
HOUSE BILL 2848

State of Washington

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1998 Regular Session

By Representatives Talcott, B. Thomas, Johnson, L. Thomas, Robertson, Lambert, Carrell, Bush, Backlund, Pennington, Lisk, McDonald, Zellinsky, Mielke, Radcliff, D. Schmidt, Cairnes, Sterk, D. Sommers, Sheahan, Carlson, Chandler, Smith, Boldt and Thompson

Read first time 01/21/98. Referred to Committee on Education.

1 AN ACT Relating to the assessment of student learning; amending RCW
2 28A.630.885, 28A.195.010, 28A.200.010, 28B.80.350, 28B.20.130, and
3 28B.30.150; adding a new section to chapter 28A.630 RCW; adding a new
4 section to chapter 28B.35 RCW; and adding a new section to chapter
5 28B.40 RCW.

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

7 **Sec. 1.** RCW 28A.630.885 and 1997 c 268 s 1 are each amended to
8 read as follows:

9 (1) The Washington commission on student learning is hereby
10 established. The primary purposes of the commission are to identify
11 the knowledge and skills all public school students need to know and be
12 able to do based on the student learning goals in RCW 28A.150.210, to
13 develop student assessment and school accountability systems, to review
14 current school district data reporting requirements and make
15 recommendations on what data is necessary for the purposes of
16 accountability and meeting state information needs, and to take other
17 steps necessary to develop a performance-based education system. The
18 commission shall include three members of the state board of education,
19 three members appointed by the governor before July 1, 1992, and five

1 members appointed no later than June 1, 1993, by the governor elected
2 in the November 1992 election. The governor shall appoint a chair from
3 the commission members, and fill any vacancies in gubernatorial
4 appointments that may occur. The state board of education shall fill
5 any vacancies of state board of education appointments that may occur.
6 In making the appointments, educators, business leaders, and parents
7 shall be represented, and nominations from state-wide education,
8 business, and parent organizations shall be requested. Efforts shall
9 be made to ensure that the commission reflects the racial and ethnic
10 diversity of the state's K-12 student population and that the major
11 geographic regions in the state are represented. Appointees shall be
12 qualified individuals who are supportive of educational restructuring,
13 who have a positive record of service, and who will devote sufficient
14 time to the responsibilities of the commission to ensure that the
15 objectives of the commission are achieved.

16 (2) The commission shall establish advisory committees. Membership
17 of the advisory committees shall include, but not necessarily be
18 limited to, professionals from the office of the superintendent of
19 public instruction and the state board of education, and other state
20 and local educational practitioners and student assessment specialists.

21 (3) The commission, with the assistance of the advisory committees,
22 shall:

23 (a) Develop essential academic learning requirements based on the
24 student learning goals in RCW 28A.150.210. Essential academic learning
25 requirements shall be developed, to the extent possible, for each of
26 the student learning goals in RCW 28A.150.210. Goals one and two shall
27 be considered primary. Essential academic learning requirements for
28 RCW 28A.150.210(1), goal one, and the mathematics component of RCW
29 28A.150.210(2), goal two, shall be completed no later than March 1,
30 1995. Essential academic learning requirements that incorporate the
31 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and
32 four, shall be completed no later than March 1, 1996. To the maximum
33 extent possible, the commission shall integrate goal four and the
34 knowledge and skill areas in the other goals in the development of the
35 essential academic learning requirements;

36 (b)(i) The commission shall present to the state board of education
37 and superintendent of public instruction a state-wide academic
38 assessment system for use in the elementary, middle, and high school
39 years designed to determine if each student has mastered the essential

1 academic learning requirements identified in (a) of this subsection.
2 The academic assessment system shall include a variety of assessment
3 methods, including criterion-referenced and performance-based measures.
4 Performance standards for determining if a student has successfully
5 completed an assessment shall be initially determined by the commission
6 in consultation with the advisory committees required in subsection (2)
7 of this section.

8 (ii) The assessment system shall be designed so that the results
9 under the assessment system are used by educators as tools to evaluate
10 instructional practices, and to initiate appropriate educational
11 support for students who have not mastered the essential academic
12 learning requirements at the appropriate periods in the student's
13 educational development.

14 (iii) Assessments measuring the essential academic learning
15 requirements developed for RCW 28A.150.210(1) and the mathematics
16 component of RCW 28A.150.210(2) referred to in this section as reading,
17 writing, communications, and mathematics shall be developed and
18 initially implemented by the commission before transferring the
19 assessment system to the superintendent of public instruction on June
20 30, 1999. The elementary assessments for reading, writing,
21 communications, and mathematics shall be available for use by school
22 districts no later than the 1996-97 school year, the middle school
23 assessment no later than the 1997-98 school year, and the high school
24 assessment no later than the 1998-99 school year, unless the
25 legislature takes action to delay or prevent implementation of the
26 assessment system and essential academic learning requirements.
27 (~~Assessments measuring the essential academic learning requirements~~
28 ~~developed for the science component of RCW 28A.150.210(2) at the middle~~
29 ~~school and high school levels shall be available for use by districts~~
30 ~~no later than the 1998-99 school year unless the legislature takes~~
31 ~~action to delay or prevent implementation of the assessment system and~~
32 ~~essential academic learning requirements.))~~

33 The completed assessments and assessments still in development
34 shall be transferred to the superintendent of public instruction by
35 June 30, 1999, unless the legislature takes action to delay
36 implementation of the assessment system and essential academic learning
37 requirements. The superintendent shall continue the development of
38 assessments on the following schedule: The science assessments at the
39 middle and high school levels shall be available for use by districts

1 no later than the 2000-01 school year; the history, civics, and
2 geography assessments at the middle and high school levels shall be
3 available for use by districts no later than ((~~the~~)) the 2000-01
4 school year; the arts assessment for middle and high school levels
5 shall be available for use by districts no later than ((~~the~~)) the
6 2000-01 school year; and the health and fitness assessments for middle
7 and high school levels shall be available no later than the 2001-02
8 school year. The elementary science assessment shall be available for
9 use by districts not later than the 2001-02 school year. The
10 commission or the superintendent, as applicable, shall upon request,
11 provide opportunities for the education committees of the house of
12 representatives and the senate to review the assessments and proposed
13 modifications to the essential academic learning requirements before
14 the modifications are adopted. By December 15, 1998, the commission on
15 student learning shall recommend to the appropriate committees of the
16 legislature a revised timeline for implementing these assessments and
17 when the school districts should be required to participate. All
18 school districts shall be required to participate in the history,
19 civics, geography, arts, health, fitness, and ((~~elementary~~)) science
20 assessments in the third year after the assessments are available to
21 school districts.

22 To the maximum extent possible, the commission shall integrate
23 knowledge and skill areas in development of the assessments.

24 (iv) Assessments for goals three and four of RCW 28A.150.210 shall
25 be integrated in the essential academic learning requirements and
26 assessments for goals one and two. Before the 1997-98 school year, the
27 elementary assessment system in reading, writing, communications, and
28 mathematics shall be optional. School districts that desire to
29 participate before the 1997-98 school year shall notify the commission
30 on student learning in a manner determined by the commission.
31 Beginning in the 1997-98 school year, school districts shall be
32 required to participate in the elementary assessment system for
33 reading, writing, communications, and mathematics. Before the 2000-01
34 school year, participation by school districts in the middle school and
35 high school assessment system for reading, writing, communications, and
36 mathematics((~~, and science~~)) shall be optional. School districts that
37 desire to participate before the 1998-99 school year shall notify the
38 commission on student learning in a manner determined by the commission
39 on student learning. Schools that desire to participate after the

1 1998-99 school year, shall notify the superintendent of public
2 instruction in a manner determined by the superintendent. Beginning in
3 the 2000-01 school year, all school districts shall be required to
4 participate in the assessment system for reading, writing,
5 communications, and mathematics(~~(, and science)~~).

6 (v) The commission on student learning may modify the essential
7 academic learning requirements and the assessments for reading,
8 writing, communications, mathematics, and science, as needed, before
9 June 30, 1999. The commission shall, upon request, provide
10 opportunities for the education committees of the house of
11 representatives and the senate to review the assessments and proposed
12 modifications to the essential academic learning requirements before
13 the modifications are adopted.

14 (vi) The commission shall develop assessments that are directly
15 related to the essential academic learning requirements, and are not
16 biased toward persons with different learning styles, racial or ethnic
17 backgrounds, or on the basis of gender;

18 ~~(c) ((After a determination is made by the state board of education
19 that the high school assessment system has been implemented and that it
20 is sufficiently reliable and valid, successful completion of the high
21 school assessment shall lead to a certificate of mastery. The
22 certificate of mastery shall be obtained by most students at about the
23 age of sixteen, and is evidence that the student has successfully
24 mastered the essential academic learning requirements during his or her
25 educational career. The certificate of mastery shall be required for
26 graduation but shall not be the only requirement for graduation. The
27 commission shall make recommendations to the state board of education
28 regarding the relationship between the certificate of mastery and high
29 school graduation requirements. Upon achieving the certificate of
30 mastery, schools shall provide students with the opportunity to pursue
31 career and educational objectives through educational pathways that
32 emphasize integration of academic and vocational education.
33 Educational pathways may include, but are not limited to, programs such
34 as work based learning, school to work transition, tech prep,
35 vocational technical education, running start, and preparation for
36 technical college, community college, or university education)) (i) By
37 September 1, 2002, the state board of education shall determine whether
38 the high school assessment system has been implemented and if it is
39 sufficiently reliable and valid. If the state board determines that~~

1 the high school assessment system has been implemented and that it is
2 reliable and valid, then, beginning in the 2003-04 school year,
3 successful completion of the high school assessment in reading,
4 writing, communications-listening, and mathematics shall meet the basic
5 academic requirement. Beginning in the 2005-06 school year, successful
6 completion of the high school assessment in reading, writing,
7 communications-listening, mathematics, and science shall meet the basic
8 academic requirement.

9 (ii) If a student fails to meet the high school assessment standard
10 in any content area required to meet the basic academic requirement,
11 then the student may retake the assessment at school district expense.
12 A student who meets the assessment standard in any content area may
13 retake the assessment at student expense for the purpose of improving
14 scores. Students retaking the assessment to improve scores may not be
15 charged more than the cost of administering the assessment.

16 (iii) School districts shall designate on each student's official
17 transcript whether the student met the basic academic requirement, the
18 highest scores attained by content area, and the dates on which the
19 assessments were taken.

20 (iv) The basic academic requirement is required for high school
21 graduation. As a local option, school districts may establish
22 additional requirements for high school graduation, including, but not
23 limited to, community service, senior projects, student portfolios, and
24 classroom-based assessments. However, this subsection shall not be
25 construed as modifying the basic academic requirement established in
26 (c)(i) of this subsection.

27 (v) The state board of education shall not require students
28 receiving a private education under chapter 28A.195 RCW or home-based
29 instruction under chapter 28A.200 RCW to meet the basic academic
30 requirement;

31 (d) Consider methods to address the unique needs of special
32 education students when developing the assessments in (b) and (c) of
33 this subsection;

34 (e) Consider methods to address the unique needs of highly capable
35 students when developing the assessments in (b) and (c) of this
36 subsection;

37 (f) Develop recommendations on the time, support, and resources,
38 including technical assistance, needed by schools and school districts
39 to help students achieve the essential academic learning requirements.

1 These recommendations shall include an estimate for the legislature,
2 superintendent of public instruction, and governor on the expected cost
3 of implementing the academic assessment system;

4 (g) Develop recommendations for consideration by the higher
5 education coordinating board for adopting college and university
6 entrance requirements for public school students that are consistent
7 with the essential academic learning requirements and the ((certificate
8 of mastery)) basic academic requirement;

9 (h) Review current school district data reporting requirements for
10 the purposes of accountability and meeting state information needs.
11 The commission on student learning shall report recommendations to the
12 joint select committee on education restructuring by September 15,
13 1996, on:

14 (i) What data is necessary to compare how school districts are
15 performing before the essential academic learning requirements and the
16 assessment system are implemented with how school districts are
17 performing after the essential academic learning requirements and the
18 assessment system are implemented; and

19 (ii) What data is necessary pertaining to school district reports
20 under the accountability systems developed by the commission on student
21 learning under this section;

22 (i) Recommend to the legislature, governor, state board of
23 education, and superintendent of public instruction:

24 (i) A state-wide accountability system to monitor and evaluate
25 accurately and fairly at elementary, middle, and high schools the level
26 of learning occurring in individual schools and school districts with
27 regard to the goals included in RCW 28A.150.210 (1) through (4). The
28 accountability system must assess each school individually against its
29 own baseline, schools with similar characteristics, and schools state-
30 wide. The system shall include school-site, school district, and
31 state-level accountability reports;

32 (ii) A school assistance program to help schools and school
33 districts that are having difficulty helping students meet the
34 essential academic learning requirements as measured by performance on
35 the elementary, middle school, and high school assessments;

36 (iii) A system to intervene in schools and school districts in
37 which significant numbers of students persistently fail to learn the
38 essential academic learning requirements or meet the standards

1 established for the elementary, middle school, and high school
2 assessments; and

3 (iv) An awards program to provide incentives to school staff to
4 help their students learn the essential academic learning requirements,
5 with each school being assessed individually against its own baseline,
6 schools with similar characteristics, and the state-wide average.
7 Incentives shall be based on the rate of percentage change of students
8 achieving the essential academic learning requirements and progress on
9 meeting the state-wide average. School staff shall determine how the
10 awards will be spent.

11 The commission shall make recommendations regarding a state-wide
12 accountability system for reading in grades kindergarten through four
13 by November 1, 1997. Recommendations for an accountability system in
14 the other subject areas and grade levels shall be made no later than
15 June 30, 1999;

16 (j) Report annually by December 1st to the legislature, the
17 governor, the superintendent of public instruction, and the state board
18 of education on the progress, findings, and recommendations of the
19 commission; and

20 (k) Make recommendations to the legislature and take other actions
21 necessary or desirable to help students meet the student learning
22 goals.

23 (4) The commission shall coordinate its activities with the state
24 board of education and the office of the superintendent of public
25 instruction.

26 (5) The commission shall seek advice broadly from the public and
27 all interested educational organizations in the conduct of its work,
28 including holding periodic regional public hearings.

29 (6) The commission shall select an entity to provide staff support
30 and the office of the superintendent of public instruction shall
31 provide administrative oversight and be the fiscal agent for the
32 commission. The commission may direct the office of the superintendent
33 of public instruction to enter into subcontracts, within the
34 commission's resources, with school districts, teachers, higher
35 education faculty, state agencies, business organizations, and other
36 individuals and organizations to assist the commission in its
37 deliberations.

38 (7) Members of the commission shall be reimbursed for travel
39 expenses as provided in RCW 43.03.050 and 43.03.060.

1 (8)((a) By September 30, 1997, the commission on student learning,
2 the state board of education, and the superintendent of public
3 instruction shall jointly present recommendations to the education
4 committees of the house of representatives and the senate regarding the
5 high school assessments, the certificate of mastery, and high school
6 graduation requirements.

7 In preparing recommendations, the commission on student learning
8 shall convene an ad hoc working group to address questions, including:

9 (i) What type of document shall be used to identify student
10 performance and achievement and how will the document be described?

11 (ii) Should the students be required to pass the high school
12 assessments in all skill and content areas, or only in select skill and
13 content areas, to graduate?

14 (iii) How will the criteria for establishing the standards for
15 passing scores on the assessments be determined?

16 (iv) What timeline should be used in phasing in the assessments as
17 a graduation requirement?

18 (v) What options may be used in demonstrating how the results of
19 the assessments will be displayed in a way that is meaningful to
20 students, parents, institutions of higher education, and potential
21 employers?

22 (vi) Are there other or additional methods by which the assessments
23 could be used to identify achievement such as endorsements, standards
24 of proficiency, merit badges, or levels of achievement?

25 (vii) Should the assessments and certificate of mastery be used to
26 satisfy college or university entrance criteria for public school
27 students? If yes, how should these methods be phased in?

28 (b) The ad hoc working group shall report its recommendations to
29 the commission on student learning, the state board of education, and
30 the superintendent of public instruction by June 15, 1997. The
31 commission shall report the ad hoc working group's recommendations to
32 the education committees of the house of representatives and senate by
33 July 15, 1997. Final recommendations of the commission on student
34 learning, the state board of education, and the superintendent of
35 public instruction shall be presented to the education committees of
36 the house of representatives and the senate by September 30, 1997.

37 (9)) The Washington commission on student learning shall expire on
38 June 30, 1999.

1 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.630
2 RCW to read as follows:

3 (1) The superintendent of public instruction shall appoint a basic
4 academic requirement advisory committee consisting of not more than
5 fifteen members. Committee membership shall include, but need not be
6 limited to, representatives of public and private education, higher
7 education, a parent organization, parents not representing any
8 organization but having students enrolled in public schools and in
9 private schools, legislators, the business community, and taxpayers not
10 having an affiliation with school or parent organizations. The issues
11 the committee may examine may include, but are not limited to:

12 (a) The content areas required for the basic academic requirement;

13 (b) Endorsement policies, including adding endorsements in other
14 content areas as the assessments are made available, and adding
15 endorsements as requirements for the basic academic requirement;

16 (c) The adequacy of standards required for the basic academic
17 requirement; and

18 (d) Implementation of the basic academic requirement system.

19 (2) The superintendent of public instruction shall convene the
20 committee not later than September 1, 1999. The committee shall report
21 annually to the education committees of the senate and house of
22 representatives, with its first written report submitted not later than
23 September 1, 2000, and each succeeding report submitted not later than
24 September 1st of each year thereafter. Committee members shall serve
25 without additional compensation but are eligible for per diem and
26 mileage allowances under RCW 43.03.050 and 43.03.060.

27 (3) The superintendent of public instruction shall assist the
28 committee in conducting pilot studies to:

29 (a) Determine the feasibility of certifying proficiency in content
30 areas beyond reading, writing, communications-listening, mathematics,
31 and science;

32 (b) Explore methods, in addition to state-level assessments, to
33 certify proficiency in content areas;

34 (c) Gather information about assessment methods already in use or
35 planned for use by school districts;

36 (d) Gather information about school district cooperative efforts
37 related to the basic academic requirement; and

38 (e) Investigate any issues that the committee identifies relating
39 to the effective implementation of the basic academic requirement.

1 **Sec. 3.** RCW 28A.195.010 and 1993 c 336 s 1101 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. Minimum requirements shall be as follows:

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

24 (2) The school day shall be the same as that required in RCW
25 28A.150.030 and 28A.150.220, except that the percentages of total
26 program hour offerings as prescribed in RCW 28A.150.220 for basic
27 skills, work skills, and optional subjects and activities shall not
28 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

20 (6) The physical facilities of the school or district shall be
21 adequate to meet the program offered by the school or district:
22 PROVIDED, That each school building shall meet reasonable health and
23 fire safety requirements. However, the state board shall not require
24 private school students to meet the student learning goals, (~~obtain a~~
25 ~~certificate of mastery~~) meet the basic academic requirement to
26 graduate from high school, to master the essential academic learning
27 requirements, or to be assessed pursuant to RCW 28A.630.885. However,
28 private schools may choose, on a voluntary basis, to have their
29 students master these essential academic learning requirements, take
30 these assessments, and (~~obtain certificates of mastery~~) meet the
31 basic academic requirement. A residential dwelling of the parent,
32 guardian, or custodian shall be deemed to be an adequate physical
33 facility when a parent, guardian, or person having legal custody is
34 instructing his or her child under subsection (4) of this section.

35 (7) Private school curriculum shall include instruction of the
36 basic skills of occupational education, science, mathematics, language,
37 social studies, history, health, reading, writing, spelling, and the
38 development of appreciation of art and music, all in sufficient units
39 for meeting state board of education graduation requirements.

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

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

10 **Sec. 4.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to read
11 as follows:

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

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

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

36 (3) Ensure that a standardized achievement test approved by the
37 state board of education is administered annually to the child by a
38 qualified individual or that an annual assessment of the student's

1 academic progress is written by a certificated person who is currently
2 working in the field of education. The state board of education shall
3 not require these children to meet the student learning goals, master
4 the essential academic learning requirements, to take the assessments,
5 or to ~~((obtain a certificate of mastery))~~ meet the basic academic
6 requirement pursuant to RCW 28A.630.885. The standardized test
7 administered or the annual academic progress assessment written shall
8 be made a part of the child's permanent records. If, as a result of
9 the annual test or assessment, it is determined that the child is not
10 making reasonable progress consistent with his or her age or stage of
11 development, the parent shall make a good faith effort to remedy any
12 deficiency.

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

18 **Sec. 5.** RCW 28B.80.350 and 1993 c 77 s 2 are each amended to read
19 as follows:

20 The board shall coordinate educational activities among all
21 segments of higher education taking into account the educational
22 programs, facilities, and other resources of both public and
23 independent two and four-year colleges and universities. The four-year
24 institutions and the state board for community and technical colleges
25 shall coordinate information and activities with the board. The board
26 shall have the following additional responsibilities:

27 (1) Promote interinstitutional cooperation;

28 (2) Establish minimum admission standards for four-year
29 institutions, including a requirement that coursework in American sign
30 language or an American Indian language shall satisfy any requirement
31 for instruction in a language other than English that the board or the
32 institutions may establish as a general undergraduate admissions
33 requirement. The board may not require students receiving a private
34 education under chapter 28A.195 RCW or home-based instruction under
35 chapter 28A.200 RCW to meet the basic academic requirement;

36 (3) Establish transfer policies;

37 (4) Adopt rules implementing statutory residency requirements;

1 (5) Develop and administer reciprocity agreements with bordering
2 states and the province of British Columbia;

3 (6) Review and recommend compensation practices and levels for
4 administrative employees, exempt under chapter 28B.16 RCW, and faculty
5 using comparative data from peer institutions;

6 (7) Monitor higher education activities for compliance with all
7 relevant state policies for higher education;

8 (8) Arbitrate disputes between and among four-year institutions or
9 between and among four-year institutions and community colleges at the
10 request of one or more of the institutions involved, or at the request
11 of the governor, or from a resolution adopted by the legislature. The
12 decision of the board shall be binding on the participants in the
13 dispute;

14 (9) Establish and implement a state system for collecting,
15 analyzing, and distributing information;

16 (10) Recommend to the governor and the legislature ways to remove
17 any economic incentives to use off-campus program funds for on-campus
18 activities; and

19 (11) Make recommendations to increase minority participation, and
20 monitor and report on the progress of minority participation in higher
21 education.

22 **Sec. 6.** RCW 28B.20.130 and 1985 c 370 s 92 are each amended to
23 read as follows:

24 General powers and duties of the board of regents are as follows:

25 (1) To have full control of the university and its property of
26 various kinds, except as otherwise provided by law.

27 (2) To employ the president of the university, his assistants,
28 members of the faculty, and employees of the institution, who except as
29 otherwise provided by law, shall hold their positions during the
30 pleasure of said board of regents.

31 (3) Establish entrance requirements for students seeking admission
32 to the university which meet or exceed the standards specified under
33 RCW 28B.80.350(2). Completion of examinations satisfactory to the
34 university may be a prerequisite for entrance by any applicant at the
35 university's discretion. Evidence of completion of public high schools
36 and other educational institutions whose courses of study meet the
37 approval of the university may be acceptable for entrance. The board
38 may not require students receiving a private education under chapter

1 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
2 the basic academic requirement.

3 (4) Establish such colleges, schools or departments necessary to
4 carry out the purpose of the university and not otherwise proscribed by
5 law.

6 (5) With the assistance of the faculty of the university, prescribe
7 the course of study in the various colleges, schools and departments of
8 the institution and publish the necessary catalogues thereof.

9 (6) Grant to students such certificates or degrees as recommended
10 for such students by the faculty. The board, upon recommendation of
11 the faculty, may also confer honorary degrees upon persons other than
12 graduates of this university in recognition of their learning or
13 devotion to literature, art or science: PROVIDED, That no degree shall
14 ever be conferred in consideration of the payment of money or the
15 giving of property of whatsoever kind.

16 (7) Accept such gifts, grants, conveyances, bequests and devises,
17 whether real or personal property, or both, in trust or otherwise, for
18 the use or benefit of the university, its colleges, schools,
19 departments, or agencies; and sell, lease or exchange, invest or expend
20 the same or the proceeds, rents, profits and income thereof except as
21 limited by the terms of said gifts, grants, conveyances, bequests and
22 devises. The board shall adopt proper rules to govern and protect the
23 receipt and expenditure of the proceeds of all fees, and the proceeds,
24 rents, profits and income of all gifts, grants, conveyances, bequests
25 and devises above-mentioned, and shall make full report of the same in
26 the customary biennial report to the governor and members of the
27 legislature, or more frequently if required by law(~~(:—PROVIDED,~~
28 ~~HOWEVER, That nothing herein contained shall be construed to repeal,~~
29 ~~amend or in any way modify any of the provisions of RCW 28B.20.380)).~~

30 (8) Except as otherwise provided by law, to enter into such
31 contracts as the regents deem essential to university purposes.

32 (9) To submit upon request such reports as will be helpful to the
33 governor and to the legislature in providing for the institution.

34 (10) Subject to the approval of the higher education coordinating
35 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-
36 campus programs, participate in consortia or centers, contract for off-
37 campus educational programs, and purchase or lease major off-campus
38 facilities.

1 **Sec. 7.** RCW 28B.30.150 and 1985 c 370 s 93 are each amended to
2 read as follows:

3 The regents of Washington State University, in addition to other
4 duties prescribed by law, shall:

5 (1) Have full control of the university and its property of various
6 kinds, except as otherwise provided by law.

7 (2) Employ the president of the university, his assistants, members
8 of the faculty, and employees of the university, who, except as
9 otherwise provided by law, shall hold their positions during the
10 pleasure of said board of regents.

11 (3) Establish entrance requirements for students seeking admission
12 to the university which meet or exceed the standards specified under
13 RCW 28B.80.350(2). Completion of examinations satisfactory to the
14 university may be a prerequisite for entrance by any applicant, at the
15 university's discretion. Evidence of completion of public high schools
16 and other educational institutions whose courses of study meet the
17 approval of the university may be acceptable for entrance. The board
18 may not require students receiving a private education under chapter
19 28A.195 RCW or home-based instruction under chapter 28A.200 RCW to meet
20 the basic academic requirement.

21 (4) Establish such colleges, schools or departments necessary to
22 carry out the purpose of the university and not otherwise proscribed by
23 law.

24 (5) Subject to the approval of the higher education coordinating
25 board pursuant to RCW 28B.80.340, offer new degree programs, offer off-
26 campus programs, participate in consortia or centers, contract for off-
27 campus educational programs, and purchase or lease major off-campus
28 facilities.

29 (6) With the assistance of the faculty of the university, prescribe
30 the courses of instruction in the various colleges, schools and
31 departments of the institution and publish the necessary catalogues
32 thereof.

33 (7) Collect such information as the board deems desirable as to the
34 schemes of technical instruction adopted in other parts of the United
35 States and foreign countries.

36 (8) Provide for holding agricultural institutes including farm
37 marketing forums.

38 (9) Provide that instruction given in the university, as far as
39 practicable, be conveyed by means of laboratory work and provide in

1 connection with the university one or more physical, chemical, and
2 biological laboratories, and suitably furnish and equip the same.

3 (10) Provide training in military tactics for those students
4 electing to participate therein.

5 (11) Establish a department of elementary science and in connection
6 therewith provide instruction in elementary mathematics, including
7 elementary trigonometry, elementary mechanics, elementary and
8 mechanical drawing and land surveying.

9 (12) Establish a department of agriculture and in connection
10 therewith provide instruction in physics with special application of
11 its principles to agriculture, chemistry with special application of
12 its principles to agriculture, morphology and physiology of plants with
13 special reference to common grown crops and fungus enemies, morphology
14 and physiology of the lower forms of animal life, with special
15 reference to insect pests, morphology and physiology of the higher
16 forms of animal life and in particular of the horse, cow, sheep and
17 swine, agriculture with special reference to the breeding and feeding
18 of livestock and the best mode of cultivation of farm produce, and
19 mining and metallurgy, appointing demonstrators in each of these
20 subjects to superintend the equipment of a laboratory and to give
21 practical instruction therein.

22 (13) Establish agricultural experiment stations in connection with
23 the department of agriculture, including at least one in the western
24 portion of the state, and appoint the officers and prescribe
25 regulations for their management.

26 (14) Grant to students such certificates or degrees, as recommended
27 for such students by the faculty.

28 (15) Confer honorary degrees upon persons other than graduates of
29 the university in recognition of their learning or devotion to
30 literature, art or science when recommended thereto by the faculty:
31 PROVIDED, That no degree shall ever be conferred in consideration of
32 the payment of money or the giving of property of whatsoever kind.

33 (16) Adopt plans and specifications for university buildings and
34 facilities or improvements thereto and employ skilled architects and
35 engineers to prepare such plans and specifications and supervise the
36 construction of buildings or facilities which the board is authorized
37 to erect, and fix the compensation for such services. The board shall
38 enter into contracts with one or more contractors for such suitable
39 buildings, facilities or improvements as the available funds will

1 warrant, upon the most advantageous terms offered at a public
2 competitive letting, pursuant to public notice under regulations
3 established by the board. The board shall require of all persons with
4 whom they contract for construction and improvements a good and
5 sufficient bond for the faithful performance of the work and full
6 protection against all liens.

7 (17) Except as otherwise provided by law, direct the disposition of
8 all money appropriated to or belonging to the state university.

9 (18) Receive and expend the money appropriated under the act of
10 congress approved May 8, 1914, entitled "An Act to provide for
11 cooperative agricultural extension work between the agricultural
12 colleges in the several States receiving the benefits of the Act of
13 Congress approved July 2, 1862, and Acts supplemental thereto and the
14 United States Department of Agriculture" and organize and conduct
15 agricultural extension work in connection with the state university in
16 accordance with the terms and conditions expressed in the acts of
17 congress.

18 (19) Except as otherwise provided by law, to enter into such
19 contracts as the regents deem essential to university purposes.

20 (20) Acquire by lease, gift, or otherwise, lands necessary to
21 further the work of the university or for experimental or
22 demonstrational purposes.

23 (21) Establish and maintain at least one agricultural experiment
24 station in an irrigation district to conduct investigational work upon
25 the principles and practices of irrigational agriculture including the
26 utilization of water and its relation to soil types, crops, climatic
27 conditions, ditch and drain construction, fertility investigations,
28 plant disease, insect pests, marketing, farm management, utilization of
29 fruit byproducts and general development of agriculture under
30 irrigation conditions.

31 (22) Supervise and control the agricultural experiment station at
32 Puyallup.

33 (23) Establish and maintain at Wenatchee an agricultural experiment
34 substation for the purpose of conducting investigational work upon the
35 principles and practices of orchard culture, spraying, fertilization,
36 pollenization, new fruit varieties, fruit diseases and pests,
37 byproducts, marketing, management and general horticultural problems.

38 (24) Accept such gifts, grants, conveyances, devises and bequests,
39 whether real or personal property, in trust or otherwise, for the use

1 or benefit of the university, its colleges, schools or departments; and
2 sell, lease or exchange, invest or expend the same or the proceeds,
3 rents, profits and income thereof except as limited by the terms of
4 said gifts, grants, conveyances, bequests and devises; adopt proper
5 rules to govern and protect the receipt and expenditure of the proceeds
6 of all fees, and the proceeds, rents, profits and income of all gifts,
7 grants, conveyances, bequests and devises, and make full report thereof
8 in a biennial report to the governor and members of the legislature.

9 (25) Construct when the board so determines a new foundry and a
10 mining, physical, technological building and fabrication shop at the
11 university, or add to the present foundry and other buildings, in order
12 that both instruction and research be expanded to include permanent
13 molding and die casting with a section for new fabricating techniques,
14 especially for light metals, including magnesium and aluminum; purchase
15 equipment for the shops and laboratories in mechanical, electrical, and
16 civil engineering; establish a pilot plant for the extraction of
17 alumina from native clays and other possible light metal research;
18 purchase equipment for a research laboratory for technological research
19 generally; and purchase equipment for research in electronics,
20 instrumentation, energy sources, plastics, food technology, mechanics
21 of materials, hydraulics and similar fields.

22 (26) Make and transmit to the governor and members of the
23 legislature upon request such reports as will be helpful in providing
24 for the institution.

25 NEW SECTION. **Sec. 8.** A new section is added to chapter 28B.35 RCW
26 to read as follows:

27 The board of trustees may not require students receiving a private
28 education under chapter 28A.195 RCW or home-based instruction under
29 chapter 28A.200 RCW to meet the basic academic requirement as a
30 condition of meeting minimum college admission standards.

31 NEW SECTION. **Sec. 9.** A new section is added to chapter 28B.40 RCW
32 to read as follows:

33 The board of trustees may not require students receiving a private
34 education under chapter 28A.195 RCW or home-based instruction under

1 chapter 28A.200 RCW to meet the basic academic requirement as a
2 condition of meeting minimum college admission standards.

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