6474-S AMH ED MOET 962

**SSB 6474** - H COMM AMD

By Committee on Education

**NOT ADOPTED 03/01/2018**

 Strike everything after the enacting clause and insert the following:

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

(1) A pilot project is established for one or more schools that are the subject of a state-tribal education compact, schools also known as "tribal compact schools," to consider and implement modifications to requirements governing school attendance, calendar requirements, and assessments for the purpose of:

(a) Accommodating cultural, fisheries, and agricultural events; and

(b) Replacing statewide student assessments with culturally relevant and community-based standards.

(2) Schools participating in the pilot project may:

(a) Request a waiver, in accordance with section 2 of this act, to the requirement for a one hundred eighty-day school year established in RCW 28A.150.220;

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

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

(d) Categorize, subject to the requirements of section 3 or 4 of this act, the participation in cultural or agricultural events as an excused absence under RCW 28A.225.010;

(e) Explore ways that cultural and agricultural events are or can be reflected in data concerning absenteeism;

(f) Replace statewide student assessments required for earning a certificate of academic achievement with culturally relevant and community-based standards; and

(g) Consider and implement other modifications to requirements as determined by each participating school.

(3) The office of native education within the office of the superintendent of public instruction must collaborate with each tribal compact school participating in the pilot project and review any terms of the compact that relate to the school's pilot project.

(4) If appropriate, the superintendent of public instruction shall convene a government-to-government meeting with the tribal compact school for the purpose of revising the compact to reflect the terms of the pilot project.

(5) Nothing contained in this section may be construed to limit the amount of funding allocated to tribal compact schools participating in the pilot project.

(6) Each tribal compact school participating in the pilot shall submit a report every two years to the appropriate committees of the house of representatives, the senate, and the office of the superintendent of public instruction. The final report of each school must include a recommendation of whether the pilot project should be modified, continued, expanded, or discontinued. Reports submitted to the house of representatives and the senate in accordance with this subsection must comply with RCW 43.01.036.

(7) The pilot project expires August 1, 2023.

 (8) This section expires September 1, 2023.

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

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

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

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

 (2) This section expires September 1, 2023.

**Sec.**  RCW 28A.225.010 and 2014 c 168 s 3 are each amended to read as follows:

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; ((~~or~~))

(f) The child is participating in cultural or agricultural events in accordance with the pilot project established in section 1 of this act, for up to two days per school year without any penalty; or

(g) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed.

**Sec.**  RCW 28A.225.010 and 2017 3rd sp.s. c 6 s 630 are each amended to read as follows:

(1) All parents in this state of any child eight years of age and under eighteen years of age shall cause such child to attend the public school of the district in which the child resides and such child shall have the responsibility to and therefore shall attend for the full time when such school may be in session unless:

(a) The child is attending an approved private school for the same time or is enrolled in an extension program as provided in RCW 28A.195.010(4);

(b) The child is receiving home-based instruction as provided in subsection (4) of this section;

(c) The child is attending an education center as provided in chapter 28A.205 RCW;

(d) The school district superintendent of the district in which the child resides shall have excused such child from attendance because the child is physically or mentally unable to attend school, is attending a residential school operated by the department of social and health services or the department of children, youth, and families, is incarcerated in an adult correctional facility, or has been temporarily excused upon the request of his or her parents for purposes agreed upon by the school authorities and the parent: PROVIDED, That such excused absences shall not be permitted if deemed to cause a serious adverse effect upon the student's educational progress: PROVIDED FURTHER, That students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect school district compliance with the provisions of RCW 28A.150.220;

(e) The child is excused from school subject to approval by the student's parent for a reason of faith or conscience, or an organized activity conducted under the auspices of a religious denomination, church, or religious organization, for up to two days per school year without any penalty. Such absences may not mandate school closures. Students excused for such temporary absences may be claimed as full-time equivalent students to the extent they would otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and may not affect school district compliance with the provisions of RCW 28A.150.220; ((~~or~~))

(f) Until August 1, 2023, the child is participating in cultural or agricultural events in accordance with the pilot project established in section 1 of this act, for up to two days per school year without any penalty; or

(g) The child is sixteen years of age or older and:

(i) The child is regularly and lawfully employed and either the parent agrees that the child should not be required to attend school or the child is emancipated in accordance with chapter 13.64 RCW;

(ii) The child has already met graduation requirements in accordance with state board of education rules and regulations; or

(iii) The child has received a certificate of educational competence under rules and regulations established by the state board of education under RCW 28A.305.190.

(2) A parent for the purpose of this chapter means a parent, guardian, or person having legal custody of a child.

(3) An approved private school for the purposes of this chapter and chapter 28A.200 RCW shall be one approved under regulations established by the state board of education pursuant to RCW 28A.305.130.

(4) For the purposes of this chapter and chapter 28A.200 RCW, instruction shall be home-based if it consists of planned and supervised instructional and related educational activities, including a curriculum and instruction in the basic skills of occupational education, science, mathematics, language, social studies, history, health, reading, writing, spelling, and the development of an appreciation of art and music, provided for a number of hours equivalent to the total annual program hours per grade level established for approved private schools under RCW 28A.195.010 and 28A.195.040 and if such activities are:

(a) Provided by a parent who is instructing his or her child only and are supervised by a certificated person. A certificated person for purposes of this chapter and chapter 28A.200 RCW shall be a person certified under chapter 28A.410 RCW. For purposes of this section, "supervised by a certificated person" means: The planning by the certificated person and the parent of objectives consistent with this subsection; a minimum each month of an average of one contact hour per week with the child being supervised by the certificated person; and evaluation of such child's progress by the certificated person. The number of children supervised by the certificated person shall not exceed thirty for purposes of this subsection; or

(b) Provided by a parent who is instructing his or her child only and who has either earned forty-five college level quarter credit hours or its equivalent in semester hours or has completed a course in home-based instruction at a postsecondary institution or a vocational-technical institute; or

(c) Provided by a parent who is deemed sufficiently qualified to provide home-based instruction by the superintendent of the local school district in which the child resides.

(5) The legislature recognizes that home-based instruction is less structured and more experiential than the instruction normally provided in a classroom setting. Therefore, the provisions of subsection (4) of this section relating to the nature and quantity of instructional and related educational activities shall be liberally construed."

Correct the title.

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|  |  EFFECT:   (1) Authorizes tribal compact schools participating in the pilot project established in the bill to request a waiver, rather than obtain a waiver, to the requirement for a 180-day school year.  (2) Specifies that curricula developed by schools participating in the pilot project must be aligned to the Washington State Learning Standards rather than Washington's content standards.  (3) Authorizes schools participating in the pilot project to request authorization to consider student activities in certain events as instructional days, rather than counting participation as instructional days.  (4) Authorizes schools participating in the pilot project to categorize up to two days of participation each year in cultural or agricultural events as excused absences.  (5) Authorizes schools participating in the pilot project to replace statewide student assessments required for earning a certificate of academic achievement, rather than state mandatory graduating testing requirements, with culturally relevant and community-based standards.  (6) Specifies that the final report of each school must include a recommendation of whether the pilot project should be modified, continued, expanded, or discontinued.  (7) Authorizes the Superintendent of Public Instruction to grant waivers to schools participating in the pilot project for 180-day school year requirement, and to authorize the requesting school to consider student participation in certain activities as instructional days.  (8) Makes numerous technical changes, including: (a) specifying that schools that are the subject of a state-tribal education compact are also known as "tribal compact schools"; (b) directing reports of the schools to be submitted to the appropriate committees of the House of Representatives and the Senate rather than of the Legislature; and (c) specifying that schools participating in the pilot project may consider and implement other modifications to requirements as determined by the schools, rather than specifying that schools may develop various options in implementing the pilot project, including but not limited to, delineated provisions. |

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