

SSB 6474 - H AMD 1315

By Representative Santos

ADOPTED 03/01/2018

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.715
4 RCW to read as follows:

5 (1) The office of the superintendent of public instruction shall
6 establish a pilot project for one or more schools that are the
7 subject of a state-tribal education compact, schools also known as
8 "tribal compact schools," to implement modifications to requirements
9 governing school attendance, school year length, and assessments.
10 Tribal compact schools that apply to the office of the superintendent
11 of public instruction to participate in the pilot project must be
12 included in the pilot project.

13 (2) The purpose of the pilot project is to grant participating
14 schools flexibility regarding:

15 (a) Accommodating cultural, fisheries, and agricultural events
16 and practices; and

17 (b) Replacing, to the maximum extent permitted by state and
18 federal law, statewide student assessments with locally developed
19 assessments that are culturally relevant, based on community
20 standards, and aligned with the Washington state learning standards.

21 (3) Schools participating in the pilot project may:

22 (a) Request a waiver, in accordance with section 2 of this act,
23 to the requirement for a one hundred eighty-day school year
24 established in RCW 28A.150.220. The waiver requested in accordance
25 with this subsection (3)(a) may be for allowing additional
26 instructional days, including an allowance for year-round
27 instruction;

28 (b) Develop curricula that links student learning with engagement
29 in cultural, fisheries, and agricultural programs, and aligns with
30 the Washington state learning standards;

1 (c) Request authorization to consider student participation in
2 cultural, fisheries, or agricultural programs as instructional days
3 for the purposes of RCW 28A.150.220(5);

4 (d) Replace, to the maximum extent permitted by state and federal
5 law, statewide student assessments with locally developed assessments
6 that are culturally relevant, based on community standards, and
7 aligned with the Washington state learning standards; and

8 (e) Consider and implement, to the maximum extent permitted by
9 state and federal law, other modifications to requirements as
10 determined by each participating school.

11 (4) The office of native education within the office of the
12 superintendent of public instruction must collaborate with each
13 tribal compact school participating in the pilot project, including
14 providing technical support and assistance, and review any terms of
15 the compact that relate to the school's implementation of the pilot
16 project.

17 (5) The office of the superintendent of public instruction, in
18 establishing the pilot project required by this section, shall
19 explore and pursue options for granting flexibility to participating
20 schools from state and federal requirements, including requirements
21 related to assessments, to further the purpose of the pilot project
22 as expressed in subsection (2) of this section.

23 (6) If requested by a tribal compact school participating or
24 intending to participate in the pilot project, the superintendent of
25 public instruction shall convene a government-to-government meeting
26 with the tribal compact school for the purpose of revising the
27 compact to reflect the terms of the pilot project. The superintendent
28 of public instruction may also convene a government-to-government
29 meeting on his or her own accord.

30 (7) Nothing contained in this section is intended or may be
31 construed to limit the amount of funding allocated to tribal compact
32 schools participating in the pilot project.

33 (8)(a) Each tribal compact school participating in the pilot
34 project shall submit a report every two years to the appropriate
35 committees of the house of representatives and senate and the office
36 of the superintendent of public instruction, with the first report
37 submitted no later than August 1, 2021.

38 (b) Reports submitted in accordance with this subsection (8) must
39 include:

1 (i) Information about student performance on assessments required
2 for state and federal accountability purposes and locally developed
3 assessments under subsection (3)(d) of this section, including
4 differences in student performance between the statewide and locally
5 developed assessments; and

6 (ii) Recommendations for lessening or removing barriers that may
7 affect either student performance on assessments, the effective
8 administration of assessments, or both.

9 (c) The final report of each participating school must include a
10 recommendation of whether the pilot project should be modified,
11 continued, expanded, or discontinued.

12 (d) Reports submitted to the house of representatives and the
13 senate in accordance with this subsection (8) must comply with RCW
14 43.01.036.

15 (9) The pilot project expires August 1, 2023.

16 (10) This section expires September 1, 2023.

17 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
18 RCW to read as follows:

19 (1) The superintendent of public instruction shall, upon receipt
20 of an application from a school that is the subject of a state-tribal
21 education compact and that is participating in the pilot project
22 established in section 1 of this act:

23 (a) Grant a waiver from the requirements for a one hundred
24 eighty-day school year under RCW 28A.150.220; and

25 (b) Authorize the school to consider student participation in
26 cultural, fisheries, or agricultural programs as instructional days
27 for the purposes of RCW 28A.150.220(5).

28 (2) This section expires September 1, 2023.

29 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.715
30 RCW to read as follows:

31 (1) Students in a school that is the subject of a state-tribal
32 education compact and that is participating in the pilot project
33 established in section 1 of this act are exempt from the obligation
34 to earn:

35 (a) A certificate of academic achievement as a prerequisite for
36 graduating from a public high school under RCW 28A.230.090 and
37 28A.655.061; or

1 (b) A certificate of individual achievement as a prerequisite for
2 graduating from a public high school under RCW 28A.155.045 and
3 28A.230.090.

4 (2) If a student attends a school that is participating in the
5 pilot project established in section 1 of this act, the statewide
6 high school assessments in English language arts and mathematics that
7 are administered under RCW 28A.655.070 may not be used:

8 (a) To determine whether the student has met the requirements for
9 graduating from a public high school; or

10 (b) For assessing the student's career and college readiness.

11 (3) Schools participating in the pilot project established in
12 section 1 of this act are exempt from the provisions in RCW
13 28A.230.125 that require standardized high school transcripts to
14 include a notation of whether the student has earned a certificate of
15 individual achievement or certificate of academic achievement.

16 (4) This section expires September 1, 2023.

17 NEW SECTION. **Sec. 4.** If any part of this act is found to be in
18 conflict with federal requirements that are a prescribed condition to
19 the allocation of federal funds to the state, the conflicting part of
20 this act is inoperative solely to the extent of the conflict and with
21 respect to the agencies directly affected, and this finding does not
22 affect the operation of the remainder of this act in its application
23 to the agencies concerned. Rules adopted under this act must meet
24 federal requirements that are a necessary condition to the receipt of
25 federal funds by the state."

26 Correct the title.

EFFECT: (1) Specifies that the tribal compact schools pilot
project is to be established by the Office of the Superintendent of
Public Instruction (OSPI) and that tribal compact schools applying to
participate in the pilot project must be included in the pilot
project.

(2) Directs the OSPI to explore and pursue options for granting
flexibility to schools participating in the pilot project
(participating schools) from state and federal requirements to
further the purpose of the pilot project.

(3) Specifies that one purpose of the pilot project is to
replace, to the maximum extent permitted by state and federal law,
statewide student assessments with locally developed assessments that
are culturally relevant, based on community standards, and aligned
with the Washington State Learning Standards.

(4) Decouples high school graduation requirements from
assessments for students at participating schools by exempting these

students from the obligation to earn a certificate of academic achievement as a prerequisite to graduating from a public high school.

(5) Exempts qualifying students at participating schools from the requirement to earn a certificate of individual achievement as a prerequisite to graduating from public high school.

(6) Prohibits statewide high school assessments for students at participating schools from being used to determine whether the student has met the requirements for graduating from a public high school or for assessing the student's career and college readiness.

(7) Exempts participating schools from a provision requiring standardized high school transcripts to include a notation of whether a student has earned a certificate of individual achievement or a certificate of academic achievement.

(8) Directs the Superintendent of Public Instruction (SPI), if requested by a participating school or a school intending to participate in the pilot project, to convene a government-to-government meeting to revise the applicable tribal compact to reflect the terms of the pilot project. Also allows the SPI to convene this meeting without an external request.

(9) Authorizes participating schools to request a waiver, rather than obtain a waiver, to the requirement for a 180-day school year, but obligates the SPI to approve the waiver.

(10) Specifies that the waiver for the 180-day school year requirement may be for allowing additional instructional days, including instruction throughout the calendar year.

(11) Directs the Office of Native Education, in collaborating with each participating school, to provide technical support and assistance.

(12) Specifies that curricula developed by schools participating in the pilot project must be aligned to the Washington State Learning Standards rather than Washington's content standards.

(13) Authorizes participating schools to request authorization to consider student activities in certain events as instructional days, rather than counting participation as instructional days.

(14) Specifies that reports required of participating schools must include information about student performance on assessments required for state and federal accountability purposes as well as on locally developed assessments, including differences in student performance between the assessments.

(15) Specifies that the final report of each participating school must include a recommendation of whether the pilot project should be modified, continued, expanded, or discontinued.

(16) Authorizes the SPI to authorize the requesting participating school to consider student participation in certain activities as instructional days.

(17) Adds a federal severability clause making any requirements found in conflict with federal requirements that are a prescribed condition to the allocation of federal funds to the state inoperative to the extent of the conflict.

(18) Makes numerous other changes, including: (a) Specifying that schools that are the subject of a state-tribal education compact are also known as "tribal compact schools"; (b) replacing a pilot project purpose reference to "calendar requirements" with "school year length"; (c) directing reports of the schools to be submitted to the appropriate committees of the House of Representatives and the Senate rather than of the Legislature; (d) specifying that schools participating in the pilot project may consider and implement, to the maximum extent permitted by state and federal law, other modifications to requirements as determined by the schools, rather

than specifying that schools may develop various options in implementing the pilot project including, but not limited to, delineated provisions; and (e) specifying that the first report of a participating school must be submitted no later than August 1, 2021.

--- END ---