CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6474**

Chapter 290, Laws of 2018

65th Legislature

2018 Regular Session

TRIBAL COMPACT SCHOOLS--SCHOOL REQUIREMENT MODIFICATIONS--PILOT

EFFECTIVE DATE: June 7, 2018

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| Passed by the Senate March 6, 2018  Yeas 44 Nays 5  CYRUS HABIB  **President of the Senate**  Passed by the House March 1, 2018  Yeas 86 Nays 11  FRANK CHOPP  **Speaker of the House of Representatives** | CERTIFICATE  I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6474** as passed by Senate and the House of Representatives on the dates hereon set forth.  BRAD HENDRICKSON  Secretary |
| Approved March 27, 2018 3:05 PM | March 29, 2018 |
| JAY INSLEE  **Governor of the State of Washington** | **Secretary of State**  **State of Washington** |

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**SUBSTITUTE SENATE BILL 6474**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

**State of Washington 65th Legislature 2018 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators McCoy, Sheldon, Chase, Conway, Frockt, Hasegawa, Hunt, Kuderer, Palumbo, Rolfes, Saldaña, and Van De Wege)

AN ACT Relating to creating a pilot project for tribal compact schools that accommodates cultural and agricultural events in school attendance requirements; adding new sections to chapter 28A.715 RCW; adding a new section to chapter 28A.300 RCW; creating a new section; and providing expiration dates.

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

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

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

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

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

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

(3) 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. The waiver requested in accordance with this subsection (3)(a) may be for allowing additional instructional days, including an allowance for year-round instruction;

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

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

(4) 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, including providing technical support and assistance, and review any terms of the compact that relate to the school's implementation of the pilot project.

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

(6) If requested by a tribal compact school participating or intending to participate in the pilot project, 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. The superintendent of public instruction may also convene a government-to-government meeting on his or her own accord.

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

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

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

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

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

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

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

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

(10) 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 shall, 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.

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

(1) Students in 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 are exempt from the obligation to earn:

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

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

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

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

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

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

(4) This section expires September 1, 2023.

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

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Passed by the Senate March 6, 2018.

Passed by the House March 1, 2018.

Approved by the Governor March 27, 2018.

Filed in Office of Secretary of State March 29, 2018.