

SSB 6474 - H COMM AMD
By Committee on Education

NOT ADOPTED 03/01/2018

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

3

4 "NEW SECTION. **Sec. 1.** A new section is added to chapter
5 28A.715 RCW to read as follows:

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

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

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

15 (2) Schools participating in the pilot project may:

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

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

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

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

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

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

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

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

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

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

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

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

28 (8) This section expires September 1, 2023.

29
30 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300
31 RCW to read as follows:

32 (1) The superintendent of public instruction may, upon receipt of
33 an application from a school that is the subject of a state-tribal
34

1 education compact and that is participating in the pilot project
2 established in section 1 of this act:

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

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

8 (2) This section expires September 1, 2023.

9

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

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

17 (a) The child is attending an approved private school for the
18 same time or is enrolled in an extension program as provided in RCW
19 28A.195.010(4);

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

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

24 (d) The school district superintendent of the district in which
25 the child resides shall have excused such child from attendance
26 because the child is physically or mentally unable to attend school,
27 is attending a residential school operated by the department of
28 social and health services, is incarcerated in an adult correctional
29 facility, or has been temporarily excused upon the request of his or
30 her parents for purposes agreed upon by the school authorities and
31 the parent: PROVIDED, That such excused absences shall not be
32 permitted if deemed to cause a serious adverse effect upon the
33 student's educational progress: PROVIDED FURTHER, That students
34 excused for such temporary absences may be claimed as full-time

1 equivalent students to the extent they would otherwise have been so
2 claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and
3 shall not affect school district compliance with the provisions of
4 RCW 28A.150.220;

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

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

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

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

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

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

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

30 (3) An approved private school for the purposes of this chapter
31 and chapter 28A.200 RCW shall be one approved under regulations
32 established by the state board of education pursuant to RCW
33 28A.305.130.

34

1 (4) For the purposes of this chapter and chapter 28A.200 RCW,
2 instruction shall be home-based if it consists of planned and
3 supervised instructional and related educational activities,
4 including a curriculum and instruction in the basic skills of
5 occupational education, science, mathematics, language, social
6 studies, history, health, reading, writing, spelling, and the
7 development of an appreciation of art and music, provided for a
8 number of hours equivalent to the total annual program hours per
9 grade level established for approved private schools under RCW
10 28A.195.010 and 28A.195.040 and if such activities are:

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

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

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

31 (5) The legislature recognizes that home-based instruction is
32 less structured and more experiential than the instruction normally
33 provided in a classroom setting. Therefore, the provisions of
34 subsection (4) of this section relating to the nature and quantity

1 of instructional and related educational activities shall be
2 liberally construed.

3

4 **Sec. 4.** RCW 28A.225.010 and 2017 3rd sp.s. c 6 s 630 are each
5 amended to read as follows:

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

11 (a) The child is attending an approved private school for the
12 same time or is enrolled in an extension program as provided in RCW
13 28A.195.010(4);

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

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

18 (d) The school district superintendent of the district in which
19 the child resides shall have excused such child from attendance
20 because the child is physically or mentally unable to attend school,
21 is attending a residential school operated by the department of
22 social and health services or the department of children, youth, and
23 families, is incarcerated in an adult correctional facility, or has
24 been temporarily excused upon the request of his or her parents for
25 purposes agreed upon by the school authorities and the parent:

26 PROVIDED, That such excused absences shall not be permitted if
27 deemed to cause a serious adverse effect upon the student's
28 educational progress: PROVIDED FURTHER, That students excused for
29 such temporary absences may be claimed as full-time equivalent
30 students to the extent they would otherwise have been so claimed for
31 the purposes of RCW 28A.150.250 and 28A.150.260 and shall not affect
32 school district compliance with the provisions of RCW 28A.150.220;

33 (e) The child is excused from school subject to approval by the
34 student's parent for a reason of faith or conscience, or an

1 organized activity conducted under the auspices of a religious
2 denomination, church, or religious organization, for up to two days
3 per school year without any penalty. Such absences may not mandate
4 school closures. Students excused for such temporary absences may be
5 claimed as full-time equivalent students to the extent they would
6 otherwise have been so claimed for the purposes of RCW 28A.150.250
7 and 28A.150.260 and may not affect school district compliance with
8 the provisions of RCW 28A.150.220; (~~or~~)

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

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

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

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

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

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

24 (3) An approved private school for the purposes of this chapter
25 and chapter 28A.200 RCW shall be one approved under regulations
26 established by the state board of education pursuant to RCW
27 28A.305.130.

28 (4) For the purposes of this chapter and chapter 28A.200 RCW,
29 instruction shall be home-based if it consists of planned and
30 supervised instructional and related educational activities,
31 including a curriculum and instruction in the basic skills of
32 occupational education, science, mathematics, language, social
33 studies, history, health, reading, writing, spelling, and the
34 development of an appreciation of art and music, provided for a

1 number of hours equivalent to the total annual program hours per
2 grade level established for approved private schools under RCW
3 28A.195.010 and 28A.195.040 and if such activities are:

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

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

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

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

30

31 Correct the title.

32

33

34

1

2

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.

--- END ---