

CERTIFICATION OF ENROLLMENT

**HOUSE BILL 1051**

Chapter 355, Laws of 2007

(partial veto)

60th Legislature  
2007 Regular Session

HIGH SCHOOL COMPLETION PROGRAMS

EFFECTIVE DATE: 07/22/07

Passed by the House April 22, 2007  
Yeas 86 Nays 11

FRANK CHOPP

\_\_\_\_\_  
**Speaker of the House of Representatives**

Passed by the Senate April 22, 2007  
Yeas 30 Nays 18

BRAD OWEN

\_\_\_\_\_  
**President of the Senate**

Approved May 8, 2007, 2:53 p.m., with  
the exception of section 9 which is  
vetoed.

CHRISTINE GREGOIRE

\_\_\_\_\_  
**Governor of the State of Washington**

CERTIFICATE

I, Richard Nafziger, Chief Clerk  
of the House of Representatives of  
the State of Washington, do hereby  
certify that the attached is **HOUSE  
BILL 1051** as passed by the House  
of Representatives and the Senate  
on the dates hereon set forth.

RICHARD NAFZIGER

\_\_\_\_\_  
**Chief Clerk**

FILED

May 10, 2007

**Secretary of State  
State of Washington**

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HOUSE BILL 1051

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AS AMENDED BY THE SENATE

Passed Legislature - 2007 Regular Session

State of Washington                      60th Legislature                      2007 Regular Session

By Representatives Upthegrove, Kagi, P. Sullivan, Haigh, Simpson, Moeller, Green, Santos, Kenney, Williams, Hunter and Miloscia

Prefiled 1/5/2007.      Read first time 01/08/2007.      Referred to Committee on Education.

1            AN ACT Relating to high school completion programs; amending RCW  
2 28B.50.535, 28A.655.061, 28B.15.520, and 28B.15.067; adding a new  
3 section to chapter 28B.50 RCW; adding a new section to chapter 28A.600  
4 RCW; adding a new section to chapter 28A.320 RCW; and creating new  
5 sections.

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

7            NEW SECTION.    **Sec. 1.** The legislature finds that the goal of  
8 Washington's education reform is for all students to meet rigorous  
9 academic standards so that they are prepared for success in college,  
10 work, and life. Educators know that not all students learn at the same  
11 rate or in the same way. Some students will take longer to meet the  
12 state's standards for high school graduation. Older students who  
13 cannot graduate with their peers need an appropriate learning  
14 environment and flexible programming that enables them simultaneously  
15 to earn a diploma, work, and pursue other training options. Providing  
16 learning options in locations in addition to high schools will  
17 encourage older students to complete their diplomas. Therefore the  
18 legislature intends to create a pilot high school completion program at

1 two community and technical colleges for older students who have not  
2 yet received a diploma but are eligible for state basic education  
3 support.

4 **Sec. 2.** RCW 28B.50.535 and 1991 c 238 s 58 are each amended to  
5 read as follows:

6 A community or technical college may issue a high school diploma or  
7 certificate, subject to rules (~~and regulations promulgated~~) adopted  
8 by the superintendent of public instruction and the state board of  
9 education.

10 NEW SECTION. **Sec. 3.** A new section is added to chapter 28B.50 RCW  
11 to read as follows:

12 (1) A pilot program is created for two community or technical  
13 colleges to make available courses or a program of study, on the  
14 college campus, designed to enable students under the age of twenty-one  
15 who have completed all state and local high school graduation  
16 requirements except the certificate of academic achievement or  
17 certificate of individual achievement to complete their high school  
18 education and obtain a high school diploma.

19 (a) The colleges participating in the pilot program in this section  
20 may make courses or programs under this section available by entering  
21 into contracts with local school districts to deliver the courses or  
22 programs. Colleges participating in the pilot program that offer  
23 courses or programs under contract shall be reimbursed for each  
24 enrolled eligible student as provided in the contract, and the high  
25 school diploma shall be issued by the local school district;

26 (b) Colleges participating in the pilot program may deliver courses  
27 or programs under this section directly. Colleges that deliver courses  
28 or programs directly shall be reimbursed for each enrolled eligible  
29 student as provided in section 4 of this act, and the high school  
30 diploma shall be issued by the college;

31 (c) Colleges participating in the pilot program may make courses or  
32 programs under this section available through a combination of  
33 contracts with local school districts, collaboration with educational  
34 service districts, and direct service delivery. Colleges participating  
35 in the pilot program may also make courses or programs under this

1 section available for students at locations in addition to the college  
2 campus; or

3 (d) Colleges participating in the pilot program may enter into  
4 regional partnerships to carry out the provisions of this subsection  
5 (1).

6 (2) Regardless of the service delivery method chosen, colleges  
7 participating in the pilot program shall ensure that all eligible  
8 students located in school districts within their college district as  
9 defined in RCW 28B.50.040 have an opportunity to enroll in a course or  
10 program under this section.

11 (3) Colleges participating in the pilot program shall not require  
12 students enrolled under this section to pay tuition or services and  
13 activities fees; however this waiver of tuition and services and  
14 activities fees shall be in effect only for those courses that lead to  
15 a high school diploma.

16 (4) Nothing in this section or section 4 of this act precludes a  
17 community or technical college from offering courses or a program of  
18 study for students other than eligible students as defined by section  
19 4 of this act to obtain a high school diploma, nor is this section or  
20 section 4 of this act intended to restrict diploma completion programs  
21 offered by school districts or educational service districts.  
22 Community and technical colleges and school districts are encouraged to  
23 consult with educational service districts in the development and  
24 delivery of programs and courses required under this section.

25 (5) Community and technical colleges participating in the pilot  
26 program shall not be required to administer the Washington assessment  
27 of student learning.

28 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.600  
29 RCW to read as follows:

30 (1) For purposes of this section and section 3 of this act,  
31 "eligible student" means a student who has completed all state and  
32 local high school graduation requirements except the certificate of  
33 academic achievement under RCW 28A.655.061 or the certificate of  
34 individual achievement under RCW 28A.155.045, who is less than age  
35 twenty-one as of September 1st of the academic year the student enrolls  
36 at a community and technical college under this section, and who meets  
37 the following criteria:

1 (a) Receives a level 2 (basic) score on the reading and writing  
2 content areas of the high school Washington assessment of student  
3 learning;

4 (b) Has not successfully met state standards on a retake of the  
5 assessment or an alternative assessment;

6 (c) Has participated in assessment remediation; and

7 (d) Receives a recommendation to enroll in courses or a program of  
8 study made available under section 3 of this act from his or her high  
9 school principal.

10 (2) An eligible student may enroll in courses or a program of study  
11 made available by a community or technical college participating in the  
12 pilot program created under section 3 of this act for the purpose of  
13 obtaining a high school diploma.

14 (3) For eligible students in courses or programs delivered directly  
15 by the community or technical college participating in the pilot  
16 program under section 3 of this act and only for enrollment in courses  
17 that lead to a high school diploma, the superintendent of public  
18 instruction shall transmit to the colleges participating in the pilot  
19 program an amount per each full-time equivalent college student at  
20 statewide uniform rates. The amount shall be the sum of (a), (b), (c),  
21 and (d) of this subsection, as applicable.

22 (a) The superintendent shall separately calculate and allocate  
23 moneys appropriated for basic education under RCW 28A.150.260 for  
24 purposes of making payments under this section. The calculations and  
25 allocations shall be based upon the estimated statewide annual average  
26 per full-time equivalent high school student allocations under RCW  
27 28A.150.260, excluding small high school enhancements, and applicable  
28 rules adopted under chapter 34.05 RCW.

29 (b) The superintendent shall allocate an amount equal to the per  
30 funded student state allocation for the learning assistance program  
31 under chapter 28A.165 RCW for each full-time equivalent college student  
32 or a pro rata amount for less than full-time enrollment.

33 (c) The superintendent shall allocate an amount equal to the per  
34 full-time equivalent student allocation for the student achievement  
35 program under RCW 28A.505.210 for each full-time equivalent college  
36 student or a pro rata amount for less than full-time enrollment.

37 (d) For eligible students who meet eligibility criteria for the  
38 state transitional bilingual instruction program under chapter 28A.180

1 RCW, the superintendent shall allocate an amount equal to the per  
2 student state allocation for the transitional bilingual instruction  
3 program or a pro rata amount for less than full-time enrollment.

4 (4) The superintendent may adopt rules establishing enrollment  
5 reporting, recordkeeping, and accounting requirements necessary to  
6 ensure accountability for the use of basic education, learning  
7 assistance, and transitional bilingual program funds under this section  
8 for the pilot program created under section 3 of this act.

9 (5) All school districts in the geographic area of the two  
10 community and technical colleges selected pursuant to section 8 of this  
11 act to participate in the pilot program shall provide information about  
12 the high school completion option under section 3 of this act to  
13 students in grades ten, eleven, and twelve and the parents or guardians  
14 of those students.

15 **Sec. 5.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to  
16 read as follows:

17 (1) The high school assessment system shall include but need not be  
18 limited to the Washington assessment of student learning, opportunities  
19 for a student to retake the content areas of the assessment in which  
20 the student was not successful, and if approved by the legislature  
21 pursuant to subsection (10) of this section, one or more objective  
22 alternative assessments for a student to demonstrate achievement of  
23 state academic standards. The objective alternative assessments for  
24 each content area shall be comparable in rigor to the skills and  
25 knowledge that the student must demonstrate on the Washington  
26 assessment of student learning for each content area.

27 (2) Subject to the conditions in this section, a certificate of  
28 academic achievement shall be obtained by most students at about the  
29 age of sixteen, and is evidence that the students have successfully met  
30 the state standard in the content areas included in the certificate.  
31 With the exception of students satisfying the provisions of RCW  
32 28A.155.045, acquisition of the certificate is required for graduation  
33 from a public high school but is not the only requirement for  
34 graduation.

35 (3) Beginning with the graduating class of 2008, with the exception  
36 of students satisfying the provisions of RCW 28A.155.045, a student who  
37 meets the state standards on the reading, writing, and mathematics

1 content areas of the high school Washington assessment of student  
2 learning shall earn a certificate of academic achievement. If a  
3 student does not successfully meet the state standards in one or more  
4 content areas required for the certificate of academic achievement,  
5 then the student may retake the assessment in the content area up to  
6 four times at no cost to the student. If the student successfully  
7 meets the state standards on a retake of the assessment then the  
8 student shall earn a certificate of academic achievement. Once  
9 objective alternative assessments are authorized pursuant to subsection  
10 (10) of this section, a student may use the objective alternative  
11 assessments to demonstrate that the student successfully meets the  
12 state standards for that content area if the student has retaken the  
13 Washington assessment of student learning at least once. If the  
14 student successfully meets the state standards on the objective  
15 alternative assessments then the student shall earn a certificate of  
16 academic achievement.

17 (4) Beginning with the graduating class of 2010, a student must  
18 meet the state standards in science in addition to the other content  
19 areas required under subsection (3) of this section on the Washington  
20 assessment of student learning or the objective alternative assessments  
21 in order to earn a certificate of academic achievement.

22 (5) The state board of education may not require the acquisition of  
23 the certificate of academic achievement for students in home-based  
24 instruction under chapter 28A.200 RCW, for students enrolled in private  
25 schools under chapter 28A.195 RCW, or for students satisfying the  
26 provisions of RCW 28A.155.045.

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

29 (7) Beginning in 2006, school districts must make available to  
30 students the following options:

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

34 (b) To retake the Washington assessment of student learning up to  
35 four times in the content areas in which the student did not meet the  
36 state standards if the student is enrolled in a high school completion  
37 program at a community or technical college. The superintendent of

1 public instruction and the state board for community and technical  
2 colleges shall jointly identify means by which students in these  
3 programs can be assessed.

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

8 (9) Subject to available funding, the superintendent shall pilot  
9 opportunities for retaking the high school assessment beginning in the  
10 2004-05 school year. Beginning no later than September 2006,  
11 opportunities to retake the assessment at least twice a year shall be  
12 available to each school district.

13 (10)(a) The office of the superintendent of public instruction  
14 shall develop options for implementing objective alternative  
15 assessments, which may include an appeals process, for students to  
16 demonstrate achievement of the state academic standards. The objective  
17 alternative assessments shall be comparable in rigor to the skills and  
18 knowledge that the student must demonstrate on the Washington  
19 assessment of student learning and be objective in its determination of  
20 student achievement of the state standards. Before any objective  
21 alternative assessments in addition to those authorized in RCW  
22 28A.655.065 or (b) of this subsection are used by a student to  
23 demonstrate that the student has met the state standards in a content  
24 area required to obtain a certificate, the legislature shall formally  
25 approve the use of any objective alternative assessments through the  
26 omnibus appropriations act or by statute or concurrent resolution.

27 (b) A student's score on the mathematics portion of the preliminary  
28 scholastic assessment test (PSAT), the scholastic assessment test  
29 (SAT), or the American college test (ACT) may be used as an objective  
30 alternative assessment under this section for demonstrating that a  
31 student has met or exceeded the mathematics standards for the  
32 certificate of academic achievement. The state board of education  
33 shall identify the scores students must achieve on the mathematics  
34 portion of the PSAT, SAT, or ACT to meet or exceed the state standard  
35 for mathematics. The state board of education shall identify the first  
36 scores by December 1, 2006, and thereafter may increase but not  
37 decrease the scores required for students to meet or exceed the state  
38 standard for mathematics.



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

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

11 (a) Student learning plans are required for eighth through twelfth  
12 grade students who were not successful on any or all of the content  
13 areas of the Washington assessment for student learning during the  
14 previous school year. The plan shall include the courses,  
15 competencies, and other steps needed to be taken by the student to meet  
16 state academic standards and stay on track for graduation. If  
17 applicable, the plan shall also include the high school completion  
18 pilot program created under section 3 of this act. This requirement  
19 shall be phased in as follows:

20 (i) Beginning no later than the 2004-05 school year ninth grade  
21 students as described in this subsection (12)(a) shall have a plan.

22 (ii) Beginning no later than the 2005-06 school year and every year  
23 thereafter eighth grade students as described in this subsection  
24 (12)(a) shall have a plan.

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

31 (iv) Progress made on the student plan shall be reported to the  
32 student's parents or guardian at least annually and adjustments to the  
33 plan made as necessary.

34 (b) Beginning with the 2005-06 school year and every year  
35 thereafter, all fifth grade students who were not successful in one or  
36 more of the content areas of the fourth grade Washington assessment of  
37 student learning shall have a student learning plan.

1 (i) The parent or guardian of a student described in this  
2 subsection (12)(b) shall be notified, preferably through a parent  
3 conference, of the student's results on the Washington assessment of  
4 student learning, actions the school intends to take to improve the  
5 student's skills in any content area in which the student was  
6 unsuccessful, and provide strategies to help them improve their  
7 student's skills.

8 (ii) Progress made on the student plan shall be reported to the  
9 student's parents or guardian at least annually and adjustments to the  
10 plan made as necessary.

11 **Sec. 6.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended  
12 to read as follows:

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

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

17 (a) Students nineteen years of age or older who are eligible for  
18 resident tuition and fee rates as defined in RCW 28B.15.012 through  
19 28B.15.015 (~~and~~), who enroll in a course of study or program which  
20 will enable them to finish their high school education and obtain a  
21 high school diploma or certificate, but who are not eligible students  
22 as defined by section 4 of this act; and

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

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

32 (a) Nonresident students enrolled in a community college course of  
33 study or program which will enable them to finish their high school  
34 education and obtain a high school diploma or certificate but who are  
35 not eligible students as defined by section 4 of this act. The waiver  
36 shall be in effect only for those courses which lead to a high school  
37 diploma or certificate; and

1 (b) Up to forty percent of the students enrolled in the regional  
2 education program for deaf students, subject to federal funding of such  
3 program.

4 **Sec. 7.** RCW 28B.15.067 and 2006 c 161 s 6 are each amended to read  
5 as follows:

6 (1) Tuition fees shall be established under the provisions of this  
7 chapter.

8 (2) Beginning with the 2003-04 academic year and ending with the  
9 2008-09 academic year, reductions or increases in full-time tuition  
10 fees for resident undergraduates shall be as provided in the omnibus  
11 appropriations act.

12 (3) Beginning with the 2003-04 academic year and ending with the  
13 2008-09 academic year, the governing boards of the state universities,  
14 the regional universities, The Evergreen State College, and the state  
15 board for community and technical colleges may reduce or increase full-  
16 time tuition fees for all students other than resident undergraduates,  
17 including summer school students and students in other self-supporting  
18 degree programs. Percentage increases in full-time tuition fees may  
19 exceed the fiscal growth factor. Reductions or increases may be made  
20 for all or portions of an institution's programs, campuses, courses, or  
21 students.

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

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

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

32 (7) The tuition fees established under this chapter shall not apply  
33 to eligible students enrolling in a community or technical college  
34 participating in the pilot program under section 3 of this act for the  
35 purpose of obtaining a high school diploma.

36 (8) For the academic years 2003-04 through 2008-09, the University  
37 of Washington shall use an amount equivalent to ten percent of all

1 revenues received as a result of law school tuition increases beginning  
2 in academic year 2000-01 through academic year 2008-09 to assist needy  
3 low and middle income resident law students.

4 ~~((+8))~~ (9) For the academic years 2003-04 through 2008-09,  
5 institutions of higher education shall use an amount equivalent to ten  
6 percent of all revenues received as a result of graduate academic  
7 school tuition increases beginning in academic year 2003-04 through  
8 academic year 2008-09 to assist needy low and middle-income resident  
9 graduate academic students.

10 NEW SECTION. **Sec. 8.** (1) The office of the superintendent of  
11 public instruction and the state board for community and technical  
12 colleges shall:

13 (a) By June 30, 2007, select the two community and technical  
14 colleges to be involved in the pilot program created in section 3 of  
15 this act. The criteria for selecting the two pilot program sites shall  
16 include, but are not limited to: (i) The quality of the courses or  
17 program offerings; (ii) having the appropriate type of staff and  
18 facility to deliver the program; and (iii) the number of eligible  
19 students;

20 (b) Identify and analyze possible service delivery models in  
21 addition to those described in section 3 of this act, particularly to  
22 address the challenges faced by community and technical colleges  
23 serving school districts dispersed across large geographic areas and  
24 with limited staffing and facilities resources for the programs;

25 (c) Submit a report with an implementation plan for the two  
26 community and technical colleges participating in the pilot program  
27 created under section 3 of this act and submit findings and  
28 recommendations to the education and fiscal committees of the  
29 legislature by December 15, 2007; and

30 (d) By December 15, 2009, submit a report to the education and  
31 fiscal committees of the legislature on the progress of the pilot  
32 program created under section 3 of this act that shall include the  
33 following:

34 (i) The number of students taking part in the high school  
35 completion programs, reported by their high school of last attendance  
36 and the community or technical college that offered the program;

1 (ii) The types of high school completion programs offered at the  
2 two community or technical colleges;

3 (iii) The number of students successfully receiving a high school  
4 diploma and other identified outcome measures;

5 (iv) The amount of funds spent in support of this effort compared  
6 to actual reimbursement costs that are provided under section 4(3) (a),  
7 (b), (c), and (d) of this act; and

8 (v) A plan for implementing the program statewide.

9 (2) The state institute for public policy shall develop an estimate  
10 of the number of students statewide likely to participate in the  
11 program authorized under section 3 of this act if established on a  
12 statewide basis. The assumptions shall take into account programs and  
13 alternatives offered for fifth-year seniors by school districts and  
14 educational service districts. The institute shall report to the  
15 education and fiscal committees of the legislature by December 15,  
16 2007.

17 **\*NEW SECTION. Sec. 9. A new section is added to chapter 28A.320**  
18 **RCW to read as follows:**

19 (1) **Any school district board of directors may adopt a policy to**  
20 **award a certificate of academic completion to students who complete all**  
21 **state and local high school graduation requirements except the**  
22 **certificate of academic achievement under RCW 28A.655.061 or the**  
23 **certificate of individual achievement under RCW 28A.155.045. Such a**  
24 **certificate is not the equivalent of a high school diploma.**

25 (2) **The office of the superintendent of public instruction shall**  
26 **notify school districts of their authority to adopt a policy under this**  
27 **section and shall provide technical assistance upon request.**

28 (3) **To be eligible for a certificate of academic completion, a**  
29 **student must:**

30 (a) **Pass all state and local high school graduation requirements**  
31 **except for obtaining a certificate of academic achievement or a**  
32 **certificate of individual achievement and have retaken the Washington**  
33 **assessment of student learning at least once or have taken an**  
34 **alternative assessment; and**

35 (b) **Meet with counselors, teachers, and parents, as appropriate, to**  
36 **develop a fifth year plan for how the student will meet standard on the**

1 **Washington assessment of student learning and obtain a certificate of**  
2 **academic achievement or certificate of individual achievement.**

*\*Sec. 9 was vetoed. See message at end of chapter.*

Passed by the House April 22, 2007.

Passed by the Senate April 22, 2007.

Approved by the Governor May 8, 2007, with the exception of certain items that were vetoed.

Filed in Office of Secretary of State May 10, 2007.

Note: Governor's explanation of partial veto is as follows:

"I am returning, without my approval as to Section 9, House Bill 1051 entitled:

"AN ACT Relating to high school completion programs."

Sections 1 through 8 of this bill provide for the development of two pilot programs at community or technical colleges. The programs are intended to support certain students as they work to meet the State's academic standards in reading, writing, mathematics or science. For these students, demonstrating proficiency in one or more of these subjects is the final step in meeting their high school graduation requirements and obtaining a high school diploma. The legislation outlines the student eligibility and program criteria, authorizes the financial support, waives student tuition and fees, and provides for a study of the program's results in two years' time.

Section 9 of the bill creates and recognizes a new state certificate for high school students who do not meet the requirements for a high school diploma, the Certificate of Academic Completion (Certificate). The Certificate may be conferred by school districts to students who meet all state and local requirements for graduation with the exception of passage of one or more of the high school assessments in reading, writing and mathematics. Our students are working very hard to achieve the skills necessary for success in their endeavors beyond high school. By creating the Certificate of Academic Completion we will be sending a message to these students that they do not need the basic skills required for the high school diploma. This is wrong.

For these reasons, I am vetoing Section 9 of House Bill 1051.

With the exception of Section 9, House Bill 1051 is approved."