
HOUSE BILL 2333

State of Washington

62nd Legislature

2012 Regular Session

By Representatives Lytton, Maxwell, Wylie, Probst, Reykdal, Jinkins, Appleton, Fitzgibbon, McCoy, Billig, Springer, Orwall, Tharinger, Roberts, and Van De Wege

Read first time 01/11/12. Referred to Committee on Education.

1 AN ACT Relating to reducing state requirements on local school
2 districts; amending RCW 28A.165.025, 28A.305.130, 28A.655.061,
3 28A.655.185, 28A.655.200, 28A.655.070, 28A.655.065, 28A.230.095,
4 28A.230.090, and 43.09.260; and providing an effective date.

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

6 **Sec. 1.** RCW 28A.165.025 and 2009 c 556 s 1 are each amended to
7 read as follows:

8 (1) A participating school district shall submit the district's
9 plan for using learning assistance funds to the office of the
10 superintendent of public instruction for approval, to the extent
11 required under subsection (2) of this section. The program plan must
12 identify the program activities to be implemented from RCW 28A.165.035
13 and implement all of the elements in (a) through (h) of this
14 subsection. The school district plan shall include the following:

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

18 (b) Processes used for identifying the underachieving students to

1 be served by the program, including the identification of school or
2 program sites providing program activities;

3 (c) How accelerated learning plans are developed and implemented
4 for participating students. Accelerated learning plans may be
5 developed as part of existing student achievement plan process such as
6 student plans for achieving state high school graduation standards,
7 individual student academic plans, or the achievement plans for groups
8 of students. Accelerated learning plans shall include:

9 (i) Achievement goals for the students;

10 (ii) Roles of the student, parents, or guardians and teachers in
11 the plan;

12 (iii) Communication procedures regarding student accomplishment;
13 and

14 (iv) Plan reviews and adjustments processes;

15 (d) How state level and classroom assessments are used to inform
16 instruction;

17 (e) How focused and intentional instructional strategies have been
18 identified and implemented;

19 (f) How highly qualified instructional staff are developed and
20 supported in the program and in participating schools;

21 (g) How other federal, state, district, and school resources are
22 coordinated with school improvement plans and the district's strategic
23 plan to support underachieving students; and

24 (h) How a program evaluation will be conducted to determine
25 direction for the following school year.

26 (2) If a school district has received approval of its plan once, it
27 is not required to submit a plan for approval under RCW 28A.165.045 or
28 this section unless the district has made a significant change to the
29 plan. If a district has made a significant change to only a portion of
30 the plan the district need only submit a description of the changes
31 made and not the entire plan. Plans or descriptions of changes to the
32 plan must be submitted by July 1st as required under this section. The
33 office of the superintendent of public instruction shall establish
34 guidelines for what a "significant change" is.

35 **Sec. 2.** RCW 28A.305.130 and 2011 1st sp.s. c 6 s 1 are each
36 amended to read as follows:

37 The purpose of the state board of education is to provide advocacy

1 and strategic oversight of public education; implement a standards-
2 based accountability framework that creates a unified system of
3 increasing levels of support for schools in order to improve student
4 academic achievement; provide leadership in the creation of a system
5 that personalizes education for each student and respects diverse
6 cultures, abilities, and learning styles; and promote achievement of
7 the goals of RCW 28A.150.210. In addition to any other powers and
8 duties as provided by law, the state board of education shall:

9 (1) Hold regularly scheduled meetings at such time and place within
10 the state as the board shall determine and may hold such special
11 meetings as may be deemed necessary for the transaction of public
12 business;

13 (2) Form committees as necessary to effectively and efficiently
14 conduct the work of the board;

15 (3) Seek advice from the public and interested parties regarding
16 the work of the board;

17 (4) For purposes of statewide accountability:

18 (a) Adopt and revise performance improvement goals in reading,
19 (~~writing~~) science, and mathematics, by subject and grade level, once
20 assessments in these subjects are required statewide; academic and
21 technical skills, as appropriate, in secondary career and technical
22 education programs; and student attendance, as the board deems
23 appropriate to improve student learning. The goals shall be consistent
24 with student privacy protection provisions of RCW 28A.655.090(7) and
25 shall not conflict with requirements contained in Title I of the
26 federal elementary and secondary education act of 1965, or the
27 requirements of the Carl D. Perkins vocational education act of 1998,
28 each as amended. The goals may be established for all students,
29 economically disadvantaged students, limited English proficient
30 students, students with disabilities, and students from
31 disproportionately academically underachieving racial and ethnic
32 backgrounds. The board may establish school and school district goals
33 addressing high school graduation rates and dropout reduction goals for
34 students in grades seven through twelve. The board shall adopt the
35 goals by rule. However, before each goal is implemented, the board
36 shall present the goal to the education committees of the house of
37 representatives and the senate for the committees' review and comment

1 in a time frame that will permit the legislature to take statutory
2 action on the goal if such action is deemed warranted by the
3 legislature;

4 (b) Identify the scores students must achieve in order to meet the
5 standard on the statewide student assessment and, for high school
6 students, to obtain a certificate of academic achievement. The board
7 shall also determine student scores that identify levels of student
8 performance below and beyond the standard. The board shall consider
9 the incorporation of the standard error of measurement into the
10 decision regarding the award of the certificates. The board shall set
11 such performance standards and levels in consultation with the
12 superintendent of public instruction and after consideration of any
13 recommendations that may be developed by any advisory committees that
14 may be established for this purpose. The legislature shall be advised
15 of the initial performance standards for the high school statewide
16 student assessment. Any changes recommended by the board in the
17 performance standards for the high school assessment shall be presented
18 to the education committees of the house of representatives and the
19 senate by November 30th of the school year in which the changes will
20 take place to permit the legislature to take statutory action before
21 the changes are implemented if such action is deemed warranted by the
22 legislature. The legislature shall be advised of the initial
23 performance standards and any changes made to the elementary level
24 performance standards and the middle school level performance
25 standards. The board must provide an explanation of and rationale for
26 all initial performance standards and any changes, for all grade levels
27 of the statewide student assessment. If the board changes the
28 performance standards for any grade level or subject, the
29 superintendent of public instruction must recalculate the results from
30 the previous ten years of administering that assessment regarding
31 students below, meeting, and beyond the state standard, to the extent
32 that this data is available, and post a comparison of the original and
33 recalculated results on the superintendent's web site;

34 (c) Annually review the assessment reporting system to ensure
35 fairness, accuracy, timeliness, and equity of opportunity, especially
36 with regard to schools with special circumstances and unique
37 populations of students, and a recommendation to the superintendent of
38 public instruction of any improvements needed to the system; and

1 (d) Include in the biennial report required under RCW 28A.305.035,
2 information on the progress that has been made in achieving goals
3 adopted by the board;

4 (5) Accredite, subject to such accreditation standards and
5 procedures as may be established by the state board of education, all
6 private schools that apply for accreditation, and approve, subject to
7 the provisions of RCW 28A.195.010, private schools carrying out a
8 program for any or all of the grades kindergarten through twelve.
9 However, no private school may be approved that operates a kindergarten
10 program only and no private school shall be placed upon the list of
11 accredited schools so long as secret societies are knowingly allowed to
12 exist among its students by school officials;

13 (6) Articulate with the institutions of higher education, workforce
14 representatives, and early learning policymakers and providers to
15 coordinate and unify the work of the public school system;

16 (7) Hire an executive director and an administrative assistant to
17 reside in the office of the superintendent of public instruction for
18 administrative purposes. Any other personnel of the board shall be
19 appointed as provided by RCW 28A.300.020. The board may delegate to
20 the executive director by resolution such duties as deemed necessary to
21 efficiently carry on the business of the board including, but not
22 limited to, the authority to employ necessary personnel and the
23 authority to enter into, amend, and terminate contracts on behalf of
24 the board. The executive director, administrative assistant, and all
25 but one of the other personnel of the board are exempt from civil
26 service, together with other staff as now or hereafter designated as
27 exempt in accordance with chapter 41.06 RCW; and

28 (8) Adopt a seal that shall be kept in the office of the
29 superintendent of public instruction.

30 **Sec. 3.** RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each
31 amended to read as follows:

32 (1) The high school assessment system shall include but need not be
33 limited to the statewide student assessment, opportunities for a
34 student to retake the content areas of the assessment in which the
35 student was not successful, and, if approved by the legislature
36 pursuant to subsection (10) of this section, one or more objective
37 alternative assessments for a student to demonstrate achievement of

1 state academic standards. The objective alternative assessments for
2 each content area shall be comparable in rigor to the skills and
3 knowledge that the student must demonstrate on the statewide student
4 assessment for each content area.

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

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

31 (4) Beginning with the graduating class of 2015, a student must
32 meet the state standards in science in addition to the other content
33 areas required under subsection (3) of this section on the statewide
34 student assessment or the objective alternative assessments in order to
35 earn a certificate of academic achievement.

36 (5) The state board of education may not require the acquisition of
37 the certificate of academic achievement for students in home-based

1 instruction under chapter 28A.200 RCW, for students enrolled in private
2 schools under chapter 28A.195 RCW, or for students satisfying the
3 provisions of RCW 28A.155.045.

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

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

8 (a) To retake the statewide student assessment up to four times in
9 the content areas in which the student did not meet the state standards
10 if the student is enrolled in a public school; or

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

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

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

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

1 (b)(i) A student's score on the mathematics(~~(7)~~) or reading or
2 English(~~(7, or writing)~~) portion of the SAT or the ACT may be used as an
3 objective alternative assessment under this section for demonstrating
4 that a student has met or exceeded the state standards for the
5 certificate of academic achievement. The state board of education
6 shall identify the scores students must achieve on the relevant portion
7 of the SAT or ACT to meet or exceed the state standard in the relevant
8 content area on the statewide student assessment. A student's score on
9 the science portion of the ACT or the science subject area tests of the
10 SAT may be used as an objective alternative assessment under this
11 section as soon as the state board of education determines that
12 sufficient data is available to identify reliable equivalent scores for
13 the science content area of the statewide student assessment. After
14 the first scores are established, the state board may increase but not
15 decrease the scores required for students to meet or exceed the state
16 standards.

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

35 (11) By December 15, 2004, the house of representatives and senate
36 education committees shall obtain information and conclusions from
37 recognized, independent, national assessment experts regarding the

1 validity and reliability of the high school Washington assessment of
2 student learning for making individual student high school graduation
3 determinations.

4 (12) To help assure continued progress in academic achievement as
5 a foundation for high school graduation and to assure that students are
6 on track for high school graduation, each school district shall prepare
7 plans for and notify students and their parents or legal guardians as
8 provided in this subsection. Student learning plans are required for
9 eighth grade students who were not successful on any or all of the
10 content areas of the state assessment during the previous school year
11 or who may not be on track to graduate due to credit deficiencies or
12 absences. The parent or legal guardian shall be notified about the
13 information in the student learning plan, preferably through a parent
14 conference and at least annually. To the extent feasible, schools
15 serving English language learner students and their parents shall
16 translate the plan into the primary language of the family. The plan
17 shall include the following information as applicable:

18 (a) The student's results on the state assessment;

19 (b) If the student is in the transitional bilingual program, the
20 score on his or her Washington language proficiency test II;

21 (c) Any credit deficiencies;

22 (d) The student's attendance rates over the previous two years;

23 (e) The student's progress toward meeting state and local
24 graduation requirements;

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

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

32 (h) The alternative assessment options available to students under
33 this section and RCW 28A.655.065;

34 (i) School district programs, high school courses, and career and
35 technical education options available for students to meet graduation
36 requirements; and

37 (j) Available programs offered through skill centers or community

1 and technical colleges, including the college high school diploma
2 options under RCW 28B.50.535.

3 **Sec. 4.** RCW 28A.655.185 and 2005 c 495 s 1 are each amended to
4 read as follows:

5 (1) It is the intent of the legislature, through the creation of
6 the apple award, to honor and reward students in Washington's public
7 elementary schools who have shown significant improvement in their
8 school's results on the ((Washington)) statewide student assessment
9 ((of student learning)).

10 (2) The apple award program is created to honor and reward public
11 elementary schools that have the greatest combined average increase in
12 the percentage of students meeting the fourth grade reading((~~7~~)) and
13 mathematics((~~7~~ and writing)) standards on the ((Washington)) statewide
14 student assessment ((of student learning)) each school year. The
15 program shall be administered by the state board of education.

16 (3) Within the amounts appropriated for this purpose, each school
17 that receives an apple award shall be provided with a twenty-five
18 thousand dollar grant to be used for capital construction purposes that
19 have been selected by students in the school and approved by the
20 district's school directors. The funds may be used exclusively for
21 capital construction projects on school property or on other public
22 property in the community, city, or county in which the school is
23 located.

24 **Sec. 5.** RCW 28A.655.200 and 2009 c 539 s 1 are each amended to
25 read as follows:

26 (1) The legislature intends to permit school districts to offer
27 norm-referenced assessments, make diagnostic tools available to school
28 districts, and provide funding for diagnostic assessments to enhance
29 student learning at all grade levels and provide early intervention
30 before the high school ((Washington)) statewide student assessment ((of
31 ~~student learning~~)).

32 (2) In addition to the diagnostic assessments provided under this
33 section, school districts may, at their own expense, administer norm-
34 referenced assessments to students.

35 (3) Subject to the availability of amounts appropriated for this
36 purpose, the office of the superintendent of public instruction shall

1 post on its web site for voluntary use by school districts, a guide of
2 diagnostic assessments. The assessments in the guide, to the extent
3 possible, shall include the characteristics listed in subsection (4) of
4 this section.

5 (4) Subject to the availability of amounts appropriated for this
6 purpose, beginning September 1, 2007, the office of the superintendent
7 of public instruction shall make diagnostic assessments in reading,
8 (~~writing,~~) mathematics, and science in elementary, middle, and high
9 school grades available to school districts. Subject to funds
10 appropriated for this purpose, the office of the superintendent of
11 public instruction shall also provide funding to school districts for
12 administration of diagnostic assessments to help improve student
13 learning, identify academic weaknesses, enhance student planning and
14 guidance, and develop targeted instructional strategies to assist
15 students before the high school (~~Washington~~) statewide student
16 assessment (~~of student learning~~). To the greatest extent possible,
17 the assessments shall be:

- 18 (a) Aligned to the state's grade level expectations;
- 19 (b) Individualized to each student's performance level;
- 20 (c) Administered efficiently to provide results either immediately
21 or within two weeks;
- 22 (d) Capable of measuring individual student growth over time and
23 allowing student progress to be compared to other students across the
24 country;
- 25 (e) Readily available to parents; and
- 26 (f) Cost-effective.

27 (5) The office of the superintendent of public instruction shall
28 offer training at statewide and regional staff development activities
29 in:

- 30 (a) The interpretation of diagnostic assessments; and
- 31 (b) Application of instructional strategies that will increase
32 student learning based on diagnostic assessment data.

33 **Sec. 6.** RCW 28A.655.070 and 2008 c 163 s 2 are each amended to
34 read as follows:

35 (1) The superintendent of public instruction shall develop
36 essential academic learning requirements that identify the knowledge
37 and skills all public school students need to know and be able to do

1 based on the student learning goals in RCW 28A.150.210, develop student
2 assessments, and implement the accountability recommendations and
3 requests regarding assistance, rewards, and recognition of the state
4 board of education.

5 (2) The superintendent of public instruction shall:

6 (a) Periodically revise the essential academic learning
7 requirements, as needed, based on the student learning goals in RCW
8 28A.150.210. Goals one and two shall be considered primary. To the
9 maximum extent possible, the superintendent shall integrate goal four
10 and the knowledge and skill areas in the other goals in the essential
11 academic learning requirements; and

12 (b) Review and prioritize the essential academic learning
13 requirements and identify, with clear and concise descriptions, the
14 grade level content expectations to be assessed on the ((Washington))
15 statewide student assessment ((of student learning)) and used for state
16 or federal accountability purposes. The review, prioritization, and
17 identification shall result in more focus and targeting with an
18 emphasis on depth over breadth in the number of grade level content
19 expectations assessed at each grade level. Grade level content
20 expectations shall be articulated over the grades as a sequence of
21 expectations and performances that are logical, build with increasing
22 depth after foundational knowledge and skills are acquired, and
23 reflect, where appropriate, the sequential nature of the discipline.
24 The office of the superintendent of public instruction, within seven
25 working days, shall post on its web site any grade level content
26 expectations provided to an assessment vendor for use in constructing
27 the ((Washington)) statewide student assessment ((of student
28 learning)).

29 (3)(a) In consultation with the state board of education, the
30 superintendent of public instruction shall maintain and continue to
31 develop and revise a statewide academic assessment system in the
32 content areas of reading, ((writing,)) mathematics, and science for use
33 in the elementary, middle, and high school years designed to determine
34 if each student has mastered the essential academic learning
35 requirements identified in subsection (1) of this section. School
36 districts shall administer the assessments under guidelines adopted by
37 the superintendent of public instruction. The academic assessment

1 system may include a variety of assessment methods, including
2 criterion-referenced and performance-based measures.

3 (b) Effective with the 2009 administration of the ((Washington))
4 statewide student assessment ((of student learning)), the
5 superintendent shall redesign the assessment in the content areas of
6 reading, mathematics, and science in all grades except high school by
7 shortening test administration and reducing the number of short answer
8 and extended response questions.

9 (4) If the superintendent proposes any modification to the
10 essential academic learning requirements or the statewide assessments,
11 then the superintendent shall, upon request, provide opportunities for
12 the education committees of the house of representatives and the senate
13 to review the assessments and proposed modifications to the essential
14 academic learning requirements before the modifications are adopted.

15 (5) The assessment system shall be designed so that the results
16 under the assessment system are used by educators as tools to evaluate
17 instructional practices, and to initiate appropriate educational
18 support for students who have not mastered the essential academic
19 learning requirements at the appropriate periods in the student's
20 educational development.

21 (6) By September 2007, the results for reading and mathematics
22 shall be reported in a format that will allow parents and teachers to
23 determine the academic gain a student has acquired in those content
24 areas from one school year to the next.

25 (7) To assist parents and teachers in their efforts to provide
26 educational support to individual students, the superintendent of
27 public instruction shall provide as much individual student performance
28 information as possible within the constraints of the assessment
29 system's item bank. The superintendent shall also provide to school
30 districts:

31 (a) Information on classroom-based and other assessments that may
32 provide additional achievement information for individual students; and

33 (b) A collection of diagnostic tools that educators may use to
34 evaluate the academic status of individual students. The tools shall
35 be designed to be inexpensive, easily administered, and quickly and
36 easily scored, with results provided in a format that may be easily
37 shared with parents and students.

1 (8) To the maximum extent possible, the superintendent shall
2 integrate knowledge and skill areas in development of the assessments.

3 (9) Assessments for goals three and four of RCW 28A.150.210 shall
4 be integrated in the essential academic learning requirements and
5 assessments for goals one and two.

6 (10) The superintendent shall develop assessments that are directly
7 related to the essential academic learning requirements, and are not
8 biased toward persons with different learning styles, racial or ethnic
9 backgrounds, or on the basis of gender.

10 (11) The superintendent shall consider methods to address the
11 unique needs of special education students when developing the
12 assessments under this section.

13 (12) The superintendent shall consider methods to address the
14 unique needs of highly capable students when developing the assessments
15 under this section.

16 (13) The superintendent shall post on the superintendent's web site
17 lists of resources and model assessments in writing, social studies,
18 the arts, and health and fitness.

19 **Sec. 7.** RCW 28A.655.065 and 2009 c 556 s 19 are each amended to
20 read as follows:

21 (1) The legislature has made a commitment to rigorous academic
22 standards for receipt of a high school diploma. The primary way that
23 students will demonstrate that they meet the standards in reading,
24 (~~writing~~) mathematics, and science is through the (~~Washington~~)
25 statewide student assessment (~~of student learning~~). Only objective
26 assessments that are comparable in rigor to the state assessment are
27 authorized as an alternative assessment. Before seeking an alternative
28 assessment, the legislature expects students to make a genuine effort
29 to meet state standards, through regular and consistent attendance at
30 school and participation in extended learning and other assistance
31 programs.

32 (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,
33 the superintendent of public instruction shall implement objective
34 alternative assessment methods as provided in this section for students
35 to demonstrate achievement of the state standards in content areas in
36 which the student has not yet met the standard on the high school
37 (~~Washington~~) statewide student assessment (~~of student learning~~).

1 A student may access an alternative if the student meets applicable
2 eligibility criteria in RCW 28A.655.061 and this section and other
3 eligibility criteria established by the superintendent of public
4 instruction, including but not limited to attendance criteria and
5 participation in the remediation or supplemental instruction contained
6 in the student learning plan developed under RCW 28A.655.061. A school
7 district may waive attendance and/or remediation criteria for special,
8 unavoidable circumstances.

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

12 (4) One alternative assessment method shall be a combination of the
13 applicant's grades in applicable courses and the applicant's highest
14 score on the high school (~~(Washington)~~) statewide student assessment
15 (~~(of student learning)~~), as provided in this subsection. A student is
16 eligible to apply for the alternative assessment method under this
17 subsection (4) if the student has a cumulative grade point average of
18 at least 3.2 on a four point grading scale. The superintendent of
19 public instruction shall determine which high school courses are
20 applicable to the alternative assessment method and shall issue
21 guidelines to school districts.

22 (a) Using guidelines prepared by the superintendent of public
23 instruction, a school district shall identify the group of students in
24 the same school as the applicant who took the same high school courses
25 as the applicant in the applicable content area. From the group of
26 students identified in this manner, the district shall select the
27 comparison cohort that shall be those students who met or slightly
28 exceeded the state standard on the (~~(Washington)~~) statewide student
29 assessment (~~(of student learning)~~).

30 (b) The district shall compare the applicant's grades in high
31 school courses in the applicable content area to the grades of students
32 in the comparison cohort for the same high school courses. If the
33 applicant's grades are equal to or above the mean grades of the
34 comparison cohort, the applicant shall be deemed to have met the state
35 standard on the alternative assessment.

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

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

7 (a) The superintendent of public instruction shall develop
8 guidelines for the types and number of work samples in each content
9 area that may be submitted as a collection of evidence that the
10 applicant has met the state standard in that content area. Work
11 samples may be collected from academic, career and technical, or
12 remedial courses and may include performance tasks as well as written
13 products. The superintendent shall submit the guidelines for approval
14 by the state board of education.

15 (b) The superintendent shall develop protocols for submission of
16 the collection of work samples that include affidavits from the
17 applicant's teachers and school district that the samples are the work
18 of the applicant and a requirement that a portion of the samples be
19 prepared under the direct supervision of a classroom teacher. The
20 superintendent shall submit the protocols for approval by the state
21 board of education.

22 (c) The superintendent shall develop uniform scoring criteria for
23 evaluating the collection of work samples and submit the scoring
24 criteria for approval by the state board of education. Collections
25 shall be scored at the state level or regionally by a panel of
26 educators selected and trained by the superintendent to ensure
27 objectivity, reliability, and rigor in the evaluation. An educator may
28 not score work samples submitted by applicants from the educator's
29 school district. If the panel awards an applicant's collection of work
30 samples the minimum required score, the applicant shall be deemed to
31 have met the state standard on the alternative assessment.

32 (d) Using an open and public process that includes consultation
33 with district superintendents, school principals, and other educators,
34 the state board of education shall consider the guidelines, protocols,
35 scoring criteria, and other information regarding the collection of
36 work samples submitted by the superintendent of public instruction.
37 The collection of work samples may be implemented as an alternative
38 assessment after the state board of education has approved the

1 guidelines, protocols, and scoring criteria and determined that the
2 collection of work samples: (i) Will meet professionally accepted
3 standards for a valid and reliable measure of the grade level
4 expectations and the essential academic learning requirements; and (ii)
5 is comparable to or exceeds the rigor of the skills and knowledge that
6 a student must demonstrate on the (~~Washington~~) statewide student
7 assessment (~~of student learning~~) in the applicable content area. The
8 state board shall make an approval decision and determination no later
9 than December 1, 2006, and thereafter may increase the required rigor
10 of the collection of work samples.

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

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

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

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

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

33 (b) The purpose of the additional guidelines is to provide a clear
34 pathway toward a certificate of academic achievement for career and
35 technical students by showing them applied and relevant opportunities
36 to demonstrate their knowledge and skills, and to provide guidance to
37 teachers in integrating academic and career and technical instruction
38 and assessment and assisting career and technical students in compiling

1 a collection. The superintendent of public instruction shall develop
2 and disseminate additional guidelines for no fewer than ten career and
3 technical education programs representing a variety of program
4 offerings by no later than September 1, 2008. Guidelines for ten
5 additional programs shall be developed and disseminated no later than
6 June 1, 2009.

7 (c) The superintendent shall consult with community and technical
8 colleges, employers, the workforce training and education coordinating
9 board, apprenticeship programs, and other regional and national experts
10 in career and technical education to create appropriate guidelines and
11 examples of work samples and other evidence of a career and technical
12 student's knowledge and skills on the state academic standards.

13 (7) The superintendent of public instruction shall study the
14 feasibility of using existing mathematics assessments in languages
15 other than English as an additional alternative assessment option. The
16 study shall include an estimation of the cost of translating the tenth
17 grade mathematics assessment into other languages and scoring the
18 assessments should they be implemented.

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

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

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

29 (9) The state board of education shall examine opportunities for
30 additional alternative assessments, including the possible use of one
31 or more standardized norm-referenced student achievement tests and the
32 possible use of the reading(~~(, writing,)~~) or mathematics portions of
33 the ACT ASSET and ACT COMPASS test instruments as objective alternative
34 assessments for demonstrating that a student has met the state
35 standards for the certificate of academic achievement. The state board
36 shall submit its findings and recommendations to the education
37 committees of the legislature by January 10, 2008.

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

3 **Sec. 8.** RCW 28A.230.095 and 2011 c 185 s 5 are each amended to
4 read as follows:

5 (1) By the end of the ((2008-09)) 2015-16 school year, school
6 districts shall have in place in elementary schools, middle schools,
7 and high schools assessments or other strategies chosen by the district
8 to assure that students have an opportunity to learn the essential
9 academic learning requirements in writing, social studies, the arts,
10 and health and fitness. Social studies includes history, geography,
11 civics, economics, and social studies skills. Health and fitness
12 includes, but is not limited to, mental health and suicide prevention
13 education. Beginning with the ((2008-09)) 2015-16 school year, school
14 districts shall annually submit an implementation verification report
15 to the office of the superintendent of public instruction. The office
16 of the superintendent of public instruction may not require school
17 districts to use a classroom-based assessment in writing, social
18 studies, the arts, and health and fitness to meet the requirements of
19 this section and shall clearly communicate to districts their option to
20 use other strategies chosen by the district.

21 (2) Beginning with the ((2008-09)) 2015-16 school year, school
22 districts shall require students in the seventh or eighth grade, and
23 the eleventh or twelfth grade to each complete at least one classroom-
24 based assessment in civics. Beginning with the ((2010-11)) 2015-16
25 school year, school districts shall require students in the fourth or
26 fifth grade to complete at least one classroom-based assessment in
27 civics. The civics assessment may be selected from a list of
28 classroom-based assessments approved by the office of the
29 superintendent of public instruction. Beginning with the ((2008-09))
30 2015-16 school year, school districts shall annually submit
31 implementation verification reports to the office of the superintendent
32 of public instruction documenting the use of the classroom-based
33 assessments in civics.

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

1 **Sec. 9.** RCW 28A.230.090 and 2011 c 203 s 2 are each amended to
2 read as follows:

3 (1) The state board of education shall establish high school
4 graduation requirements or equivalencies for students, except as
5 provided in RCW 28A.230.122 and except those equivalencies established
6 by local high schools or school districts under RCW 28A.230.097. The
7 purpose of a high school diploma is to declare that a student is ready
8 for success in postsecondary education, gainful employment, and
9 citizenship, and is equipped with the skills to be a lifelong learner.

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

14 (b) The certificate of academic achievement requirements under RCW
15 28A.655.061 or the certificate of individual achievement requirements
16 under RCW 28A.155.045 are required for graduation from a public high
17 school but are not the only requirements for graduation.

18 (c) The state board may not adopt a requirement for completion of
19 a culminating project. The state board may adopt a requirement for
20 completion of a high school and beyond plan, but must allow students to
21 substitute enrollment in the following courses or programs for
22 completion of the plan: The running start program, the advancement via
23 individual determination program, the international baccalaureate
24 program, AP courses, or preparatory career and technical education
25 courses. Any decision on whether a student has met the state board's
26 high school graduation requirements for a high school and beyond plan
27 shall remain at the local level.

28 (2)(a) In recognition of the statutory authority of the state board
29 of education to establish and enforce minimum high school graduation
30 requirements, the state board shall periodically reevaluate the
31 graduation requirements and shall report such findings to the
32 legislature in a timely manner as determined by the state board.

33 (b) The state board shall reevaluate the graduation requirements
34 for students enrolled in vocationally intensive and rigorous career and
35 technical education programs, particularly those programs that lead to
36 a certificate or credential that is state or nationally recognized.
37 The purpose of the evaluation is to ensure that students enrolled in
38 these programs have sufficient opportunity to earn a certificate of

1 academic achievement, complete the program and earn the program's
2 certificate or credential, and complete other state and local
3 graduation requirements.

4 (c) The state board shall forward any proposed changes to the high
5 school graduation requirements to the education committees of the
6 legislature for review and to the quality education council established
7 under RCW 28A.290.010. The legislature shall have the opportunity to
8 act during a regular legislative session before the changes are adopted
9 through administrative rule by the state board. Changes that have a
10 fiscal impact on school districts, as identified by a fiscal analysis
11 prepared by the office of the superintendent of public instruction,
12 shall take effect only if formally authorized and funded by the
13 legislature through the omnibus appropriations act or other enacted
14 legislation.

15 (3) Pursuant to any requirement for instruction in languages other
16 than English established by the state board of education or a local
17 school district, or both, for purposes of high school graduation,
18 students who receive instruction in American sign language or one or
19 more American Indian languages shall be considered to have satisfied
20 the state or local school district graduation requirement for
21 instruction in one or more languages other than English.

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

26 (a) The course was taken with high school students, if the academic
27 level of the course exceeds the requirements for seventh and eighth
28 grade classes, and the student has successfully passed by completing
29 the same course requirements and examinations as the high school
30 students enrolled in the class; or

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

36 (5) Students who have taken and successfully completed high school
37 courses under the circumstances in subsection (4) of this section shall

1 not be required to take an additional competency examination or perform
2 any other additional assignment to receive credit.

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

5 **Sec. 10.** RCW 43.09.260 and 2009 c 564 s 927 are each amended to
6 read as follows:

7 (1) The examination of the financial affairs of all local
8 governments shall be made at such reasonable, periodic intervals as the
9 state auditor shall determine. However, an examination of the
10 financial affairs of all local governments shall be made at least once
11 in every three years, and an examination of individual local government
12 health and welfare benefit plans and local government self-insurance
13 programs shall be made at least once every two years.

14 (2) During the 2009-2011 fiscal biennium, the state auditor shall
15 conduct audits no more often than once every two years of local
16 governments with annual general fund revenues of ten million dollars or
17 less and no findings of impropriety for the three-year period
18 immediately preceding the audit period. This subsection does not
19 prohibit the state auditor from conducting audits: (a) To address
20 suspected fraud or irregular conduct; (b) at the request of the local
21 government governing body; or (c) as required by federal laws or
22 regulations.

23 (3) After the effective date of this section, the state auditor
24 shall conduct audits no more often than once every three years of
25 school districts that have no findings of impropriety for the three-
26 year period immediately preceding the audit period, including financial
27 audits and accountability audits. This subsection does not prohibit
28 the state auditor from conducting audits: (a) To address suspected
29 fraud or irregular conduct; (b) at the request of the district board of
30 directors; or (c) as required by federal laws or regulations or as a
31 condition of receipt of federal funds.

32 (4) The term local governments for purposes of this chapter
33 includes but is not limited to all counties, cities, and other
34 political subdivisions, municipal corporations, and quasi-municipal
35 corporations, however denominated.

36 ((+4)) (5) The state auditor shall establish a schedule to govern
37 the auditing of local governments which shall include: A designation

1 of the various classifications of local governments; a designation of
2 the frequency for auditing each type of local government; and a
3 description of events which cause a more frequent audit to be
4 conducted.

5 ~~((+5))~~ (6) On every such examination, inquiry shall be made as to
6 the financial condition and resources of the local government; whether
7 the Constitution and laws of the state, the ordinances and orders of
8 the local government, and the requirements of the state auditor have
9 been properly complied with; and into the methods and accuracy of the
10 accounts and reports.

11 ~~((+6))~~ (7) A report of such examination shall be made and filed in
12 the office of state auditor, and one copy shall be transmitted to the
13 local government. A copy of any report containing findings of
14 noncompliance with state law shall be transmitted to the attorney
15 general. If any such report discloses malfeasance, misfeasance, or
16 nonfeasance in office on the part of any public officer or employee,
17 within thirty days from the receipt of his or her copy of the report,
18 the attorney general shall institute, in the proper county, such legal
19 action as is proper in the premises by civil process and prosecute the
20 same to final determination to carry into effect the findings of the
21 examination.

22 ~~((+7))~~ (8) It shall be unlawful for any local government or the
23 responsible head thereof, to make a settlement or compromise of any
24 claim arising out of such malfeasance, misfeasance, or nonfeasance, or
25 any action commenced therefor, or for any court to enter upon any
26 compromise or settlement of such action, without the written approval
27 and consent of the attorney general and the state auditor.

28 NEW SECTION. **Sec. 11.** Section 8 of this act takes effect July 1,
29 2012.

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