) If requested by the student and his or her family, a student  
5 who has completed high school courses before attending high school  
6 shall be given high school credit which shall be applied to fulfilling  
7 high school graduation requirements if:

8 (a) The course was taken with high school students, if the academic  
9 level of the course exceeds the requirements for seventh and eighth  
10 grade classes, and the student has successfully passed by completing  
11 the same course requirements and examinations as the high school  
12 students enrolled in the class; or

13 (b) The academic level of the course exceeds the requirements for  
14 seventh and eighth grade classes and the course would qualify for high  
15 school credit, because the course is similar or equivalent to a course  
16 offered at a high school in the district as determined by the school  
17 district board of directors.

18 (5) Students who have taken and successfully completed high school  
19 courses under the circumstances in subsection (4) of this section shall  
20 not be required to take an additional competency examination or perform  
21 any other additional assignment to receive credit.

22 (6) At the college or university level, five quarter or three  
23 semester hours equals one high school credit.

24 **Sec. 5.** RCW 28A.230.120 and 2008 c 185 s 1 are each amended to  
25 read as follows:

26 (1) School districts shall issue diplomas to students signifying  
27 graduation from high school upon the students' satisfactory completion  
28 of all local and state graduation requirements or upon completion of  
29 the requirements in section 3 of this act. Districts shall grant  
30 students the option of receiving a final transcript in addition to the  
31 regular diploma.

32 (2) School districts or schools of attendance shall establish  
33 policies and procedures to notify senior students of the transcript  
34 option and shall direct students to indicate their decisions in a  
35 timely manner. School districts shall make appropriate provisions to  
36 assure that students who choose to receive a copy of their final  
37 transcript shall receive such transcript after graduation.

1 (3)(a) A school district may issue a high school diploma to a  
2 person who:

3 (i) Is an honorably discharged member of the armed forces of the  
4 United States; and

5 (ii) Left high school before graduation to serve in World War II,  
6 the Korean conflict, or the Vietnam era as defined in RCW 41.04.005.

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

11 (c) The superintendent of public instruction shall adopt a form for  
12 a diploma application to be used by a veteran or a person acting on  
13 behalf of a deceased veteran under this subsection (3). The  
14 superintendent of public instruction shall specify what constitutes  
15 acceptable evidence of eligibility for a diploma.

16 **Sec. 6.** RCW 28A.655.061 and 2009 c 524 s 5 are each amended to  
17 read as follows:

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

28 (2) Subject to the conditions in this section, a certificate of  
29 academic achievement shall be obtained by most students at about the  
30 age of sixteen, and is evidence that the students have successfully met  
31 the state standard in the content areas included in the certificate.  
32 With the exception of students satisfying the provisions of RCW  
33 28A.155.045 (~~(e)~~), 28A.655.0611, or section 3 of this act, acquisition  
34 of the certificate is required for graduation from a public high school  
35 but is not the only requirement for graduation.

36 (3) Beginning with the graduating class of 2008, with the exception  
37 of students satisfying the provisions of RCW 28A.155.045, a student who

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

18 (4) Beginning no later than with the graduating class of 2013, a  
19 student must meet the state standards in science in addition to the  
20 other content areas required under subsection (3) of this section on  
21 the Washington assessment of student learning or the objective  
22 alternative assessments in order to earn a certificate of academic  
23 achievement. The state board of education may adopt a rule that  
24 implements the requirements of this subsection (4) beginning with a  
25 graduating class before the graduating class of 2013, if the state  
26 board of education adopts the rule by September 1st of the freshman  
27 school year of the graduating class to which the requirements of this  
28 subsection (4) apply. The state board of education's authority under  
29 this subsection (4) does not alter the requirement that any change in  
30 performance standards for the tenth grade assessment must comply with  
31 RCW 28A.305.130.

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

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



1 (7) School districts must make available to students the following  
2 options:

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

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

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

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

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

34 (b)(i) A student's score on the mathematics, reading or English, or  
35 writing portion of the SAT or the ACT may be used as an objective  
36 alternative assessment under this section for demonstrating that a  
37 student has met or exceeded the state standards for the certificate of  
38 academic achievement. The state board of education shall identify the

1 scores students must achieve on the relevant portion of the SAT or ACT  
2 to meet or exceed the state standard in the relevant content area on  
3 the Washington assessment of student learning. The state board of  
4 education shall identify the first scores by December 1, 2007. After  
5 the first scores are established, the state board may increase but not  
6 decrease the scores required for students to meet or exceed the state  
7 standards.

8 (ii) Until August 31, 2008, a student's score on the mathematics  
9 portion of the PSAT may be used as an objective alternative assessment  
10 under this section for demonstrating that a student has met or exceeded  
11 the state standard for the certificate of academic achievement. The  
12 state board of education shall identify the score students must achieve  
13 on the mathematics portion of the PSAT to meet or exceed the state  
14 standard in that content area on the Washington assessment of student  
15 learning.

16 (iii) A student who scores at least a three on the grading scale of  
17 one to five for selected AP examinations may use the score as an  
18 objective alternative assessment under this section for demonstrating  
19 that a student has met or exceeded state standards for the certificate  
20 of academic achievement. A score of three on the AP examinations in  
21 calculus or statistics may be used as an alternative assessment for the  
22 mathematics portion of the Washington assessment of student learning.  
23 A score of three on the AP examinations in English language and  
24 composition may be used as an alternative assessment for the writing  
25 portion of the Washington assessment of student learning. A score of  
26 three on the AP examinations in English literature and composition,  
27 macroeconomics, microeconomics, psychology, United States history,  
28 world history, United States government and politics, or comparative  
29 government and politics may be used as an alternative assessment for  
30 the reading portion of the Washington assessment of student learning.

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

37 (12) To help assure continued progress in academic achievement as  
38 a foundation for high school graduation and to assure that students are

1 on track for high school graduation, each school district shall prepare  
2 plans for and notify students and their parents or legal guardians as  
3 provided in this subsection (12).

4 (a) Student learning plans are required for eighth through twelfth  
5 grade students who were not successful on any or all of the content  
6 areas of the Washington assessment for student learning during the  
7 previous school year or who may not be on track to graduate due to  
8 credit deficiencies or absences. The parent or legal guardian shall be  
9 notified about the information in the student learning plan, preferably  
10 through a parent conference and at least annually. To the extent  
11 feasible, schools serving English language learner students and their  
12 parents shall translate the plan into the primary language of the  
13 family. The plan shall include the following information as  
14 applicable:

15 (i) The student's results on the Washington assessment of student  
16 learning;

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

19 (iii) Any credit deficiencies;

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

21 (v) The student's progress toward meeting state and local  
22 graduation requirements;

23 (vi) The courses, competencies, and other steps needed to be taken  
24 by the student to meet state academic standards and stay on track for  
25 graduation;

26 (vii) Remediation strategies and alternative education options  
27 available to students, including informing students of the option to  
28 continue to receive instructional services after grade twelve or until  
29 the age of twenty-one;

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

32 (ix) School district programs, high school courses, and career and  
33 technical education options available for students to meet graduation  
34 requirements; and

35 (x) Available programs offered through skill centers or community  
36 and technical colleges, including the college high school diploma  
37 options under RCW 28B.50.535.

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

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

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

13 **Sec. 7.** RCW 28A.655.0611 and 2009 c 17 s 1 are each amended to  
14 read as follows:

15 (1) Beginning with the graduating class of 2008 and through no  
16 later than the graduating class of 2012, students may graduate from  
17 high school without earning a certificate of academic achievement or a  
18 certificate of individual achievement if they:

19 (a) Have not successfully met the mathematics standard on the high  
20 school Washington assessment of student learning, an approved objective  
21 alternative assessment, or an alternate assessment developed for  
22 eligible special education students;

23 (b) Have successfully met the state standard in the other content  
24 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

25 (c) Have met all other state and school district graduation  
26 requirements; and

27 (d)(i) For the graduating class of 2008, successfully earn one high  
28 school mathematics credit or career and technical course equivalent,  
29 including courses offered at skill centers, after the student's  
30 eleventh grade year intended to increase the student's mathematics  
31 proficiency toward meeting or exceeding the mathematics standards  
32 assessed on the high school Washington assessment of student learning;  
33 and

34 (ii) For the remaining graduating classes under this section,  
35 successfully earn two mathematics credits or career and technical  
36 course equivalent, including courses offered at skill centers, after  
37 the student's tenth grade year intended to increase the student's

1 mathematics proficiency toward meeting or exceeding the mathematics  
2 standards assessed on the high school Washington assessment of student  
3 learning.

4 (2) The state board of education may adopt a rule that ends the  
5 application of this section with a graduating class before the  
6 graduating class of 2012, if the state board of education adopts the  
7 rule by September 1st of the freshman school year of the graduating  
8 class to which the provisions of this section no longer apply. The  
9 state board of education's authority under this section does not alter  
10 the requirement that any change in performance standards for the tenth  
11 grade assessment must comply with RCW 28A.305.130.

12 (3) This section does not apply to students who meet the  
13 requirements of section 3 of this act.

14 (4) This section expires August 31, 2013.

15 **Sec. 8.** RCW 28A.155.045 and 2007 c 354 s 3 are each amended to  
16 read as follows:

17 Beginning with the graduating class of 2008, students served under  
18 this chapter, who are not appropriately assessed by the high school  
19 Washington assessment system as defined in RCW 28A.655.061, even with  
20 accommodations, may earn a certificate of individual achievement. The  
21 certificate may be earned using multiple ways to demonstrate skills and  
22 abilities commensurate with their individual education programs. The  
23 determination of whether the high school assessment system is  
24 appropriate shall be made by the student's individual education program  
25 team. Except as provided in RCW 28A.655.0611 and section 3 of this  
26 act, for these students, the certificate of individual achievement is  
27 required for graduation from a public high school, but need not be the  
28 only requirement for graduation. When measures other than the high  
29 school assessment system as defined in RCW 28A.655.061 are used, the  
30 measures shall be in agreement with the appropriate educational  
31 opportunity provided for the student as required by this chapter. The  
32 superintendent of public instruction shall develop the guidelines for  
33 determining which students should not be required to participate in the  
34 high school assessment system and which types of assessments are  
35 appropriate to use.

36 When measures other than the high school assessment system as

1 defined in RCW 28A.655.061 are used for high school graduation  
2 purposes, the student's high school transcript shall note whether that  
3 student has earned a certificate of individual achievement.

4 Nothing in this section shall be construed to deny a student the  
5 right to participation in the high school assessment system as defined  
6 in RCW 28A.655.061, and, upon successfully meeting the high school  
7 standard, receipt of the certificate of academic achievement.

8 NEW SECTION. **Sec. 9.** Section 2 of this act takes effect September  
9 1, 2011.

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