
HOUSE BILL 3169

State of Washington 60th Legislature 2008 Regular Session

By Representatives Halpern, Priest, McCune, Ahern, and Santos

Read first time 01/23/08. Referred to Committee on Education.

1 AN ACT Relating to revising the essential academic learning
2 requirements and statewide academic system; amending RCW 28A.655.070,
3 28A.150.220, 28A.180.100, 28A.195.010, 28A.200.010, 28A.230.090,
4 28A.305.130, 28A.600.310, 28A.655.090, 28A.305.215, 28B.15.520,
5 28B.15.067, and 28A.155.170; reenacting and amending RCW 28A.655.061
6 and 28A.230.125; adding new sections to chapter 28A.655 RCW; repealing
7 RCW 28A.155.045, 28A.230.195, 28A.305.219, 28A.655.010, 28A.655.063,
8 28A.655.065, 28A.655.0611, 28B.50.534, and 28A.600.405; repealing 2007
9 c 255 s 8 (uncodified); and declaring an emergency.

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

11 **Sec. 1.** RCW 28A.655.070 and 2007 c 354 s 5 are each amended to
12 read as follows:

13 (1) The superintendent of public instruction shall develop
14 essential academic learning requirements that identify the knowledge
15 and skills all public school students need to know and be able to do
16 based on the student learning goals in RCW 28A.150.210, ((develop))
17 select student assessments, and implement the accountability
18 recommendations and requests regarding assistance, rewards, and
19 recognition of the state board of education.

1 (2) The state board of education shall appoint academic standards
2 panels comprised of exemplary educators from Washington and nationally
3 and internationally recognized individuals with knowledge and expertise
4 in student learning standards at various grade levels and in various
5 subject areas. By September 1, 2010, the academic standards panels
6 shall recommend significant revisions to the essential academic
7 learning requirements and grade level expectations in reading, writing,
8 mathematics, and science, which shall be adopted by the superintendent
9 of public instruction. The revised essential academic learning
10 requirements and grade level expectations shall be aligned with
11 national and international standards of academic achievement and
12 aligned with diagnostic and standards-based assessments that are
13 available and used in school districts and in other states. The
14 revised essential academic learning requirements and grade level
15 expectations shall form the basis for the statewide academic assessment
16 system used for state and federal accountability purposes to ensure
17 alignment between instruction, curriculum, standards, assessments, and
18 accountability in core academic areas.

19 (3) After the revisions required by subsection (2) of this section,
20 the superintendent of public instruction (~~shall~~):

21 (a) May periodically revise the essential academic learning
22 requirements, as needed, based on the student learning goals in RCW
23 28A.150.210. Goals one and two shall be considered primary. To the
24 maximum extent possible, the superintendent shall integrate goal four
25 and the knowledge and skill areas in the other goals in the essential
26 academic learning requirements; and

27 (b) Shall review and prioritize the essential academic learning
28 requirements and identify, with clear and concise descriptions, the
29 grade level content expectations to be assessed on the Washington
30 assessment of student learning and used for state or federal
31 accountability purposes. The review, prioritization, and
32 identification shall result in more focus and targeting with an
33 emphasis on depth over breadth in the number of grade level content
34 expectations assessed at each grade level. Grade level content
35 expectations shall be articulated over the grades as a sequence of
36 expectations and performances that are logical, build with increasing
37 depth after foundational knowledge and skills are acquired, and
38 reflect, where appropriate, the sequential nature of the discipline.

1 The office of the superintendent of public instruction, within seven
2 working days, shall post on its web site any grade level content
3 expectations provided to an assessment vendor for use in
4 (~~constructing~~) the Washington assessment of student learning.

5 ~~((3))~~ (4) In consultation with the state board of education, the
6 superintendent of public instruction shall (~~maintain and continue to~~
7 ~~develop and~~) revise ~~((a))~~ and thereafter maintain the statewide
8 academic assessment system in the content areas of reading, writing,
9 mathematics, and science for use in the elementary, middle, and high
10 school years designed to determine if each student has mastered the
11 revised essential academic learning requirements identified in
12 subsection (1) of this section. The superintendent of public
13 instruction shall select one or more assessments in reading, writing,
14 mathematics, and science to be used for state and federal
15 accountability purposes beginning in the 2013-14 school year. The
16 assessments must have the characteristics described in subsection (6)
17 of this section and shall serve as the Washington assessment of student
18 learning. School districts shall administer the assessments under
19 guidelines adopted by the superintendent of public instruction. (~~The~~
20 ~~academic assessment system may include a variety of assessment methods,~~
21 ~~including criterion-referenced and performance-based measures.~~

22 ~~(4))~~ (5) If the superintendent proposes any modification to the
23 essential academic learning requirements or the statewide assessments,
24 then the superintendent shall, upon request, provide opportunities for
25 the education committees of the house of representatives and the senate
26 to review the assessments and proposed modifications to the essential
27 academic learning requirements before the modifications are adopted.

28 ~~((5))~~ (6) The assessments ~~((system))~~ selected under subsection
29 (4) of this section shall:

30 (a) Measure annual growth in individual student achievement of the
31 revised essential academic learning requirements and grade level
32 content expectations in a manner that meets professional and federal
33 standards for reliability and validity;

34 (b) Be designed so that the results under the assessment system are
35 used by educators as diagnostic tools to evaluate instructional
36 practices~~((7))~~ and to initiate appropriate educational support for
37 students who have not mastered the essential academic learning

1 requirements at the appropriate periods in the student's educational
2 development((-

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

7 ~~(7) To assist parents and teachers in their efforts to provide~~
8 ~~educational support to individual students, the superintendent of~~
9 ~~public instruction shall provide as much individual student performance~~
10 ~~information as possible within the constraints of the assessment~~
11 ~~system's item bank.))~~;

12 (c) Be easily administered, quickly and easily scored with a
13 minimum number of constructed response questions, with results provided
14 in a format that may be easily shared with parents and students;

15 (d) Be designed so that sample and actual tests are promptly
16 available to parents, teachers, and the public. Individual student
17 responses to the test questions shall be promptly available subject to
18 applicable state and federal protections of student privacy;

19 (e) Permit comparison of student achievement to school districts
20 and states outside of Washington that have similar academic achievement
21 standards and use the same assessments;

22 (f) Include questions that permit comparisons to student
23 performance in other countries on international standardized
24 assessments;

25 (g) Meet federal guidelines for creating a growth model of school
26 accountability as well as an improvement or status model of school
27 accountability; and

28 (h) Not be biased toward persons with different learning styles,
29 racial or ethnic backgrounds, or on the basis of gender.

30 (7) The superintendent shall also provide to school districts ((+
31 (a)) information on classroom-based and other assessments that may
32 provide additional achievement information for individual students((+
33 and

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

1 ~~shared with parents and students~~); and classroom-based diagnostic and
2 progress-monitoring assessments that are aligned with the statewide
3 assessments.

4 (8) To the maximum extent possible, the ~~((superintendent))~~
5 assessments shall integrate knowledge and skill areas ~~((in development~~
6 ~~of the assessments))~~.

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

10 ~~((The superintendent shall develop assessments that are~~
11 ~~directly related to the essential academic learning requirements, and~~
12 ~~are not biased toward persons with different learning styles, racial or~~
13 ~~ethnic backgrounds, or on the basis of gender.~~

14 ~~((11))~~ The superintendent shall consider methods to address the
15 unique needs of special education students and highly capable students
16 when ~~((developing))~~ selecting the assessments under this section.

17 ~~((12) The superintendent shall consider methods to address the~~
18 ~~unique needs of highly capable students when developing the assessments~~
19 ~~under this section.~~

20 ~~((13))~~ (11) The superintendent shall post on the superintendent's
21 web site lists of resources and model assessments in social studies,
22 the arts, and health and fitness.

23 (12) If students' scores on the assessments under this section
24 indicate that students need help in identified areas, the school
25 district shall evaluate its instructional practices and make
26 appropriate adjustments.

27 (13) Each school district shall notify the parents of each student
28 of their child's performance on the assessments conducted under this
29 section.

30 NEW SECTION. Sec. 2. A new section is added to chapter 28A.655
31 RCW to read as follows:

32 Not later than the 2014-15 school year, the superintendent of
33 public instruction shall submit to the United States department of
34 education a proposal to use a growth model of school accountability for
35 purposes of P.L. 107-110, the no child left behind act of 2001. The
36 growth model shall be based on results of the Washington assessment of
37 student learning as revised by the 2008 c . . . (this act) amendments

1 to RCW 28A.655.070 and shall measure improvements in individual student
2 achievement from one year to the next rather than comparing the
3 achievement status of a different cohort of students at the same grade
4 level from one year to the next. If the proposal is approved by the
5 department, the superintendent of public instruction and the state
6 board of education shall implement the growth model for both state and
7 federal accountability purposes.

8 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.655
9 RCW to read as follows:

10 The state board of education shall examine possible uses for the
11 high school Washington assessment of student learning within the
12 statewide academic assessment system, including but not limited to
13 requiring students to pass some or all of the subject areas of the
14 assessment for high school graduation. The board shall review the
15 experience of other states with required exit examinations, including
16 but not limited to the effect of the requirement on curriculum,
17 instruction, dropout rates, assessment administration costs,
18 litigation, and other issues. The board shall make a recommendation to
19 the governor and the legislature by December 1, 2014, on whether some
20 or all of the subject areas of the high school Washington assessment of
21 student learning should be required for high school graduation or used
22 for other purposes.

23 **Sec. 4.** RCW 28A.655.061 and 2007 c 355 s 5 and 2007 c 354 s 2 are
24 each reenacted and amended to read as follows:

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

35 ~~(2) Subject to the conditions in this section, a certificate of
36 academic achievement shall be obtained by most students at about the~~

1 ~~age of sixteen, and is evidence that the students have successfully met~~
2 ~~the state standard in the content areas included in the certificate.~~
3 ~~With the exception of students satisfying the provisions of RCW~~
4 ~~28A.155.045 or 28A.655.0611, acquisition of the certificate is required~~
5 ~~for graduation from a public high school but is not the only~~
6 ~~requirement for graduation.~~

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

26 ~~(4) Beginning no later than with the graduating class of 2013, a~~
27 ~~student must meet the state standards in science in addition to the~~
28 ~~other content areas required under subsection (3) of this section on~~
29 ~~the Washington assessment of student learning or the objective~~
30 ~~alternative assessments in order to earn a certificate of academic~~
31 ~~achievement. The state board of education may adopt a rule that~~
32 ~~implements the requirements of this subsection (4) beginning with a~~
33 ~~graduating class before the graduating class of 2013, if the state~~
34 ~~board of education adopts the rule by September 1st of the freshman~~
35 ~~school year of the graduating class to which the requirements of this~~
36 ~~subsection (4) apply. The state board of education's authority under~~
37 ~~this subsection (4) does not alter the requirement that any change in~~

1 ~~performance standards for the tenth grade assessment must comply with~~
2 ~~RCW 28A.305.130.~~

3 ~~(5) The state board of education may not require the acquisition of~~
4 ~~the certificate of academic achievement for students in home based~~
5 ~~instruction under chapter 28A.200 RCW, for students enrolled in private~~
6 ~~schools under chapter 28A.195 RCW, or for students satisfying the~~
7 ~~provisions of RCW 28A.155.045.~~

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

10 ~~(7) School districts must make available to students the following~~
11 ~~options:~~

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

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

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

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

28 ~~(10)(a) The office of the superintendent of public instruction~~
29 ~~shall develop options for implementing objective alternative~~
30 ~~assessments, which may include an appeals process for students' scores,~~
31 ~~for students to demonstrate achievement of the state academic~~
32 ~~standards. The objective alternative assessments shall be comparable~~
33 ~~in rigor to the skills and knowledge that the student must demonstrate~~
34 ~~on the Washington assessment of student learning and be objective in~~
35 ~~its determination of student achievement of the state standards.~~
36 ~~Before any objective alternative assessments in addition to those~~
37 ~~authorized in RCW 28A.655.065 or (b) of this subsection are used by a~~
38 ~~student to demonstrate that the student has met the state standards in~~

1 a content area required to obtain a certificate, the legislature shall
2 formally approve the use of any objective alternative assessments
3 through the omnibus appropriations act or by statute or concurrent
4 resolution.

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

17 (ii) Until August 31, 2008, a student's score on the mathematics
18 portion of the preliminary scholastic assessment test (PSAT) may be
19 used as an objective alternative assessment under this section for
20 demonstrating that a student has met or exceeded the state standard for
21 the certificate of academic achievement. The state board of education
22 shall identify the score students must achieve on the mathematics
23 portion of the PSAT to meet or exceed the state standard in that
24 content area on the Washington assessment of student learning.

25 (iii) A student who scores at least a three on the grading scale of
26 one to five for selected advance placement examinations may use the
27 score as an objective alternative assessment under this section for
28 demonstrating that a student has met or exceeded state standards for
29 the certificate of academic achievement. A score of three on the
30 advance placement examinations in calculus or statistics may be used as
31 an alternative assessment for the mathematics portion of the Washington
32 assessment of student learning. A score of three on the advance
33 placement examinations in English language and composition may be used
34 as an alternative assessment for the writing portion of the Washington
35 assessment of student learning. A score of three on the advance
36 placement examinations in English literature and composition,
37 macroeconomics, microeconomics, psychology, United States history,

1 world history, United States government and politics, or comparative
2 government and politics may be used as an alternative assessment for
3 the reading portion of the Washington assessment of student learning.

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

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

15 ~~((a))~~ (2) Student learning plans are required for eighth through
16 twelfth grade students who were not successful on any or all of the
17 content areas of the Washington assessment for student learning during
18 the previous school year. The plan shall include the courses,
19 competencies, and other steps needed to be taken by the student to meet
20 state academic standards ~~((and stay on track for graduation. If
21 applicable, the plan shall also include the high school completion
22 pilot program created under RCW 28B.50.534))~~.

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

29 ~~((ii))~~ (b) Progress made on the student plan shall be reported to
30 the student's parents or guardian at least annually and adjustments to
31 the plan made as necessary.

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

35 ~~((i))~~ (a) The parent or guardian of the student shall be
36 notified, preferably through a parent conference, of the student's
37 results on the Washington assessment of student learning, actions the

1 school intends to take to improve the student's skills in any content
2 area in which the student was unsuccessful, and provide strategies to
3 help them improve their student's skills.

4 ~~((+ii))~~ (b) Progress made on the student plan shall be reported to
5 the student's parents or guardian at least annually and adjustments to
6 the plan made as necessary.

7 **Sec. 5.** RCW 28A.150.220 and 1993 c 371 s 2 are each amended to
8 read as follows:

9 (1) Satisfaction of the basic education program requirements
10 identified in RCW 28A.150.210 shall be considered to be implemented by
11 the following program:

12 (a) Each school district shall make available to students enrolled
13 in kindergarten at least a total instructional offering of four hundred
14 fifty hours. The program shall include instruction in the essential
15 academic learning requirements under RCW ~~((28A.630.885))~~ 28A.655.070
16 and such other subjects and such activities as the school district
17 shall determine to be appropriate for the education of the school
18 district's students enrolled in such program;

19 (b) Each school district shall make available to students enrolled
20 in grades one through twelve, at least a district-wide annual average
21 total instructional hour offering of one thousand hours. The state
22 board of education may define alternatives to classroom instructional
23 time for students in grades nine through twelve enrolled in alternative
24 learning experiences. The state board of education shall establish
25 rules to determine annual average instructional hours for districts
26 including fewer than twelve grades. The program shall include the
27 essential academic learning requirements under RCW ~~((28A.630.885))~~
28 28A.655.070 and such other subjects and such activities as the school
29 district shall determine to be appropriate for the education of the
30 school district's students enrolled in such group;

31 (c) If the essential academic learning requirements include a
32 requirement of languages other than English, the requirement may be met
33 by students receiving instruction in one or more American Indian
34 languages.

35 (2) Nothing contained in subsection (1) of this section shall be
36 construed to require individual students to attend school for any
37 particular number of hours per day or to take any particular courses.

1 (3) Each school district's kindergarten through twelfth grade basic
2 educational program shall be accessible to all students who are five
3 years of age, as provided by RCW 28A.225.160, and less than twenty-one
4 years of age and shall consist of a minimum of one hundred eighty
5 school days per school year in such grades as are conducted by a school
6 district, and one hundred eighty half-days of instruction, or
7 equivalent, in kindergarten: PROVIDED, That effective May 1, 1979, a
8 school district may schedule the last five school days of the one
9 hundred and eighty day school year for noninstructional purposes in the
10 case of students who are graduating from high school, including, but
11 not limited to, the observance of graduation and early release from
12 school upon the request of a student, and all such students may be
13 claimed as a full time equivalent student to the extent they could
14 otherwise have been so claimed for the purposes of RCW 28A.150.250 and
15 28A.150.260.

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

20 **Sec. 6.** RCW 28A.180.100 and 2004 c 19 s 105 are each amended to
21 read as follows:

22 The office of the superintendent of public instruction and the
23 state board for community and technical colleges shall jointly develop
24 a program plan to provide a continuing education option for students
25 who are eligible for the state transitional bilingual instruction
26 program and who need more time to develop language proficiency but who
27 are more age-appropriately suited for a postsecondary learning
28 environment than for a high school. In developing the plan, the
29 superintendent of public instruction shall consider options to formally
30 recognize the accomplishments of students in the state transitional
31 bilingual instruction program who have completed the twelfth grade but
32 have not earned a ~~((certificate of academic achievement. By December~~
33 ~~1, 2004, the agencies shall report to the legislative education and~~
34 ~~fiscal committees with any recommendations for legislative action and~~
35 ~~any resources necessary to implement the plan)) high school diploma.~~

1 **Sec. 7.** RCW 28A.195.010 and 2004 c 19 s 106 are each amended to
2 read as follows:

3 The legislature hereby recognizes that private schools should be
4 subject only to those minimum state controls necessary to insure the
5 health and safety of all the students in the state and to insure a
6 sufficient basic education to meet usual graduation requirements. The
7 state, any agency or official thereof, shall not restrict or dictate
8 any specific educational or other programs for private schools except
9 as hereinafter in this section provided.

10 Principals of private schools or superintendents of private school
11 districts shall file each year with the state superintendent of public
12 instruction a statement certifying that the minimum requirements
13 hereinafter set forth are being met, noting any deviations. After
14 review of the statement, the state superintendent will notify schools
15 or school districts of those deviations which must be corrected. In
16 case of major deviations, the school or school district may request and
17 the state board of education may grant provisional status for one year
18 in order that the school or school district may take action to meet the
19 requirements. The state board of education shall not require private
20 school students to meet the student learning goals, (~~to obtain a~~
21 ~~certificate of academic achievement, or a certificate of individual~~
22 ~~achievement to graduate from high school, to~~) master the essential
23 academic learning requirements, or (~~to~~) be assessed pursuant to RCW
24 (~~(28A.655.061)~~) 28A.655.070. However, private schools may choose, on
25 a voluntary basis, to have their students master these essential
26 academic learning requirements(~~(7)~~) or take the assessments(~~(7 and~~
27 ~~obtain a certificate of academic achievement or a certificate of~~
28 ~~individual achievement)~~). Minimum requirements shall be as follows:

29 (1) The minimum school year for instructional purposes shall
30 consist of no less than one hundred eighty school days or the
31 equivalent in annual minimum program hour offerings as prescribed in
32 RCW 28A.150.220.

33 (2) The school day shall be the same as that required in RCW
34 28A.150.030 and 28A.150.220, except that the percentages of total
35 program hour offerings as prescribed in RCW 28A.150.220 for basic
36 skills, work skills, and optional subjects and activities shall not
37 apply to private schools or private sectarian schools.

1 (3) All classroom teachers shall hold appropriate Washington state
2 certification except as follows:

3 (a) Teachers for religious courses or courses for which no
4 counterpart exists in public schools shall not be required to obtain a
5 state certificate to teach those courses.

6 (b) In exceptional cases, people of unusual competence but without
7 certification may teach students so long as a certified person
8 exercises general supervision. Annual written statements shall be
9 submitted to the office of the superintendent of public instruction
10 reporting and explaining such circumstances.

11 (4) An approved private school may operate an extension program for
12 parents, guardians, or persons having legal custody of a child to teach
13 children in their custody. The extension program shall require at a
14 minimum that:

15 (a) The parent, guardian, or custodian be under the supervision of
16 an employee of the approved private school who is certified under
17 chapter 28A.410 RCW;

18 (b) The planning by the certified person and the parent, guardian,
19 or person having legal custody include objectives consistent with this
20 subsection and subsections (1), (2), (5), (6), and (7) of this section;

21 (c) The certified person spend a minimum average each month of one
22 contact hour per week with each student under his or her supervision
23 who is enrolled in the approved private school extension program;

24 (d) Each student's progress be evaluated by the certified person;
25 and

26 (e) The certified employee shall not supervise more than thirty
27 students enrolled in the approved private school's extension program.

28 (5) Appropriate measures shall be taken to safeguard all permanent
29 records against loss or damage.

30 (6) The physical facilities of the school or district shall be
31 adequate to meet the program offered by the school or district:
32 PROVIDED, That each school building shall meet reasonable health and
33 fire safety requirements. A residential dwelling of the parent,
34 guardian, or custodian shall be deemed to be an adequate physical
35 facility when a parent, guardian, or person having legal custody is
36 instructing his or her child under subsection (4) of this section.

37 (7) Private school curriculum shall include instruction of the
38 basic skills of occupational education, science, mathematics, language,

1 social studies, history, health, reading, writing, spelling, and the
2 development of appreciation of art and music, all in sufficient units
3 for meeting state board of education graduation requirements.

4 (8) Each school or school district shall be required to maintain
5 up-to-date policy statements related to the administration and
6 operation of the school or school district.

7 All decisions of policy, philosophy, selection of books, teaching
8 material, curriculum, except as in subsection (7) of this section
9 provided, school rules and administration, or other matters not
10 specifically referred to in this section, shall be the responsibility
11 of the administration and administrators of the particular private
12 school involved.

13 **Sec. 8.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended to
14 read as follows:

15 (1) Each parent whose child is receiving home-based instruction
16 under RCW 28A.225.010(4) shall have the duty to:

17 (a) File annually a signed declaration of intent that he or she is
18 planning to cause his or her child to receive home-based instruction.
19 The statement shall include the name and age of the child, shall
20 specify whether a certificated person will be supervising the
21 instruction, and shall be written in a format prescribed by the
22 superintendent of public instruction. Each parent shall file the
23 statement by September 15th of the school year or within two weeks of
24 the beginning of any public school quarter, trimester, or semester with
25 the superintendent of the public school district within which the
26 parent resides or the district that accepts the transfer, and the
27 student shall be deemed a transfer student of the nonresident district.
28 Parents may apply for transfer under RCW 28A.225.220;

29 (b) Ensure that test scores or annual academic progress assessments
30 and immunization records, together with any other records that are kept
31 relating to the instructional and educational activities provided, are
32 forwarded to any other public or private school to which the child
33 transfers. At the time of a transfer to a public school, the
34 superintendent of the local school district in which the child enrolls
35 may require a standardized achievement test to be administered and
36 shall have the authority to determine the appropriate grade and course

1 level placement of the child after consultation with parents and review
2 of the child's records; and

3 (c) Ensure that a standardized achievement test approved by the
4 state board of education is administered annually to the child by a
5 qualified individual or that an annual assessment of the student's
6 academic progress is written by a certificated person who is currently
7 working in the field of education. The state board of education shall
8 not require these children to meet the student learning goals, master
9 the essential academic learning requirements(~~(τ)~~) or to take the
10 assessments(~~(τ , or to obtain a certificate of academic achievement or a~~
11 ~~certificate of individual achievement pursuant to RCW 28A.655.061 and~~
12 ~~28A.155.045))~~) under RCW 28A.655.070. The standardized test
13 administered or the annual academic progress assessment written shall
14 be made a part of the child's permanent records. If, as a result of
15 the annual test or assessment, it is determined that the child is not
16 making reasonable progress consistent with his or her age or stage of
17 development, the parent shall make a good faith effort to remedy any
18 deficiency.

19 (2) Failure of a parent to comply with the duties in this section
20 shall be deemed a failure of such parent's child to attend school
21 without valid justification under RCW 28A.225.020. Parents who do
22 comply with the duties set forth in this section shall be presumed to
23 be providing home-based instruction as set forth in RCW 28A.225.010(4).

24 **Sec. 9.** RCW 28A.230.090 and 2006 c 114 s 3 are each amended to
25 read as follows:

26 (1) The state board of education shall establish high school
27 graduation requirements or equivalencies for students, except those
28 equivalencies established by local high schools or school districts
29 under RCW 28A.230.097.

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

34 (b) (~~The certificate of academic achievement requirements under~~
35 ~~RCW 28A.655.061 or the certificate of individual achievement~~
36 ~~requirements under RCW 28A.155.045 are required for graduation from a~~
37 ~~public high school but are not the only requirements for graduation.~~

1 ~~(e)~~) Any decision on whether a student has met the state board's
2 high school graduation requirements for a high school and beyond plan
3 shall remain at the local level.

4 (2) In recognition of the statutory authority of the state board of
5 education to establish and enforce minimum high school graduation
6 requirements, the state board shall periodically reevaluate the
7 graduation requirements and shall report such findings to the
8 legislature in a timely manner as determined by the state board. The
9 state board shall reevaluate the graduation requirements for students
10 enrolled in vocationally intensive and rigorous career and technical
11 education programs, particularly those programs that lead to a
12 certificate or credential that is state or nationally recognized. The
13 purpose of the evaluation is to ensure that students enrolled in these
14 programs have sufficient opportunity to ~~((earn a certificate of
15 academic achievement))~~ meet the state's essential academic learning
16 requirements, complete the program and earn the program's certificate
17 or credential, and complete other state and local graduation
18 requirements. ~~((The board shall reports [report] its findings and
19 recommendations for additional flexibility in graduation requirements,
20 if necessary, to the legislature by December 1, 2007.))~~

21 (3) Pursuant to any requirement for instruction in languages other
22 than English established by the state board of education or a local
23 school district, or both, for purposes of high school graduation,
24 students who receive instruction in American sign language or one or
25 more American Indian languages shall be considered to have satisfied
26 the state or local school district graduation requirement for
27 instruction in one or more languages other than English.

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

32 (a) The course was taken with high school students, if the academic
33 level of the course exceeds the requirements for seventh and eighth
34 grade classes, and the student has successfully passed by completing
35 the same course requirements and examinations as the high school
36 students enrolled in the class; or

37 (b) The academic level of the course exceeds the requirements for
38 seventh and eighth grade classes and the course would qualify for high

1 school credit, because the course is similar or equivalent to a course
2 offered at a high school in the district as determined by the school
3 district board of directors.

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

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

10 **Sec. 10.** RCW 28A.230.125 and 2006 c 263 s 401 and 2006 c 115 s 6
11 are each reenacted and amended to read as follows:

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

20 ~~(2) ((The standardized high school transcript shall include a
21 notation of whether the student has earned a certificate of individual
22 achievement or a certificate of academic achievement.~~

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

34 **Sec. 11.** RCW 28A.305.130 and 2006 c 263 s 102 are each amended to
35 read as follows:

36 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 system to improve student academic achievement;
3 provide leadership in the creation of a system that personalizes
4 education for each student and respects diverse cultures, abilities,
5 and learning styles; and promote achievement of the goals of RCW
6 28A.150.210. In addition to any other powers and duties as provided by
7 law, the state board of education shall:

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

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

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

16 (4) For purposes of statewide accountability:

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

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

4 (b) Identify the scores students must achieve in order to meet the
5 standard on the Washington assessment of student learning (~~and, for~~
6 ~~high school students, to obtain a certificate of academic~~
7 ~~achievement~~). The board shall also determine student scores that
8 identify levels of student performance below and beyond the standard.
9 (~~The board shall consider the incorporation of the standard error of~~
10 ~~measurement into the decision regarding the award of the~~
11 ~~certificates.~~) The board shall set such performance standards and
12 levels in consultation with the superintendent of public instruction
13 and after consideration of any recommendations that may be developed by
14 any advisory committees that may be established for this purpose.
15 (~~The initial performance standards and any changes recommended by the~~
16 ~~board in the performance standards for the tenth grade assessment shall~~
17 ~~be presented to the education committees of the house of~~
18 ~~representatives and the senate by November 30th of the school year in~~
19 ~~which the changes will take place to permit the legislature to take~~
20 ~~statutory action before the changes are implemented if such action is~~
21 ~~deemed warranted by the legislature.~~) The legislature shall be
22 advised of the initial performance standards and any changes made to
23 the (~~elementary level~~) performance standards (~~and the middle school~~
24 ~~level performance standards~~);

25 (c) Adopt objective, systematic criteria to identify successful
26 schools and school districts and recommend to the superintendent of
27 public instruction schools and districts to be recognized for two types
28 of accomplishments, student achievement and improvements in student
29 achievement. Recognition for improvements in student achievement shall
30 include consideration of one or more of the following accomplishments:

31 (i) An increase in the percent of students meeting standards. The
32 level of achievement required for recognition may be based on the
33 achievement goals established by the legislature and by the board under
34 (a) of this subsection;

35 (ii) Positive progress on an improvement index that measures
36 improvement in all levels of the assessment; and

37 (iii) Improvements despite challenges such as high levels of
38 mobility, poverty, English as a second language learners, and large

1 numbers of students in special populations as measured by either the
2 percent of students meeting the standard, or the improvement index.
3 When determining the baseline year or years for recognizing individual
4 schools, the board may use the assessment results from the initial
5 years the assessments were administered, if doing so with individual
6 schools would be appropriate;

7 (d) Adopt objective, systematic criteria to identify schools and
8 school districts in need of assistance and those in which significant
9 numbers of students persistently fail to meet state standards. In its
10 deliberations, the board shall consider the use of all statewide
11 mandated criterion-referenced and norm-referenced standardized tests;

12 (e) Identify schools and school districts in which state
13 intervention measures will be needed and a range of appropriate
14 intervention strategies after the legislature has authorized a set of
15 intervention strategies. After the legislature has authorized a set of
16 intervention strategies, at the request of the board, the
17 superintendent shall intervene in the school or school district and
18 take corrective actions. This chapter does not provide additional
19 authority for the board or the superintendent of public instruction to
20 intervene in a school or school district;

21 (f) Identify performance incentive systems that have improved or
22 have the potential to improve student achievement;

23 (g) Annually review the assessment reporting system to ensure
24 fairness, accuracy, timeliness, and equity of opportunity, especially
25 with regard to schools with special circumstances and unique
26 populations of students, and a recommendation to the superintendent of
27 public instruction of any improvements needed to the system; and

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

31 (5) Accredite, subject to such accreditation standards and
32 procedures as may be established by the state board of education, all
33 private schools that apply for accreditation, and approve, subject to
34 the provisions of RCW 28A.195.010, private schools carrying out a
35 program for any or all of the grades kindergarten through twelve:
36 PROVIDED, That no private school may be approved that operates a
37 kindergarten program only: PROVIDED FURTHER, That no private schools

1 shall be placed upon the list of accredited schools so long as secret
2 societies are knowingly allowed to exist among its students by school
3 officials;

4 (6) Articulate with the institutions of higher education, work
5 force representatives, and early learning policymakers and providers to
6 coordinate and unify the work of the public school system;

7 (7) Hire an executive director and an administrative assistant to
8 reside in the office of the superintendent of public instruction for
9 administrative purposes. Any other personnel of the board shall be
10 appointed as provided by RCW 28A.300.020. The executive director,
11 administrative assistant, and all but one of the other personnel of the
12 board are exempt from civil service, together with other staff as now
13 or hereafter designated as exempt in accordance with chapter 41.06 RCW;
14 and

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

17 **Sec. 12.** RCW 28A.600.310 and 2005 c 125 s 1 are each amended to
18 read as follows:

19 (1) Eleventh and twelfth grade students or students who have not
20 yet received the credits required for the award of a high school
21 diploma and are eligible to be in the eleventh or twelfth grades may
22 apply to a participating institution of higher education to enroll in
23 courses or programs offered by the institution of higher education. A
24 student receiving home-based instruction enrolling in a public high
25 school for the sole purpose of participating in courses or programs
26 offered by institutions of higher education shall not be counted by the
27 school district in any required state or federal accountability
28 reporting if the student's parents or guardians filed a declaration of
29 intent to provide home-based instruction and the student received home-
30 based instruction during the school year before the school year in
31 which the student intends to participate in courses or programs offered
32 by the institution of higher education. Students receiving home-based
33 instruction under chapter 28A.200 RCW and students attending private
34 schools approved under chapter 28A.195 RCW shall not be required to
35 meet the student learning goals(~~(, obtain a certificate of academic
36 achievement or a certificate of individual achievement to graduate from
37 high school,))~~) or to master the essential academic learning

1 requirements. However, students are eligible to enroll in courses or
2 programs in participating universities only if the board of directors
3 of the student's school district has decided to participate in the
4 program. Participating institutions of higher education, in
5 consultation with school districts, may establish admission standards
6 for these students. If the institution of higher education accepts a
7 secondary school pupil for enrollment under this section, the
8 institution of higher education shall send written notice to the pupil
9 and the pupil's school district within ten days of acceptance. The
10 notice shall indicate the course and hours of enrollment for that
11 pupil.

12 (2) The pupil's school district shall transmit to the institution
13 of higher education an amount per each full-time equivalent college
14 student at statewide uniform rates for vocational and nonvocational
15 students. The superintendent of public instruction shall separately
16 calculate and allocate moneys appropriated for basic education under
17 RCW 28A.150.260 to school districts for purposes of making such
18 payments and for granting school districts seven percent thereof to
19 offset program related costs. The calculations and allocations shall
20 be based upon the estimated statewide annual average per full-time
21 equivalent high school student allocations under RCW 28A.150.260,
22 excluding small high school enhancements, and applicable rules adopted
23 under chapter 34.05 RCW. The superintendent of public instruction, the
24 higher education coordinating board, and the state board for community
25 and technical colleges shall consult on the calculation and
26 distribution of the funds. The institution of higher education shall
27 not require the pupil to pay any other fees. The funds received by the
28 institution of higher education from the school district shall not be
29 deemed tuition or operating fees and may be retained by the institution
30 of higher education. A student enrolled under this subsection shall
31 not be counted for the purpose of determining any enrollment
32 restrictions imposed by the state on the institution of higher
33 education.

34 **Sec. 13.** RCW 28A.655.090 and 1999 c 388 s 301 are each amended to
35 read as follows:

36 (1) By (~~September 10, 1998, and by~~) September 10th each year
37 (~~thereafter~~), the superintendent of public instruction shall report

1 to schools, school districts, and the legislature on the results of the
2 Washington assessment of student learning (~~(and state mandated norm-~~
3 ~~referenced standardized tests)~~).

4 (2) The reports shall include the assessment results by school and
5 school district, and include changes over time. For the Washington
6 assessment of student learning, results shall be reported as follows:

7 (a) The percentage of students meeting the standards;

8 (b) The percentage of students performing at each level of the
9 assessment; (~~and~~)

10 (c) A learning improvement index that shows changes in student
11 performance within the different levels of student learning reported on
12 the Washington assessment of student learning; and

13 (d) Indicators of growth in individual student achievement from
14 year to year, reported in such a way to protect the privacy of
15 individual students.

16 (3) The reports shall contain data regarding the different
17 characteristics of schools, such as poverty levels, percent of English
18 as a second language students, dropout rates, attendance, percent of
19 students in special education, and student mobility so that districts
20 and schools can learn from the improvement efforts of other schools and
21 districts with similar characteristics.

22 (4) The reports shall contain student scores on mandated tests by
23 comparable Washington schools of similar characteristics.

24 (5) The reports shall contain information on public school choice
25 options available to students, including vocational education.

26 (6) The reports shall be posted on the superintendent of public
27 instruction's internet web site.

28 (7) To protect the privacy of students, the results of schools and
29 districts that test fewer than ten students in a grade level shall not
30 be reported. In addition, in order to ensure that results are reported
31 accurately, the superintendent of public instruction shall maintain the
32 confidentiality of statewide data files until the superintendent
33 determines that the data are complete and accurate.

34 (8) The superintendent of public instruction shall monitor the
35 percentage and number of special education and limited English-
36 proficient students exempted from taking the assessments by schools and
37 school districts to ensure the exemptions are in compliance with
38 exemption guidelines.

1 **Sec. 14.** RCW 28A.305.215 and 2007 c 396 s 1 are each amended to
2 read as follows:

3 ~~(1) ((The activities in this section revise and strengthen the~~
4 ~~state learning standards that implement the goals of RCW 28A.150.210,~~
5 ~~known as the essential academic learning requirements, and improve~~
6 ~~alignment of school district curriculum to the standards.~~

7 ~~(2) The state board of education shall be assisted in its work~~
8 ~~under subsections (3) and (5) of this section by: (a) An expert~~
9 ~~national consultant in each of mathematics and science retained by the~~
10 ~~state board; and (b) the mathematics and science advisory panels~~
11 ~~created under RCW 28A.305.219, as appropriate, which shall provide~~
12 ~~review and formal comment on proposed recommendations to the~~
13 ~~superintendent of public instruction and the state board of education~~
14 ~~on new revised standards and curricula.~~

15 ~~(3) By September 30, 2007, the state board of education shall~~
16 ~~recommend to the superintendent of public instruction revised essential~~
17 ~~academic learning requirements and grade level expectations in~~
18 ~~mathematics. The recommendations shall be based on:~~

19 ~~(a) Considerations of clarity, rigor, content, depth, coherence~~
20 ~~from grade to grade, specificity, accessibility, and measurability;~~

21 ~~(b) Study of:~~

22 ~~(i) Standards used in countries whose students demonstrate high~~
23 ~~performance on the trends in international mathematics and science~~
24 ~~study and the programme for international student assessment;~~

25 ~~(ii) College readiness standards;~~

26 ~~(iii) The national council of teachers of mathematics focal points~~
27 ~~and the national assessment of educational progress content frameworks;~~
28 ~~and~~

29 ~~(iv) Standards used by three to five other states, including~~
30 ~~California, and the nation of Singapore; and~~

31 ~~(c) Consideration of information presented during public comment~~
32 ~~periods.~~

33 ~~(4) By January 31, 2008, the superintendent of public instruction~~
34 ~~shall revise the essential academic learning requirements and the grade~~
35 ~~level expectations for mathematics and present the revised standards to~~
36 ~~the state board of education and the education committees of the senate~~
37 ~~and the house of representatives as required by RCW 28A.655.070(4).~~

1 ~~The superintendent shall adopt the revised essential academic learning~~
2 ~~requirements and grade level expectations unless otherwise directed by~~
3 ~~the legislature during the 2008 legislative session.~~

4 ~~(5) By June 30, 2008, the state board of education shall recommend~~
5 ~~to the superintendent of public instruction revised essential academic~~
6 ~~learning requirements and grade level expectations in science. The~~
7 ~~recommendations shall be based on:~~

8 ~~(a) Considerations of clarity, rigor, content, depth, coherence~~
9 ~~from grade to grade, specificity, accessibility, and measurability;~~

10 ~~(b) Study of standards used by three to five other states and in~~
11 ~~countries whose students demonstrate high performance on the trends in~~
12 ~~international mathematics and science study and the programme for~~
13 ~~international student assessment; and~~

14 ~~(c) Consideration of information presented during public comment~~
15 ~~periods.~~

16 ~~(6) By December 1, 2008, the superintendent of public instruction~~
17 ~~shall revise the essential academic learning requirements and the grade~~
18 ~~level expectations for science and present the revised standards to the~~
19 ~~state board of education and the education committees of the senate and~~
20 ~~the house of representatives as required by RCW 28A.655.070(4). The~~
21 ~~superintendent shall adopt the revised essential academic learning~~
22 ~~requirements and grade level expectations unless otherwise directed by~~
23 ~~the legislature during the 2009 legislative session.~~

24 ~~(7))~~(a) By May 15, ~~((2008))~~ 2011, the superintendent of public
25 instruction shall present to the state board of education
26 recommendations for no more than three basic mathematics curricula each
27 for elementary, middle, and high school grade spans.

28 (b) By ~~((June 30, 2008))~~ September 30, 2011, the state board of
29 education shall provide official comment and recommendations to the
30 superintendent of public instruction regarding the recommended
31 mathematics curricula. The superintendent of public instruction shall
32 make any changes based on the comment and recommendations from the
33 state board of education and adopt the recommended curricula.

34 (c) By May 15, ~~((2009))~~ 2011, the superintendent of public
35 instruction shall present to the state board of education
36 recommendations for no more than three basic science curricula each for
37 elementary, middle, and high school grade spans.

1 (d) By (~~June 30, 2009~~) September 30, 2011, the state board of
2 education shall provide official comment and recommendations to the
3 superintendent of public instruction regarding the recommended science
4 curricula. The superintendent of public instruction shall make any
5 changes based on the comment and recommendations from the state board
6 of education and adopt the recommended curricula.

7 (e) In selecting the recommended curricula under this subsection
8 (~~(7)~~) (1), the superintendent of public instruction shall provide
9 information to the mathematics and science (~~advisory~~) academic
10 standards panels created under RCW (~~28A.305.219~~) 28A.655.070, as
11 appropriate, and seek the advice of the appropriate panel regarding the
12 curricula that shall be included in the recommendations.

13 (f) The recommended curricula under this subsection (~~(7)~~) (1)
14 shall align with the revised essential academic learning requirements
15 and grade level expectations. In addition to the recommended basic
16 curricula, appropriate diagnostic and supplemental materials shall be
17 identified as necessary to support each curricula.

18 (g) Subject to funds appropriated for this purpose and availability
19 of the curricula, at least one of the curricula in each grade span and
20 in each of mathematics and science shall be available to schools and
21 parents online at no cost to the school or parent.

22 (~~(8)~~) (2) By December 1, 2007, the state board of education shall
23 revise the high school graduation requirements under RCW 28A.230.090 to
24 include a minimum of three credits of mathematics, one of which may be
25 a career and technical course equivalent in mathematics, and prescribe
26 the mathematics content in the three required credits.

27 (~~(9)~~) (3) Nothing in this section requires a school district to
28 use one of the recommended curricula under subsection (~~(7)~~) (1) of
29 this section. However, the statewide accountability plan adopted by
30 the state board of education under RCW 28A.305.130 shall recommend
31 conditions under which school districts should be required to use one
32 of the recommended curricula. The plan shall also describe the
33 conditions for exception to the curriculum requirement, such as the use
34 of integrated academic and career and technical education curriculum.
35 Required use of the recommended curricula as an intervention strategy
36 must be authorized by the legislature as required by RCW
37 28A.305.130(4)(e) before implementation.

1 **Sec. 15.** RCW 28B.15.520 and 2007 c 355 s 6 are each amended to
2 read as follows:

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

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

7 (a) Students nineteen years of age or older who are eligible for
8 resident tuition and fee rates as defined in RCW 28B.15.012 through
9 28B.15.015((~~7~~)) and who enroll in a course of study or program which
10 will enable them to finish their high school education and obtain a
11 high school diploma or certificate(~~(, but who are not eligible students~~
12 ~~as defined by RCW 28A.600.405))); and~~

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

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

21 (a) Nonresident students enrolled in a community college course of
22 study or program which will enable them to finish their high school
23 education and obtain a high school diploma or certificate (~~(but who are~~
24 ~~not eligible students as defined by RCW 28A.600.405)).~~ The waiver
25 shall be in effect only for those courses which lead to a high school
26 diploma or certificate; and

27 (b) Up to forty percent of the students enrolled in the regional
28 education program for deaf students, subject to federal funding of such
29 program.

30 **Sec. 16.** RCW 28B.15.067 and 2007 c 355 s 7 are each amended to
31 read as follows:

32 (1) Tuition fees shall be established under the provisions of this
33 chapter.

34 (2) Beginning with the 2003-04 academic year and ending with the
35 2008-09 academic year, reductions or increases in full-time tuition
36 fees for resident undergraduates shall be as provided in the omnibus
37 appropriations act.

1 (3) Beginning with the 2003-04 academic year and ending with the
2 2008-09 academic year, the governing boards of the state universities,
3 the regional universities, The Evergreen State College, and the state
4 board for community and technical colleges may reduce or increase full-
5 time tuition fees for all students other than resident undergraduates,
6 including summer school students and students in other self-supporting
7 degree programs. Percentage increases in full-time tuition fees may
8 exceed the fiscal growth factor. Reductions or increases may be made
9 for all or portions of an institution's programs, campuses, courses, or
10 students.

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

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

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

21 ~~(7) ((The tuition fees established under this chapter shall not
22 apply to eligible students enrolling in a community or technical
23 college participating in the pilot program under RCW 28B.50.534 for the
24 purpose of obtaining a high school diploma.~~

25 ~~(8))~~ For the academic years 2003-04 through 2008-09, the
26 University of Washington shall use an amount equivalent to ten percent
27 of all revenues received as a result of law school tuition increases
28 beginning in academic year 2000-01 through academic year 2008-09 to
29 assist needy low and middle income resident law students.

30 ~~((9))~~ (8) For the academic years 2003-04 through 2008-09,
31 institutions of higher education shall use an amount equivalent to ten
32 percent of all revenues received as a result of graduate academic
33 school tuition increases beginning in academic year 2003-04 through
34 academic year 2008-09 to assist needy low and middle-income resident
35 graduate academic students.

36 **Sec. 17.** RCW 28A.155.170 and 2007 c 318 s 2 are each amended to
37 read as follows:

1 (1) Beginning July 1, 2007, each school district that operates a
2 high school shall establish a policy and procedures that permit any
3 student who is receiving special education or related services under an
4 individualized education program pursuant to state and federal law and
5 who will continue to receive such services between the ages of eighteen
6 and twenty-one to participate in the graduation ceremony and activities
7 after four years of high school attendance with his or her age-
8 appropriate peers and receive a certificate of attendance.

9 (2) Participation in a graduation ceremony and receipt of a
10 certificate of attendance under this section does not preclude a
11 student from continuing to receive special education and related
12 services under an individualized education program beyond the
13 graduation ceremony.

14 (3) A student's participation in a graduation ceremony and receipt
15 of a certificate of attendance under this section shall not be
16 construed as the student's receipt of ((either:

17 (a)) a high school diploma pursuant to RCW 28A.230.120((; or
18 (b) A certificate of individual achievement pursuant to RCW
19 28A.155.045)).

20 NEW SECTION. **Sec. 18.** The following acts or parts of acts are
21 each repealed:

22 (1) RCW 28A.155.045 (Certificate of individual achievement) and
23 2007 c 354 s 3 & 2004 c 19 s 104;

24 (2) RCW 28A.230.195 (Test or assessment scores--Adjustments to
25 instructional practices--Notification to parents) and 2005 c 217 s 1,
26 1999 c 373 s 603, & 1992 c 141 s 401;

27 (3) RCW 28A.305.219 (Mathematics advisory panel--Science advisory
28 panel) and 2007 c 396 s 2;

29 (4) RCW 28A.655.010 (Washington commission on student learning--
30 Definitions) and 1993 c 336 s 201;

31 (5) RCW 28A.655.063 (Objective alternative assessments--
32 Reimbursement of costs--Testing fee waivers) and 2007 c 354 s 7 & 2006
33 c 115 s 5;

34 (6) RCW 28A.655.065 (Objective alternative assessment methods--
35 Appeals from assessment scores--Waivers and appeals from assessment
36 requirements--Rules) and 2007 c 354 s 6 & 2006 c 115 s 1;

1 (7) RCW 28A.655.0611 (Graduation without certificate of academic
2 achievement or certificate of individual achievement) and 2007 c 354 s
3 4;

4 (8) RCW 28B.50.534 (High school completion pilot program) and 2007
5 c 355 s 3;

6 (9) RCW 28A.600.405 (Participation in high school completion pilot
7 program--Eligible students--Funding allocations--Rules--Information for
8 students and parents) and 2007 c 355 s 4; and

9 (10) 2007 c 255 s 8 (uncodified).

10 NEW SECTION. **Sec. 19.** This act is necessary for the immediate
11 preservation of the public peace, health, or safety, or support of the
12 state government and its existing public institutions, and takes effect
13 immediately.

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