

**ESSB 5889 - H AMD 885**

By Representative Quall

ADOPTED 04/23/2009

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

27           (3) The booklet shall include:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

32 NEW SECTION. **Sec. 20.** The following acts or parts of acts, as now  
33 existing or hereafter amended, are each repealed:

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

36 (2) RCW 28A.230.185 (Family preservation education program) and  
37 2005 c 491 s 2;

- 1 (3) RCW 28A.300.412 (Washington civil liberties public education  
2 program--Report) and 2000 c 210 s 6;
- 3 (4) RCW 28A.600.415 (Alternatives to suspension--Community service  
4 encouraged--Information provided to school districts) and 1992 c 155 s  
5 2;
- 6 (5) RCW 28A.625.010 (Short title) and 1995 c 335 s 107, 1990 c 33  
7 s 513, & 1986 c 147 s 1;
- 8 (6) RCW 28A.625.020 (Recipients--Awards) and 1991 c 255 s 1;
- 9 (7) RCW 28A.625.030 (Washington State Christa McAuliffe award for  
10 teachers) and 1991 c 255 s 2 & 1986 c 147 s 3;
- 11 (8) RCW 28A.625.042 (Certificates--Recognition awards) and 1994 c  
12 279 s 4;
- 13 (9) RCW 28A.625.050 (Rules) and 1995 c 335 s 108, 1991 c 255 s 8,  
14 1990 c 33 s 516, 1988 c 251 s 2, & 1986 c 147 s 5;
- 15 (10) RCW 28A.625.350 (Short title) and 1990 1st ex.s. c 10 s 1;
- 16 (11) RCW 28A.625.360 (Excellence in teacher preparation award) and  
17 2006 c 263 s 804 & 1990 1st ex.s. c 10 s 2;
- 18 (12) RCW 28A.625.370 (Award for teacher educator) and 2006 c 263 s  
19 820 & 1990 1st ex.s. c 10 s 3;
- 20 (13) RCW 28A.625.380 (Rules) and 2006 c 263 s 821 & 1990 1st ex.s.  
21 c 10 s 4;
- 22 (14) RCW 28A.625.390 (Educational grant--Eligibility--Award) and  
23 2006 c 263 s 822 & 1990 1st ex.s. c 10 s 5;
- 24 (15) RCW 28A.625.900 (Severability--1990 1st ex.s. c 10) and 1990  
25 1st ex.s. c 10 s 10;
- 26 (16) RCW 28A.630.045 (Local control and flexibility in  
27 assessments--Pilot project) and 2006 c 175 s 1; and
- 28 (17) RCW 28A.630.881 (School-to-work transition project--Findings--  
29 Intent--Outreach--Technical assistance) and 1997 c 58 s 304.

30 NEW SECTION. **Sec. 21.** Sections 11, 13, and 15 of this act expire  
31 July 1, 2011."

32 Correct the title.

EFFECT: (1) Removes the following provisions from the bill:

(a) A requirement for SPI to provide information about immunization requirements is repealed.

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

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

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

(2) Adds the following provisions to the bill:

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

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

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

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

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

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

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

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

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

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

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

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