

HOUSE BILL 1886

State of Washington 65th Legislature 2017 Regular Session

By Representatives Harris, Santos, and Pollet

Read first time 02/02/17. Referred to Committee on Education.

1 AN ACT Relating to the responsibilities of the office of the
2 superintendent of public instruction and the state board of
3 education; amending RCW 28A.305.130, 28A.657.030, 28A.657.050,
4 28A.657.050, 28A.657.060, 28A.657.090, 28A.657.100, 28A.657.105,
5 28A.657.080, 28A.150.550, 28A.657.110, 28A.230.093, 28A.655.061,
6 28A.655.065, 28A.700.070, 28A.150.220, 28A.150.230, 28A.225.010,
7 28A.150.250, 28A.230.010, 28B.50.250, 28B.50.535, 28B.50.536,
8 28A.195.010, 28A.195.030, 28A.195.050, 28A.195.060, 28A.310.020,
9 28A.630.083, 28A.655.180, 28A.655.180, 28A.300.545, 28A.300.020,
10 28A.305.021, 28A.525.025, and 28A.210.320; reenacting and amending
11 RCW 28A.230.097; adding a new section to chapter 28A.657 RCW; adding
12 a new section to chapter 28A.150 RCW; adding new sections to chapter
13 28A.230 RCW; adding new sections to chapter 28A.305 RCW; repealing
14 RCW 28A.305.140, 28A.305.141, 28A.305.142, and 28A.305.190; providing
15 an effective date; and providing expiration dates.

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

17 PART I
18 ACCOUNTABILITY

19 Sec. 101. RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each
20 amended to read as follows:

1 The purpose of the state board of education is to provide
2 advocacy and strategic oversight of public education; (~~implement a~~
3 ~~standards-based accountability framework that creates a unified~~
4 ~~system of increasing levels of support for schools in order to~~
5 ~~improve student academic achievement;~~) establish high school
6 graduation requirements; approve school districts as charter school
7 authorizers; accredit, approve, and oversee private schools; and
8 provide leadership in the creation of a system that personalizes
9 education for each student and respects diverse cultures, abilities,
10 and learning styles(~~(; and promote achievement of the goals of RCW~~
11 ~~28A.150.210)~~). In addition to any other powers and duties as provided
12 by law, the state board of education shall:

13 (1) Hold regularly scheduled meetings at such time and place
14 within the state as the board shall determine and may hold such
15 special meetings as may be deemed necessary for the transaction of
16 public business;

17 (2) Form committees as necessary to effectively and efficiently
18 conduct the work of the board;

19 (3) Seek advice from the public and interested parties regarding
20 the work of the board;

21 (4) (~~For purposes of statewide accountability:~~

22 ~~(a) Adopt and revise performance improvement goals in reading,~~
23 ~~writing, science, and mathematics, by subject and grade level, once~~
24 ~~assessments in these subjects are required statewide; academic and~~
25 ~~technical skills, as appropriate, in secondary career and technical~~
26 ~~education programs; and student attendance, as the board deems~~
27 ~~appropriate to improve student learning. The goals shall be~~
28 ~~consistent with student privacy protection provisions of RCW~~
29 ~~28A.655.090(7) and shall not conflict with requirements contained in~~
30 ~~Title I of the federal elementary and secondary education act of~~
31 ~~1965, or the requirements of the Carl D. Perkins vocational education~~
32 ~~act of 1998, each as amended. The goals may be established for all~~
33 ~~students, economically disadvantaged students, limited English~~
34 ~~proficient students, students with disabilities, and students from~~
35 ~~disproportionately academically underachieving racial and ethnic~~
36 ~~backgrounds. The board may establish school and school district goals~~
37 ~~addressing high school graduation rates and dropout reduction goals~~
38 ~~for students in grades seven through twelve. The board shall adopt~~
39 ~~the goals by rule. However, before each goal is implemented, the~~
40 ~~board shall present the goal to the education committees of the house~~

1 of representatives and the senate for the committees' review and
2 comment in a time frame that will permit the legislature to take
3 statutory action on the goal if such action is deemed warranted by
4 the legislature;

5 (b)(i) Identify the scores students must achieve in order to meet
6 the standard on the statewide student assessment and, for high school
7 students, to obtain a certificate of academic achievement. The board
8 shall also determine student scores that identify levels of student
9 performance below and beyond the standard. The board shall consider
10 the incorporation of the standard error of measurement into the
11 decision regarding the award of the certificates. The board shall set
12 such performance standards and levels in consultation with the
13 superintendent of public instruction and after consideration of any
14 recommendations that may be developed by any advisory committees that
15 may be established for this purpose.

16 (ii) By the end of the 2014-15 school year, establish the scores
17 students must achieve to meet the standard and earn a certificate of
18 academic achievement on the tenth grade English language arts
19 assessment and the end-of-course mathematics assessments developed in
20 accordance with RCW 28A.655.070 to be used as the state transitions
21 to high school assessments developed with a multistate consortium.

22 (iii) By the end of the 2014-15 school year, establish the scores
23 students must achieve to meet the standard and earn a certificate of
24 academic achievement on the high school English language arts
25 assessment and the comprehensive mathematics assessment developed
26 with a multistate consortium in accordance with RCW 28A.655.070. To
27 determine the appropriate score, the state board shall review the
28 transition experience of Washington students to the consortium-
29 developed assessments, examine the student scores used in other
30 states that are administering the consortium-developed assessments,
31 and review the scores in other states that require passage of an
32 eleventh grade assessment as a high school graduation requirement.
33 The scores established by the state board of education for the
34 purposes of earning a certificate of academic achievement and
35 graduation from high school may be different from the scores used for
36 the purpose of determining a student's career and college readiness.

37 (iv) The legislature shall be advised of the initial performance
38 standards for the high school statewide student assessment. Any
39 changes recommended by the board in the performance standards for the
40 high school assessment shall be presented to the education committees

1 of the house of representatives and the senate by November 30th of
2 the school year in which the changes will take place to permit the
3 legislature to take statutory action before the changes are
4 implemented if such action is deemed warranted by the legislature.
5 The legislature shall be advised of the initial performance standards
6 and any changes made to the elementary level performance standards
7 and the middle school level performance standards. The board must
8 provide an explanation of and rationale for all initial performance
9 standards and any changes, for all grade levels of the statewide
10 student assessment. If the board changes the performance standards
11 for any grade level or subject, the superintendent of public
12 instruction must recalculate the results from the previous ten years
13 of administering that assessment regarding students below, meeting,
14 and beyond the state standard, to the extent that this data is
15 available, and post a comparison of the original and recalculated
16 results on the superintendent's web site;

17 (c) Annually review the assessment reporting system to ensure
18 fairness, accuracy, timeliness, and equity of opportunity, especially
19 with regard to schools with special circumstances and unique
20 populations of students, and a recommendation to the superintendent
21 of public instruction of any improvements needed to the system; and

22 (d) Include in the biennial report required under RCW
23 28A.305.035, information on the progress that has been made in
24 achieving goals adopted by the board;

25 (5)) Accredited, subject to such accreditation standards and
26 procedures as may be established by the state board of education, all
27 private schools that apply for accreditation, and approve, subject to
28 the provisions of RCW 28A.195.010, private schools carrying out a
29 program for any or all of the grades kindergarten through twelve.
30 However, no private school may be approved that operates a
31 kindergarten program only and no private school shall be placed upon
32 the list of accredited schools so long as secret societies are
33 knowingly allowed to exist among its students by school officials;

34 ((6)) (5) Articulate with the institutions of higher education,
35 workforce representatives, and early learning policymakers and
36 providers to coordinate and unify the work of the public school
37 system;

38 ((7)) (6) Hire an executive director and an administrative
39 assistant to reside in the office of the superintendent of public
40 instruction for administrative purposes. Any other personnel of the

1 board shall be appointed as provided by (~~RCW 28A.300.020~~) section
2 702 of this act. The board may delegate to the executive director by
3 resolution such duties as deemed necessary to efficiently carry on
4 the business of the board including, but not limited to, the
5 authority to employ necessary personnel and the authority to enter
6 into, amend, and terminate contracts on behalf of the board. The
7 executive director, administrative assistant, and all but one of the
8 other personnel of the board are exempt from civil service, together
9 with other staff as now or hereafter designated as exempt in
10 accordance with chapter 41.06 RCW; and

11 (~~(+8)~~) (7) Adopt a seal (~~that shall be kept in the office of~~
12 ~~the superintendent of public instruction~~) and such bylaws and rules
13 as the board deems necessary for its own government.

14 NEW SECTION. Sec. 102. A new section is added to chapter
15 28A.657 RCW to read as follows:

16 For purposes of statewide accountability the superintendent of
17 public instruction shall:

18 (1) Adopt and revise performance improvement goals in reading,
19 writing, science, and mathematics, by subject and grade level, once
20 assessments in these subjects are required statewide; academic and
21 technical skills, as appropriate, in secondary career and technical
22 education programs; and student attendance, as the superintendent
23 deems appropriate to improve student learning. The goals shall be
24 consistent with student privacy protection provisions of RCW
25 28A.655.090(7) and shall not conflict with requirements contained in
26 Title I of the federal elementary and secondary education act of
27 1965, or the requirements of the Carl D. Perkins vocational education
28 act of 1998, each as amended. The goals may be established for all
29 students, economically disadvantaged students, limited English
30 proficient students, students with disabilities, and students from
31 disproportionately academically underachieving racial and ethnic
32 backgrounds. The superintendent may establish school and school
33 district goals addressing high school graduation rates and dropout
34 reduction goals for students in grades seven through twelve. The
35 superintendent shall adopt the goals by rule. However, before each
36 goal is implemented, the superintendent shall present the goal to the
37 education committees of the house of representatives and the senate
38 for the committees' review and comment in a time frame that will

1 permit the legislature to take statutory action on the goal if such
2 action is deemed warranted by the legislature;

3 (2)(a) Identify the scores students must achieve in order to meet
4 the standard on the statewide student assessment and, for high school
5 students, to obtain a certificate of academic achievement. The
6 superintendent shall also determine student scores that identify
7 levels of student performance below and beyond the standard. The
8 superintendent shall consider the incorporation of the standard error
9 of measurement into the decision regarding the award of the
10 certificates. The superintendent shall set such performance standards
11 and levels in consultation with the state board of education and
12 after consideration of any recommendations that may be developed by
13 any advisory committees that may be established for this purpose.

14 (b) Establish the scores students must achieve to meet the
15 standard and earn a certificate of academic achievement on the tenth
16 grade English language arts assessment and the end-of-course
17 mathematics assessments developed in accordance with RCW 28A.655.070
18 to be used as the state transitions to high school assessments
19 developed with a multistate consortium.

20 (c) Establish the scores students must achieve to meet the
21 standard and earn a certificate of academic achievement on the high
22 school English language arts assessment and the comprehensive
23 mathematics assessment developed with a multistate consortium in
24 accordance with RCW 28A.655.070. To determine the appropriate score,
25 the superintendent shall review the transition experience of
26 Washington students to the consortium-developed assessments, examine
27 the student scores used in other states that are administering the
28 consortium-developed assessments, and review the scores in other
29 states that require passage of an eleventh grade assessment as a high
30 school graduation requirement. The scores established by the
31 superintendent of public instruction for the purposes of earning a
32 certificate of academic achievement and graduation from high school
33 may be different from the scores used for the purpose of determining
34 a student's career and college readiness.

35 (d) The legislature shall be advised of the initial performance
36 standards for the high school statewide student assessment. Any
37 changes recommended by the superintendent in the performance
38 standards for the high school assessment shall be presented to the
39 education committees of the house of representatives and the senate
40 by November 30th of the school year in which the changes will take

1 place to permit the legislature to take statutory action before the
2 changes are implemented if such action is deemed warranted by the
3 legislature. The legislature shall be advised of the initial
4 performance standards and any changes made to the elementary level
5 performance standards and the middle school level performance
6 standards. The superintendent must provide an explanation of and
7 rationale for all initial performance standards and any changes, for
8 all grade levels of the statewide student assessment. If the
9 superintendent changes the performance standards for any grade level
10 or subject, he or she must recalculate the results from the previous
11 ten years of administering that assessment regarding students below,
12 meeting, and beyond the state standard, to the extent that this data
13 is available, and post a comparison of the original and recalculated
14 results on the superintendent's web site;

15 (3) Annually review the assessment reporting system to ensure
16 fairness, accuracy, timeliness, and equity of opportunity, especially
17 with regard to schools with special circumstances and unique
18 populations of students, and identify any improvements needed to the
19 system; and

20 (4) Include in the biennial report required under RCW
21 28A.305.035, information on the progress that has been made in
22 achieving goals adopted by the superintendent.

23 **Sec. 103.** RCW 28A.657.030 and 2013 c 159 s 4 are each amended to
24 read as follows:

25 (1) Beginning in January ((2011)) 2017, the superintendent of
26 public instruction shall annually ((recommend to the state board of
27 education—school—districts—for—designation)) designate school
28 districts as required action districts. A district with at least one
29 school identified as a persistently lowest-achieving school according
30 to the criteria established by the superintendent of public
31 instruction under RCW 28A.657.020 shall be designated as a required
32 action district. However, a school district shall not be
33 ((recommended for designation)) designated as a required action
34 district if the district was awarded a federal school improvement
35 grant by the superintendent in 2010 or 2011 and for three consecutive
36 years following receipt of the grant implemented a federal school
37 intervention model at each school identified for improvement. The
38 ((state board of education)) superintendent may designate a district
39 that received a school improvement grant in 2010 or 2011 as a

1 required action district if after three years of voluntarily
2 implementing a plan the district continues to have a school
3 identified as persistently lowest-achieving and meets the criteria
4 for designation established by the superintendent of public
5 instruction.

6 (2) The superintendent of public instruction shall provide a
7 school district superintendent with written notice of (~~the~~
8 ~~recommendation for designation~~) his or her designation of the
9 district as a required action district by certified mail or personal
10 service. A school district superintendent may request reconsideration
11 of the superintendent of public instruction's (~~recommendation~~)
12 designation. The reconsideration shall be limited to a determination
13 of whether the school district met the criteria (~~for being~~
14 ~~recommended as a required action district~~). A request for
15 reconsideration must be in writing and served on the superintendent
16 of public instruction within ten days of service of the notice of the
17 superintendent's (~~recommendation~~) designation.

18 (3) (~~The state board of education shall annually designate those~~
19 ~~districts recommended by the superintendent in subsection (1) of this~~
20 ~~section as required action districts.~~) A district designated as a
21 required action district shall be required to notify all parents of
22 students attending a school identified as a persistently lowest-
23 achieving school in the district of the (~~state board of~~
24 ~~education's~~) superintendent's designation of the district as a
25 required action district and the process for complying with the
26 requirements set forth in RCW 28A.657.040 through 28A.657.100.

27 **Sec. 104.** RCW 28A.657.050 and 2013 c 159 s 5 are each amended to
28 read as follows:

29 (1)(a) The local district superintendent and local school board
30 of a school district designated as a required action district must
31 submit a required action plan to the (~~state board of education~~)
32 superintendent of public instruction for approval. Unless otherwise
33 required by subsection (3) of this section, the plan must be
34 submitted under a schedule as required by the (~~state board~~)
35 superintendent. A required action plan must be developed in
36 collaboration with administrators, teachers, and other staff,
37 parents, unions representing any employees within the district,
38 students, and other representatives of the local community.

1 (b) The superintendent of public instruction shall provide a
2 district with assistance in developing its plan if requested, and
3 shall develop and publish guidelines for the development of required
4 action plans. The superintendent of public instruction, in
5 consultation with the state board of education, shall also publish a
6 list of research and evidence-based school improvement models,
7 consistent with turnaround principles, that are approved for use in
8 required action plans.

9 (c) The school board must conduct a public hearing to allow for
10 comment on a proposed required action plan. The local school district
11 shall submit the plan first to the office of the superintendent of
12 public instruction to review and approve that the plan is consistent
13 with federal and state guidelines, as applicable. After the office of
14 the superintendent of public instruction has approved that the plan
15 is consistent with federal and state guidelines, the local school
16 district must submit its required action plan to the state board of
17 education for approval.

18 (2) A required action plan must include all of the following:

19 (a) Implementation of an approved school improvement model
20 required for the receipt of federal or state funds for school
21 improvement for those persistently lowest-achieving schools that the
22 district will be focusing on for required action. The approved school
23 improvement model selected must address the concerns raised in the
24 academic performance audit and be intended to improve student
25 performance to allow a school district to be removed from the list of
26 districts designated as a required action district by the (~~state
27 board of education~~) superintendent of public instruction within
28 three years of implementation of the plan. The required action plan
29 for districts with multiple persistently lowest-achieving schools
30 must include separate plans for each school as well as a plan for how
31 the school district will support the schools collectively;

32 (b) Submission of an application for federal or state funds for
33 school improvement to the superintendent of public instruction;

34 (c) A budget that provides for adequate resources to implement
35 the model selected and any other requirements of the plan;

36 (d) A description of the changes in the district's or school's
37 existing policies, structures, agreements, processes, and practices
38 that are intended to attain significant achievement gains for all
39 students enrolled in the school and how the district intends to
40 address the findings of the academic performance audit; and

1 (e) Identification of the measures that the school district will
2 use in assessing student achievement at a school identified as a
3 persistently lowest-achieving school, which include closing the
4 educational opportunity gap, improving mathematics and reading or
5 English language arts student achievement, and improving graduation
6 rates as defined by the office of the superintendent of public
7 instruction that enable the school to no longer be identified as a
8 persistently lowest-achieving school.

9 (3)(a) For any district designated for required action, the
10 parties to any collective bargaining agreement negotiated, renewed,
11 or extended under chapter 41.59 or 41.56 RCW after June 10, 2010,
12 must reopen the agreement, or negotiate an addendum, if needed, to
13 make changes to terms and conditions of employment that are necessary
14 to implement a required action plan. For any district applying to
15 participate in a collaborative schools for innovation and success
16 pilot project under RCW 28A.630.104, the parties to any collective
17 bargaining agreement negotiated, renewed, or extended under chapter
18 41.59 or 41.56 RCW after June 7, 2012, must reopen the agreement, or
19 negotiate an addendum, if needed, to make changes to terms and
20 conditions of employment that are necessary to implement an
21 innovation and success plan.

22 (b) If the school district and the employee organizations are
23 unable to agree on the terms of an addendum or modification to an
24 existing collective bargaining agreement, the parties, including all
25 labor organizations affected under the required action plan, shall
26 request the public employment relations commission to, and the
27 commission shall, appoint an employee of the commission to act as a
28 mediator to assist in the resolution of a dispute between the school
29 district and the employee organizations. Beginning in 2011, and each
30 year thereafter, mediation shall commence no later than April 15th.
31 All mediations held under this section shall include the employer and
32 representatives of all affected bargaining units.

33 (c) If the executive director of the public employment relations
34 commission, upon the recommendation of the assigned mediator, finds
35 that the employer and any affected bargaining unit are unable to
36 reach agreement following a reasonable period of negotiations and
37 mediation, but by no later than May 15th of the year in which
38 mediation occurred, the executive director shall certify any disputed
39 issues for a decision by the superior court in the county where the
40 school district is located. The issues for determination by the

1 superior court must be limited to the issues certified by the
2 executive director.

3 (d) The process for filing with the court in this subsection
4 (3)(d) must be used in the case where the executive director
5 certifies issues for a decision by the superior court.

6 (i) The school district shall file a petition with the superior
7 court, by no later than May 20th of the same year in which the issues
8 were certified, setting forth the following:

9 (A) The name, address, and telephone number of the school
10 district and its principal representative;

11 (B) The name, address, and telephone number of the employee
12 organizations and their principal representatives;

13 (C) A description of the bargaining units involved;

14 (D) A copy of the unresolved issues certified by the executive
15 director for a final and binding decision by the court; and

16 (E) The academic performance audit that the office of the
17 superintendent of public instruction completed for the school
18 district in the case of a required action district, or the
19 comprehensive needs assessment in the case of a collaborative schools
20 for innovation and success pilot project.

21 (ii) Within seven days after the filing of the petition, each
22 party shall file with the court the proposal it is asking the court
23 to order be implemented in a required action plan or innovation and
24 success plan for the district for each issue certified by the
25 executive director. Contemporaneously with the filing of the
26 proposal, a party must file a brief with the court setting forth the
27 reasons why the court should order implementation of its proposal in
28 the final plan.

29 (iii) Following receipt of the proposals and briefs of the
30 parties, the court must schedule a date and time for a hearing on the
31 petition. The hearing must be limited to argument of the parties or
32 their counsel regarding the proposals submitted for the court's
33 consideration. The parties may waive a hearing by written agreement.

34 (iv) The court must enter an order selecting the proposal for
35 inclusion in a required action plan that best responds to the issues
36 raised in the school district's academic performance audit, and
37 allows for the award of federal or state funds for school improvement
38 to the district from the office of the superintendent of public
39 instruction to implement an approved school improvement model. In the
40 case of an innovation and success plan, the court must enter an order

1 selecting the proposal for inclusion in the plan that best responds
2 to the issues raised in the school's comprehensive needs assessment.
3 The court's decision must be issued no later than June 15th of the
4 year in which the petition is filed and is final and binding on the
5 parties; however the court's decision is subject to appeal only in
6 the case where it does not allow the school district to implement a
7 required action plan consistent with the requirements for the award
8 of federal or state funds for school improvement by the
9 superintendent of public instruction.

10 (e) Each party shall bear its own costs and attorneys' fees
11 incurred under this statute.

12 (f) Any party that proceeds with the process in this section
13 after knowledge that any provision of this section has not been
14 complied with and who fails to state its objection in writing is
15 deemed to have waived its right to object.

16 (4) All contracts entered into between a school district and an
17 employee must be consistent with this section and allow school
18 districts designated as required action districts to implement an
19 approved school improvement model in a required action plan.

20 **Sec. 105.** RCW 28A.657.050 and 2013 c 159 s 6 are each amended to
21 read as follows:

22 (1)(a) The local district superintendent and local school board
23 of a school district designated as a required action district must
24 submit a required action plan to the (~~state board of education~~)
25 superintendent of public instruction for approval. Unless otherwise
26 required by subsection (3) of this section, the plan must be
27 submitted under a schedule as required by the (~~state board~~)
28 superintendent. A required action plan must be developed in
29 collaboration with administrators, teachers, and other staff,
30 parents, unions representing any employees within the district,
31 students, and other representatives of the local community.

32 (b) The superintendent of public instruction shall provide a
33 district with assistance in developing its plan if requested, and
34 shall develop and publish guidelines for the development of required
35 action plans. The superintendent of public instruction(~~, in~~
36 ~~consultation with the state board of education,~~) shall also publish
37 a list of research and evidence-based school improvement models,
38 consistent with turnaround principles, that are approved for use in
39 required action plans.

1 (c) The (~~school board~~) superintendent of public instruction
2 must conduct a public hearing to allow for comment on a proposed
3 required action plan. The local school district shall submit the plan
4 (~~first~~) to the office of the superintendent of public instruction
5 to review and approve that the plan is consistent with federal and
6 state guidelines, as applicable. (~~After the office of the~~
7 ~~superintendent of public instruction has approved that the plan is~~
8 ~~consistent with federal and state guidelines, the local school~~
9 ~~district must submit its required action plan to the state board of~~
10 ~~education for approval.~~)

11 (2) A required action plan must include all of the following:

12 (a) Implementation of an approved school improvement model
13 required for the receipt of federal or state funds for school
14 improvement for those persistently lowest-achieving schools that the
15 district will be focusing on for required action. The approved school
16 improvement model selected must address the concerns raised in the
17 academic performance audit and be intended to improve student
18 performance to allow a school district to be removed from the list of
19 districts designated as a required action district by the state board
20 of education within three years of implementation of the plan. The
21 required action plan for districts with multiple persistently lowest-
22 achieving schools must include separate plans for each school as well
23 as a plan for how the school district will support the schools
24 collectively;

25 (b) Submission of an application for federal or state funds for
26 school improvement to the superintendent of public instruction;

27 (c) A budget that provides for adequate resources to implement
28 the model selected and any other requirements of the plan;

29 (d) A description of the changes in the district's or school's
30 existing policies, structures, agreements, processes, and practices
31 that are intended to attain significant achievement gains for all
32 students enrolled in the school and how the district intends to
33 address the findings of the academic performance audit; and

34 (e) Identification of the measures that the school district will
35 use in assessing student achievement at a school identified as a
36 persistently lowest-achieving school, which include closing the
37 educational opportunity gap, improving mathematics and reading or
38 English language arts student achievement, and improving graduation
39 rates as defined by the office of the superintendent of public

1 instruction that enable the school to no longer be identified as a
2 persistently lowest-achieving school.

3 (3)(a) For any district designated for required action, the
4 parties to any collective bargaining agreement negotiated, renewed,
5 or extended under chapter 41.59 or 41.56 RCW after June 10, 2010,
6 must reopen the agreement, or negotiate an addendum, if needed, to
7 make changes to terms and conditions of employment that are necessary
8 to implement a required action plan.

9 (b) If the school district and the employee organizations are
10 unable to agree on the terms of an addendum or modification to an
11 existing collective bargaining agreement, the parties, including all
12 labor organizations affected under the required action plan, shall
13 request the public employment relations commission to, and the
14 commission shall, appoint an employee of the commission to act as a
15 mediator to assist in the resolution of a dispute between the school
16 district and the employee organizations. Beginning in 2011, and each
17 year thereafter, mediation shall commence no later than April 15th.
18 All mediations held under this section shall include the employer and
19 representatives of all affected bargaining units.

20 (c) If the executive director of the public employment relations
21 commission, upon the recommendation of the assigned mediator, finds
22 that the employer and any affected bargaining unit are unable to
23 reach agreement following a reasonable period of negotiations and
24 mediation, but by no later than May 15th of the year in which
25 mediation occurred, the executive director shall certify any disputed
26 issues for a decision by the superior court in the county where the
27 school district is located. The issues for determination by the
28 superior court must be limited to the issues certified by the
29 executive director.

30 (d) The process for filing with the court in this subsection
31 (3)(d) must be used in the case where the executive director
32 certifies issues for a decision by the superior court.

33 (i) The school district shall file a petition with the superior
34 court, by no later than May 20th of the same year in which the issues
35 were certified, setting forth the following:

36 (A) The name, address, and telephone number of the school
37 district and its principal representative;

38 (B) The name, address, and telephone number of the employee
39 organizations and their principal representatives;

40 (C) A description of the bargaining units involved;

1 (D) A copy of the unresolved issues certified by the executive
2 director for a final and binding decision by the court; and

3 (E) The academic performance audit that the office of the
4 superintendent of public instruction completed for the school
5 district.

6 (ii) Within seven days after the filing of the petition, each
7 party shall file with the court the proposal it is asking the court
8 to order be implemented in a required action plan for the district
9 for each issue certified by the executive director. Contemporaneously
10 with the filing of the proposal, a party must file a brief with the
11 court setting forth the reasons why the court should order
12 implementation of its proposal in the final plan.

13 (iii) Following receipt of the proposals and briefs of the
14 parties, the court must schedule a date and time for a hearing on the
15 petition. The hearing must be limited to argument of the parties or
16 their counsel regarding the proposals submitted for the court's
17 consideration. The parties may waive a hearing by written agreement.

18 (iv) The court must enter an order selecting the proposal for
19 inclusion in a required action plan that best responds to the issues
20 raised in the school district's academic performance audit, and
21 allows for the award of federal or state funds for school improvement
22 to the district from the office of the superintendent of public
23 instruction to implement an approved school improvement model. The
24 court's decision must be issued no later than June 15th of the year
25 in which the petition is filed and is final and binding on the
26 parties; however the court's decision is subject to appeal only in
27 the case where it does not allow the school district to implement a
28 required action plan consistent with the requirements for the award
29 of federal or state funds for school improvement by the
30 superintendent of public instruction.

31 (e) Each party shall bear its own costs and attorneys' fees
32 incurred under this statute.

33 (f) Any party that proceeds with the process in this section
34 after knowledge that any provision of this section has not been
35 complied with and who fails to state its objection in writing is
36 deemed to have waived its right to object.

37 (4) All contracts entered into between a school district and an
38 employee must be consistent with this section and allow school
39 districts designated as required action districts to implement an
40 approved school improvement model in a required action plan.

1 **Sec. 106.** RCW 28A.657.060 and 2013 c 159 s 7 are each amended to
2 read as follows:

3 A required action plan developed by a district's school board and
4 superintendent must be submitted to the (~~state board of education~~)
5 superintendent of public instruction for approval. The (~~state~~
6 ~~board~~) superintendent must accept for inclusion in any required
7 action plan the final decision by the superior court on any issue
8 certified by the executive director of the public employment
9 relations commission under the process in RCW 28A.657.050. The
10 (~~state board of education~~) superintendent of public instruction
11 shall approve a plan proposed by a school district only if the plan
12 meets the requirements in RCW 28A.657.050 and provides sufficient
13 remedies to address the findings in the academic performance audit to
14 improve student achievement. Any addendum or modification to an
15 existing collective bargaining agreement, negotiated under RCW
16 28A.657.050 or by agreement of the district and the exclusive
17 bargaining unit, related to student achievement or school improvement
18 shall not go into effect until approval of a required action plan by
19 the (~~state board of education~~) superintendent of public
20 instruction. If the (~~state board~~) superintendent of public
21 instruction does not approve a proposed plan, it must notify the
22 local school board and local district's superintendent in writing
23 with an explicit rationale for why the plan was not approved.
24 Nonapproval by the (~~state board of education~~) superintendent of
25 public instruction of the local school district's initial required
26 action plan submitted is not intended to trigger any actions under
27 RCW 28A.657.080. With the assistance of the office of the
28 superintendent of public instruction, the superintendent and school
29 board of the required action district shall either: (1) Submit a new
30 plan to the (~~state board of education~~) superintendent of public
31 instruction for approval within forty days of notification that its
32 plan was rejected, or (2) submit a request to the required action
33 plan review panel established under RCW 28A.657.070 for
34 reconsideration of the (~~state board's~~) superintendent's rejection
35 within ten days of the notification that the plan was rejected. If
36 federal or state funds for school improvement are not available, the
37 plan is not required to be implemented until such funding becomes
38 available. If federal or state funds for this purpose are available,
39 a required action plan must be implemented in the immediate school

1 year following the district's designation as a required action
2 district.

3 **Sec. 107.** RCW 28A.657.090 and 2013 c 159 s 9 are each amended to
4 read as follows:

5 A school district must implement a required action plan upon
6 approval by the ~~((state board of education))~~ superintendent of public
7 instruction. The office of the superintendent of public instruction
8 must provide the required action district with technical assistance
9 and federal or state funds for school improvement, if available, to
10 implement an approved plan. The district must submit a report to the
11 superintendent of public instruction that provides the progress the
12 district is making in meeting the student achievement goals based on
13 the state's assessments, identifying strategies and assets used to
14 solve audit findings, and establishing evidence of meeting plan
15 implementation benchmarks as set forth in the required action plan.

16 **Sec. 108.** RCW 28A.657.100 and 2013 c 159 s 10 are each amended
17 to read as follows:

18 (1) The superintendent of public instruction must provide a
19 report twice per year to the state board of education regarding the
20 progress made by all school districts designated as required action
21 districts.

22 (2) The superintendent of public instruction must ~~((recommend to~~
23 ~~the state board of education that a school district be released))~~
24 release a school district from the designation as a required action
25 district after the district implements a required action plan for a
26 period of three years; has made progress, as defined by the
27 superintendent of public instruction using the criteria adopted under
28 RCW 28A.657.020 including progress in closing the educational
29 opportunity gap; and no longer has a school within the district
30 identified as persistently lowest-achieving. ~~((The state board shall~~
31 ~~release a school district from the designation as a required action~~
32 ~~district upon confirmation that the district has met the requirements~~
33 ~~for a release.))~~

34 (3) If the ~~((state board of education))~~ superintendent of public
35 instruction determines that the required action district has not met
36 the requirements for release after at least three years of
37 implementing a required action plan, the ~~((board))~~ superintendent may
38 ~~((recommend))~~ direct that the district remain in required action and

1 submit a new or revised plan under the process in RCW 28A.657.050, or
2 the ((~~board~~)) superintendent may direct that the school district be
3 assigned to level two of the required action process as provided in
4 RCW 28A.657.105. If the required action district received a federal
5 school improvement grant for the same persistently lowest-achieving
6 school in 2010 or 2011, the ((~~board~~)) superintendent may direct that
7 the school district be assigned to level two of the required action
8 process after one year of implementing a required action plan under
9 this chapter if the district is not making progress. Before making a
10 determination of whether to recommend that a school district that is
11 not making progress remain in required action or be assigned to level
12 two of the required action process, the ((~~state board of education~~))
13 superintendent of public instruction must submit its findings to the
14 education accountability system oversight committee under RCW
15 28A.657.130 and provide an opportunity for the oversight committee to
16 review and comment.

17 **Sec. 109.** RCW 28A.657.105 and 2013 c 159 s 11 are each amended
18 to read as follows:

19 (1) School districts assigned by the ((~~state board of education~~))
20 superintendent of public instruction to level two of the required
21 action process under this chapter are those with one or more schools
22 that have remained as persistently lowest-achieving for more than
23 three years and have not demonstrated recent and significant
24 improvement or progress toward exiting persistently lowest-achieving
25 status, despite implementation of a required action plan.

26 (2) Within ninety days following assignment of a school district
27 to level two of the required action process, the superintendent of
28 public instruction shall direct that a needs assessment and review be
29 conducted to determine the reasons why the previous required action
30 plan did not succeed in improving student achievement.

31 (3)(a) Based on the results of the needs assessment and review,
32 the superintendent of public instruction shall work collaboratively
33 with the school district board of directors to develop a revised
34 required action plan for level two.

35 (b) The level two required action plan must explicitly address
36 the reasons why the previous plan did not succeed and must specify
37 the interventions that the school district must implement, which may
38 include assignment or reassignment of personnel, reallocation of
39 resources, use of specified curriculum or instructional strategies,

1 use of a specified school improvement model, or any other conditions
2 determined by the superintendent of public instruction to be
3 necessary for the level two required action plan to succeed, which
4 conditions shall be binding on the school district. The level two
5 required action plan shall also include the specific technical
6 assistance and support to be provided by the office of the
7 superintendent of public instruction, which may include assignment of
8 school improvement specialists to have a regular on-site presence in
9 the school and technical assistance provided through the educational
10 service district. Individuals assigned as on-site school improvement
11 specialists must have demonstrated experience in school turnaround
12 and cultural competence.

13 (c) The level two required action plan must be submitted to the
14 (~~state board of education~~) superintendent of public instruction for
15 approval.

16 (4) If the superintendent of public instruction and the school
17 district board of directors are unable to come to an agreement on a
18 level two required action plan within ninety days of the completion
19 of the needs assessment and review conducted under subsection (2) of
20 this section, the superintendent of public instruction shall complete
21 and (~~submit~~) approve a level two required action plan (~~directly to~~
22 ~~the state board of education for approval~~). The school district
23 board of directors may submit a request to the required action plan
24 review panel established under RCW 28A.657.070 for reconsideration of
25 the superintendent's level two required action plan within ten days
26 of the (~~submission of the plan to the state board of education~~)
27 superintendent's approval of the plan. (~~After the state board of~~
28 ~~education considers~~) The superintendent shall consider the
29 recommendations of the required action plan review panel and, at his
30 or her discretion, decide to maintain or modify the plan. The
31 decision of the (~~board~~) superintendent regarding the level two
32 required action plan is final and not subject to further
33 reconsideration.

34 (5) If changes to a collective bargaining agreement are necessary
35 to implement a level two required action plan, the parties must
36 reopen the agreement, or negotiate an addendum, using the process
37 outlined under RCW 28A.657.050. If the level two required action plan
38 is developed by the superintendent of public instruction under
39 subsection (4) of this section, a designee of the superintendent

1 shall participate in the discussions among the parties to the
2 collective bargaining agreement.

3 (6) While a school district is assigned to level two of the
4 required action process under this chapter, the superintendent of
5 public instruction is responsible and accountable for assuring that
6 the level two required action plan is implemented with fidelity. The
7 superintendent of public instruction shall defer to the school
8 district board of directors as the governing authority of the school
9 district and continue to work in partnership with the school district
10 to implement the level two required action plan. However, if the
11 superintendent of public instruction finds that the level two
12 required action plan is not being implemented as specified, including
13 the implementation of any binding conditions within the plan, the
14 superintendent may direct actions that must be taken by school
15 district personnel to implement the level two required action plan or
16 the binding conditions. If necessary, the superintendent of public
17 instruction may exercise authority under RCW 28A.505.120 regarding
18 allocation of funds.

19 (7) The superintendent of public instruction shall include in the
20 budget estimates and information submitted to the governor under RCW
21 28A.300.170 a request for sufficient funds to support implementation
22 of the level two required action plans established under this
23 section.

24 (8) The superintendent of public instruction must (~~recommend to~~
25 ~~the state board of education that a school district be released~~)
26 release a school district from assignment to level two of the
27 required action process after the district implements the level two
28 required action plan for a period of three years; has made progress,
29 as defined by the superintendent of public instruction using the
30 criteria established under RCW 28A.657.020; and no longer has a
31 school within the district identified as persistently lowest-
32 achieving. The (~~state board of education~~) superintendent shall
33 release a school district from the level two assignment upon
34 confirmation that the school district has met the requirements for a
35 release.

36 **Sec. 110.** RCW 28A.657.080 and 2010 c 235 s 108 are each amended
37 to read as follows:

38 The (~~state board of education may direct the~~) superintendent of
39 public instruction (~~to~~) may require a school district that has not

1 submitted a final required action plan for approval, or has submitted
2 but not received (~~(state board of education)~~) the superintendent's
3 approval of a required action plan by the beginning of the school
4 year in which the plan is intended to be implemented, to redirect the
5 district's Title I funds based on the academic performance audit
6 findings.

7 **Sec. 111.** RCW 28A.150.550 and 2013 c 282 s 2 are each amended to
8 read as follows:

9 (1) The following statewide indicators of educational system
10 health are established:

11 (a) The percentage of students demonstrating the characteristics
12 of entering kindergartners in all six areas identified by the
13 Washington kindergarten inventory of developing skills administered
14 in accordance with RCW 28A.655.080;

15 (b) The percentage of students meeting the standard on the fourth
16 grade statewide reading assessment administered in accordance with
17 RCW 28A.655.070;

18 (c) The percentage of students meeting the standard on the eighth
19 grade statewide mathematics assessment administered in accordance
20 with RCW 28A.655.070;

21 (d) The four-year cohort high school graduation rate;

22 (e) The percentage of high school graduates who during the second
23 quarter after graduation are either enrolled in postsecondary
24 education or training or are employed, and the percentage during the
25 fourth quarter after graduation who are either enrolled in
26 postsecondary education or training or are employed; and

27 (f) The percentage of students enrolled in precollege or remedial
28 courses in college.

29 (2) The statewide indicators established in subsection (1) of
30 this section shall be disaggregated as provided under RCW
31 28A.300.042.

32 (3) The (~~(state board of education)~~) superintendent of public
33 instruction, with assistance from the (~~(office of the superintendent~~
34 ~~of public instruction)~~) state board of education, the workforce
35 training and education coordinating board, the educational
36 opportunity gap oversight and accountability committee, and the
37 student achievement council, shall establish a process for
38 identifying realistic but challenging system-wide performance goals
39 and measurements, if necessary, for each of the indicators

1 established in subsection (1) of this section, including for
2 subcategories of students as provided under subsection (2) of this
3 section. The performance goal for each indicator must be set on a
4 biennial basis, and may only be adjusted upward.

5 (4) The state board of education, the office of the
6 superintendent of public instruction, and the student achievement
7 council shall each align their strategic planning and education
8 reform efforts with the statewide indicators and performance goals
9 established under this section.

10 (5)(a) The (~~state board of education~~) superintendent of public
11 instruction, with assistance from the (~~office of the superintendent~~
12 ~~of public instruction~~) state board of education, the workforce
13 training and education coordinating board, the educational
14 opportunity gap oversight and accountability committee, and the
15 student achievement council, shall submit a report on the status of
16 each indicator in subsection (1) of this section and recommend
17 revised performance goals and measurements, if necessary, by December
18 1st of each even-numbered year(~~, except that the initial report~~
19 ~~establishing baseline values and initial goals shall be delivered to~~
20 ~~the education committees of the legislature by December 1, 2013~~)).

21 (b) If the educational system is not on target to meet the
22 performance goals on any individual indicator, the report must
23 recommend evidence-based reforms intended to improve student
24 achievement in that area.

25 (c) To the extent data is available, the performance goals for
26 each indicator must be compared with national data in order to
27 identify whether Washington student achievement results are within
28 the top ten percent nationally or are comparable to results in peer
29 states with similar characteristics as Washington. If comparison data
30 show that Washington students are falling behind national peers on
31 any indicator, the report must recommend evidence-based reforms
32 targeted at addressing the indicator in question.

33 **Sec. 112.** RCW 28A.657.110 and 2013 c 159 s 12 are each amended
34 to read as follows:

35 (1) By November 1, (~~2013~~) 2018, the (~~state board of~~
36 ~~education~~) superintendent of public instruction shall propose rules
37 for adoption establishing an accountability framework that creates a
38 unified system of support for challenged schools that aligns with
39 basic education, increases the level of support based upon the

1 magnitude of need, and uses data for decisions. The ~~((board))~~
2 superintendent must seek input from the public and interested groups
3 in developing the framework. Based on the framework, the
4 superintendent of public instruction shall design a comprehensive
5 system of specific strategies for recognition, provision of
6 differentiated support and targeted assistance, and, if necessary,
7 requiring intervention in schools and school districts. The
8 superintendent shall submit the system design to the state board of
9 education for review. The state board of education shall ~~((recommend~~
10 ~~approval or modification of))~~ make recommendations regarding the
11 system design to the superintendent no later than January 1, ~~((2014))~~
12 2018, and the system must be implemented statewide no later than the
13 ~~((2014-15))~~ 2018-19 school year. To the extent state funds are
14 appropriated for this purpose, the system must apply equally to Title
15 I, Title I-eligible, and non-Title I schools in the state.

16 (2) The ~~((state board of education))~~ superintendent of public
17 instruction shall develop a Washington achievement index to identify
18 schools and school districts for recognition, for continuous
19 improvement, and for additional state support. The index shall be
20 based on criteria that are fair, consistent, and transparent.
21 Performance shall be measured using multiple outcomes and indicators
22 including, but not limited to, graduation rates and results from
23 statewide assessments. The index shall be developed in such a way as
24 to be easily understood by both employees within the schools and
25 school districts, as well as parents and community members. It is the
26 legislature's intent that the index provide feedback to schools and
27 school districts to self-assess their progress, and enable the
28 identification of schools with exemplary performance and those that
29 need assistance to overcome challenges in order to achieve exemplary
30 performance.

31 (3) The ~~((state board of education, in cooperation with the~~
32 ~~office of the))~~ superintendent of public instruction, shall annually
33 recognize schools for exemplary performance as measured on the
34 Washington achievement index. The ~~((state board of education))~~
35 superintendent shall have ongoing collaboration with the educational
36 opportunity gap oversight and accountability committee regarding the
37 measures used to measure the closing of the achievement gaps and the
38 recognition provided to the school districts for closing the
39 achievement gaps.

1 (1) Each high school or school district board of directors shall
2 adopt course equivalencies for career and technical high school
3 courses offered to students in high schools and skill centers. A
4 career and technical course equivalency may be for whole or partial
5 credit. Each school district board of directors shall develop a
6 course equivalency approval procedure. Boards of directors must
7 approve AP computer science courses as equivalent to high school
8 mathematics or science, and must denote on a student's transcript
9 that AP computer science qualifies as a math-based quantitative
10 course for students who take the course in their senior year. In
11 order for a board to approve AP computer science as equivalent to
12 high school mathematics, the student must be concurrently enrolled in
13 or have successfully completed algebra II. Beginning no later than
14 the 2015-16 school year, a school district board of directors must,
15 at a minimum, grant academic course equivalency in mathematics or
16 science for a high school career and technical course from the list
17 of courses approved by the ~~((state board of education))~~
18 superintendent of public instruction under RCW 28A.700.070, but is
19 not limited to the courses on the list. If the list of courses is
20 revised after the 2015-16 school year, the school district board of
21 directors must grant academic course equivalency based on the revised
22 list beginning with the school year immediately following the
23 revision.

24 (2) Career and technical courses determined to be equivalent to
25 academic core courses, in full or in part, by the high school or
26 school district shall be accepted as meeting core requirements,
27 including graduation requirements, if the courses are recorded on the
28 student's transcript using the equivalent academic high school
29 department designation and title. Full or partial credit shall be
30 recorded as appropriate. The high school or school district shall
31 also issue and keep record of course completion certificates that
32 demonstrate that the career and technical courses were successfully
33 completed as needed for industry certification, college credit, or
34 preapprenticeship, as applicable. The certificate shall be part of
35 the student's high school and beyond plan. The office of the
36 superintendent of public instruction shall develop and make available
37 electronic samples of certificates of course completion.

38 **Sec. 203.** RCW 28A.655.061 and 2015 3rd sp.s. c 42 s 2 are each
39 amended to read as follows:

1 (1) The high school assessment system shall include but need not
2 be limited to the statewide student assessment, opportunities for a
3 student to retake the content areas of the assessment in which the
4 student was not successful, and, if approved by the legislature
5 pursuant to subsection (10) of this section, one or more objective
6 alternative assessments for a student to demonstrate achievement of
7 state academic standards. The objective alternative assessments for
8 each content area shall be comparable in rigor to the skills and
9 knowledge that the student must demonstrate on the statewide student
10 assessment for each content area.

11 (2) Subject to the conditions in this section, a certificate of
12 academic achievement shall be obtained and is evidence that the
13 students have successfully met the state standard in the content
14 areas included in the certificate. With the exception of students
15 satisfying the provisions of RCW 28A.155.045 or 28A.655.0611,
16 acquisition of the certificate is required for graduation from a
17 public high school but is not the only requirement for graduation.

18 (3)(a) Beginning with the graduating class of 2008 through the
19 graduating class of 2015, with the exception of students satisfying
20 the provisions of RCW 28A.155.045, a student who meets the state
21 standards on the reading, writing, and mathematics high school
22 statewide student assessment shall earn a certificate of academic
23 achievement. The mathematics assessment shall be the end-of-course
24 assessment for the first year of high school mathematics that
25 assesses the standards common to algebra I and integrated mathematics
26 I or the end-of-course assessment for the second year of high school
27 mathematics that assesses standards common to geometry and integrated
28 mathematics II.

29 (b) As the state transitions from reading and writing assessments
30 to an English language arts assessment and from end-of-course
31 assessments to a comprehensive assessment for high school
32 mathematics, a student in a graduating class of 2016 through 2018
33 shall earn a certificate of academic achievement if the student meets
34 the state standard as follows:

35 (i) Students in the graduating class of 2016 may use the results
36 from:

37 (A) The reading and writing assessment or the English language
38 arts assessment developed with the multistate consortium; and

39 (B) The end-of-course assessment for the first year of high
40 school mathematics, the end-of-course assessment for the second year

1 of high school mathematics, or the comprehensive mathematics
2 assessment developed with the multistate consortium.

3 (ii) Students in the graduating classes of 2017 and 2018 may use
4 the results from:

5 (A) The tenth grade English language arts assessment developed by
6 the superintendent of public instruction using resources from the
7 multistate consortium or the English language arts assessment
8 developed with the multistate consortium; and

9 (B) The end-of-course assessment for the first year of high
10 school mathematics, the end-of-course assessment for the second year
11 of high school mathematics, or the comprehensive mathematics
12 assessment developed with the multistate consortium.

13 (c) Beginning with the graduating class of 2019, a student who
14 meets the state standards on the high school English language arts
15 assessment developed with the multistate consortium and the
16 comprehensive mathematics assessment developed with the multistate
17 consortium shall earn a certificate of academic achievement.

18 (d) If a student does not successfully meet the state standards
19 in one or more content areas required for the certificate of academic
20 achievement, then the student may retake the assessment in the
21 content area at least twice a year at no cost to the student. If the
22 student successfully meets the state standards on a retake of the
23 assessment then the student shall earn a certificate of academic
24 achievement. Once objective alternative assessments are authorized
25 pursuant to subsection (10) of this section, a student may use the
26 objective alternative assessments to demonstrate that the student
27 successfully meets the state standards for that content area if the
28 student has taken the statewide student assessment at least once. If
29 the student successfully meets the state standards on the objective
30 alternative assessments then the student shall earn a certificate of
31 academic achievement.

32 (4) Beginning with the graduating class of 2017, a student must
33 meet the state standards in science in addition to the other content
34 areas required under subsection (3) of this section on the statewide
35 student assessment, a retake, or the objective alternative
36 assessments in order to earn a certificate of academic achievement.

37 (5) The state board of education and the superintendent of public
38 instruction may not require the acquisition of the certificate of
39 academic achievement for students in home-based instruction under
40 chapter 28A.200 RCW, for students enrolled in private schools under

1 chapter 28A.195 RCW, or for students satisfying the provisions of RCW
2 28A.155.045.

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

5 (7) School districts must make available to students the
6 following options:

7 (a) To retake the statewide student assessment at least twice a
8 year in the content areas in which the student did not meet the state
9 standards if the student is enrolled in a public school; or

10 (b) To retake the statewide student assessment at least twice a
11 year in the content areas in which the student did not meet the state
12 standards if the student is enrolled in a high school completion
13 program at a community or technical college. The superintendent of
14 public instruction and the state board for community and technical
15 colleges shall jointly identify means by which students in these
16 programs can be assessed.

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

21 (9) Opportunities to retake the assessment at least twice a year
22 shall be available to each school district.

23 (10)(a) The office of the superintendent of public instruction
24 shall develop options for implementing objective alternative
25 assessments, which may include an appeals process for students'
26 scores, for students to demonstrate achievement of the state academic
27 standards. The objective alternative assessments shall be comparable
28 in rigor to the skills and knowledge that the student must
29 demonstrate on the statewide student assessment and be objective in
30 its determination of student achievement of the state standards.
31 Before any objective alternative assessments in addition to those
32 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
33 student to demonstrate that the student has met the state standards
34 in a content area required to obtain a certificate, the legislature
35 shall formally approve the use of any objective alternative
36 assessments through the omnibus appropriations act or by statute or
37 concurrent resolution.

38 (b)(i) A student's score on the mathematics, reading or English,
39 or writing portion of the SAT or the ACT may be used as an objective
40 alternative assessment under this section for demonstrating that a

1 student has met or exceeded the state standards for the certificate
2 of academic achievement. The (~~state board of education~~)
3 superintendent of public instruction shall identify the scores
4 students must achieve on the relevant portion of the SAT or ACT to
5 meet or exceed the state standard in the relevant content area on the
6 statewide student assessment. A student's score on the science
7 portion of the ACT or the science subject area tests of the SAT may
8 be used as an objective alternative assessment under this section as
9 soon as the (~~state board of education~~) superintendent of public
10 instruction determines that sufficient data is available to identify
11 reliable equivalent scores for the science content area of the
12 statewide student assessment. After the first scores are established,
13 the (~~state board~~) superintendent may increase but not decrease the
14 scores required for students to meet or exceed the state standards.

15 (ii) A student who scores at least a three on the grading scale
16 of one to five for selected AP examinations may use the score as an
17 objective alternative assessment under this section for demonstrating
18 that a student has met or exceeded state standards for the
19 certificate of academic achievement. A score of three on the AP
20 examinations in calculus or statistics may be used as an alternative
21 assessment for the mathematics portion of the statewide student
22 assessment. A score of three on the AP examinations in English
23 language and composition may be used as an alternative assessment for
24 the writing portion of the statewide student assessment; and for the
25 English language arts portion of the assessment developed with the
26 multistate consortium, once established in the 2014-15 school year. A
27 score of three on the AP examinations in English literature and
28 composition, macroeconomics, microeconomics, psychology, United
29 States history, world history, United States government and politics,
30 or comparative government and politics may be used as an alternative
31 assessment for the reading portion of the statewide student
32 assessment; and for the English language arts portion of the
33 assessment developed with the multistate consortium, once established
34 in the 2014-15 school year. A score of three on the AP examination in
35 biology, physics, chemistry, or environmental science may be used as
36 an alternative assessment for the science portion of the statewide
37 student assessment.

38 (iii) A student who scores at least a four on selected externally
39 administered international baccalaureate (IB) examinations may use
40 the score as an objective alternative assessment under this section

1 for demonstrating that the student has met or exceeded state
2 standards for the certificate of academic achievement. A score of
3 four on the higher level IB examinations for any of the IB English
4 language and literature courses or for any of the IB individuals and
5 societies courses may be used as an alternative assessment for the
6 reading, writing, or English language arts portions of the statewide
7 student assessment. A score of four on the higher level IB
8 examinations for any of the IB mathematics courses may be used as an
9 alternative assessment for the mathematics portion of the statewide
10 student assessment. A score of four on the higher level IB
11 examinations for IB biology, chemistry, or physics may be used as an
12 alternative assessment for the science portion of the statewide
13 student assessment.

14 (11) To help assure continued progress in academic achievement as
15 a foundation for high school graduation and to assure that students
16 are on track for high school graduation, each school district shall
17 prepare plans for and notify students and their parents or legal
18 guardians as provided in this subsection. Student learning plans are
19 required for eighth grade students who were not successful on any or
20 all of the content areas of the state assessment during the previous
21 school year or who may not be on track to graduate due to credit
22 deficiencies or absences. The parent or legal guardian shall be
23 notified about the information in the student learning plan,
24 preferably through a parent conference and at least annually. To the
25 extent feasible, schools serving English language learner students
26 and their parents shall translate the plan into the primary language
27 of the family. The plan shall include the following information as
28 applicable:

- 29 (a) The student's results on the state assessment;
- 30 (b) If the student is in the transitional bilingual program, the
31 score on his or her Washington language proficiency test II;
- 32 (c) Any credit deficiencies;
- 33 (d) The student's attendance rates over the previous two years;
- 34 (e) The student's progress toward meeting state and local
35 graduation requirements;
- 36 (f) The courses, competencies, and other steps needed to be taken
37 by the student to meet state academic standards and stay on track for
38 graduation;
- 39 (g) Remediation strategies and alternative education options
40 available to students, including informing students of the option to

1 continue to receive instructional services after grade twelve or
2 until the age of twenty-one;

3 (h) The alternative assessment options available to students
4 under this section and RCW 28A.655.065;

5 (i) School district programs, high school courses, and career and
6 technical education options available for students to meet graduation
7 requirements; and

8 (j) Available programs offered through skill centers or community
9 and technical colleges, including the college high school diploma
10 options under RCW 28B.50.535.

11 **Sec. 204.** RCW 28A.655.065 and 2009 c 556 s 19 are each amended
12 to read as follows:

13 (1) The legislature has made a commitment to rigorous academic
14 standards for receipt of a high school diploma. The primary way that
15 students will demonstrate that they meet the standards in reading,
16 writing, mathematics, and science is through the ~~((Washington))~~
17 statewide student assessment ~~((of student learning))~~. Only objective
18 assessments that are comparable in rigor to the state assessment are
19 authorized as an alternative assessment. Before seeking an
20 alternative assessment, the legislature expects students to make a
21 genuine effort to meet state standards, through regular and
22 consistent attendance at school and participation in extended
23 learning and other assistance programs.

24 (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,
25 the superintendent of public instruction shall implement objective
26 alternative assessment methods as provided in this section for
27 students to demonstrate achievement of the state standards in content
28 areas in which the student has not yet met the standard on the high
29 school ~~((Washington))~~ statewide student assessment ~~((of student~~
30 ~~learning))~~. A student may access an alternative if the student meets
31 applicable eligibility criteria in RCW 28A.655.061 and this section
32 and other eligibility criteria established by the superintendent of
33 public instruction, including but not limited to attendance criteria
34 and participation in the remediation or supplemental instruction
35 contained in the student learning plan developed under RCW
36 28A.655.061. A school district may waive attendance and/or
37 remediation criteria for special, unavoidable circumstances.

1 (3) For the purposes of this section, "applicant" means a student
2 seeking to use one of the alternative assessment methods in this
3 section.

4 (4) One alternative assessment method shall be a combination of
5 the applicant's grades in applicable courses and the applicant's
6 highest score on the high school (~~(Washington)~~) statewide student
7 assessment (~~(of student learning)~~), as provided in this subsection. A
8 student is eligible to apply for the alternative assessment method
9 under this subsection (4) if the student has a cumulative grade point
10 average of at least 3.2 on a four point grading scale. The
11 superintendent of public instruction shall determine which high
12 school courses are applicable to the alternative assessment method
13 and shall issue guidelines to school districts.

14 (a) Using guidelines prepared by the superintendent of public
15 instruction, a school district shall identify the group of students
16 in the same school as the applicant who took the same high school
17 courses as the applicant in the applicable content area. From the
18 group of students identified in this manner, the district shall
19 select the comparison cohort that shall be those students who met or
20 slightly exceeded the state standard on the (~~(Washington)~~) statewide
21 student assessment (~~(of student learning)~~).

22 (b) The district shall compare the applicant's grades in high
23 school courses in the applicable content area to the grades of
24 students in the comparison cohort for the same high school courses.
25 If the applicant's grades are equal to or above the mean grades of
26 the comparison cohort, the applicant shall be deemed to have met the
27 state standard on the alternative assessment.

28 (c) An applicant may not use the alternative assessment under
29 this subsection (4) if there are fewer than six students in the
30 comparison cohort.

31 (5) The superintendent of public instruction shall develop an
32 alternative assessment method that shall be an evaluation of a
33 collection of work samples prepared and submitted by the applicant.
34 Effective September 1, 2009, collection of work samples may be
35 submitted only in content areas where meeting the state standard on
36 the high school assessment is required for purposes of graduation.

37 (a) The superintendent of public instruction shall develop
38 guidelines for the types and number of work samples in each content
39 area that may be submitted as a collection of evidence that the
40 applicant has met the state standard in that content area. Work

1 samples may be collected from academic, career and technical, or
2 remedial courses and may include performance tasks as well as written
3 products. (~~The superintendent shall submit the guidelines for~~
4 ~~approval by the state board of education.~~)

5 (b) The superintendent shall develop protocols for submission of
6 the collection of work samples that include affidavits from the
7 applicant's teachers and school district that the samples are the
8 work of the applicant and a requirement that a portion of the samples
9 be prepared under the direct supervision of a classroom teacher.
10 (~~The superintendent shall submit the protocols for approval by the~~
11 ~~state board of education.~~)

12 (c) The superintendent shall develop uniform scoring criteria for
13 evaluating the collection of work samples (~~and submit the scoring~~
14 ~~criteria for approval by the state board of education~~). Collections
15 shall be scored at the state level or regionally by a panel of
16 educators selected and trained by the superintendent to ensure
17 objectivity, reliability, and rigor in the evaluation. An educator
18 may not score work samples submitted by applicants from the
19 educator's school district. If the panel awards an applicant's
20 collection of work samples the minimum required score, the applicant
21 shall be deemed to have met the state standard on the alternative
22 assessment.

23 (d) (~~Using~~) The superintendent of public instruction shall use
24 an open and public process that includes consultation with district
25 superintendents, school principals, and other educators(~~, the state~~
26 ~~board of education shall consider~~) when developing the guidelines,
27 protocols, scoring criteria, and other information regarding the
28 collection of work samples (~~submitted by the superintendent of~~
29 ~~public instruction~~) provided for in this section. The collection of
30 work samples may be implemented as an alternative assessment after
31 the (~~state board of education~~) superintendent has approved the
32 guidelines, protocols, and scoring criteria and determined that the
33 collection of work samples: (i) Will meet professionally accepted
34 standards for a valid and reliable measure of the grade level
35 expectations and the essential academic learning requirements; and
36 (ii) is comparable to or exceeds the rigor of the skills and
37 knowledge that a student must demonstrate on the (~~Washington~~)
38 statewide student assessment (~~of student learning~~) in the
39 applicable content area. (~~The state board shall make an approval~~
40 ~~decision and determination no later than December 1, 2006, and~~

1 ~~thereafter may increase the required rigor of the collection of work~~
2 ~~samples.))~~

3 (e) By September of 2006, the superintendent of public
4 instruction shall develop informational materials for parents,
5 teachers, and students regarding the collection of work samples and
6 the status of its development as an alternative assessment method.
7 The materials shall provide specific guidance regarding the type and
8 number of work samples likely to be required, include examples of
9 work that meets the state learning standards, and describe the
10 scoring criteria and process for the collection. The materials shall
11 also encourage students in the graduating class of 2008 to begin
12 creating a collection if they believe they may seek to use the
13 collection once it is implemented as an alternative assessment.

14 (6)(a) For students enrolled in a career and technical education
15 program approved under RCW 28A.700.030, the superintendent of public
16 instruction shall develop additional guidelines for collections of
17 work samples that are tailored to different career and technical
18 programs. The additional guidelines shall:

19 (i) Provide multiple examples of work samples that are related to
20 the particular career and technical program;

21 (ii) Permit work samples based on completed activities or
22 projects where demonstration of academic knowledge is inferred; and

23 (iii) Provide multiple examples of work samples drawn from career
24 and technical courses.

25 (b) The purpose of the additional guidelines is to provide a
26 clear pathway toward a certificate of academic achievement for career
27 and technical students by showing them applied and relevant
28 opportunities to demonstrate their knowledge and skills, and to
29 provide guidance to teachers in integrating academic and career and
30 technical instruction and assessment and assisting career and
31 technical students in compiling a collection. The superintendent of
32 public instruction shall develop and disseminate additional
33 guidelines for no fewer than ten career and technical education
34 programs representing a variety of program offerings by no later than
35 September 1, 2008. Guidelines for ten additional programs shall be
36 developed and disseminated no later than June 1, 2009.

37 (c) The superintendent shall consult with community and technical
38 colleges, employers, the workforce training and education
39 coordinating board, apprenticeship programs, and other regional and
40 national experts in career and technical education to create

1 appropriate guidelines and examples of work samples and other
2 evidence of a career and technical student's knowledge and skills on
3 the state academic standards.

4 (7) The superintendent of public instruction shall study the
5 feasibility of using existing mathematics assessments in languages
6 other than English as an additional alternative assessment option.
7 The study shall include an estimation of the cost of translating the
8 tenth grade mathematics assessment into other languages and scoring
9 the assessments should they be implemented.

10 (8) The superintendent of public instruction shall implement:

11 (a) By June 1, 2006, a process for students to appeal the score
12 they received on the high school assessments; and

13 (b) By January 1, 2007, guidelines and appeal processes for
14 waiving specific requirements in RCW 28A.655.061 pertaining to the
15 certificate of academic achievement and to the certificate of
16 individual achievement for students who: (i) Transfer to a Washington
17 public school in their junior or senior year with the intent of
18 obtaining a public high school diploma, or (ii) have special,
19 unavoidable circumstances.

20 (9) The state board of education shall examine opportunities for
21 additional alternative assessments, including the possible use of one
22 or more standardized norm-referenced student achievement tests and
23 the possible use of the reading, writing, or mathematics portions of
24 the ACT ASSET and ACT COMPASS test instruments as objective
25 alternative assessments for demonstrating that a student has met the
26 state standards for the certificate of academic achievement. The
27 state board shall submit its findings and recommendations to the
28 education committees of the legislature by January 10, 2008.

29 (10) The superintendent of public instruction shall adopt rules
30 to implement this section.

31 **Sec. 205.** RCW 28A.700.070 and 2014 c 217 s 101 are each amended
32 to read as follows:

33 (1) The office of the superintendent of public instruction shall
34 support school district efforts under RCW 28A.230.097 to adopt course
35 equivalencies for career and technical courses by:

36 (a) Recommending career and technical curriculum suitable for
37 course equivalencies;

38 (b) Publicizing best practices for high schools and school
39 districts in developing and adopting course equivalencies; and

1 (c) In consultation with the Washington association for career
2 and technical education, providing professional development,
3 technical assistance, and guidance for school districts seeking to
4 expand their lists of equivalent courses.

5 (2) The office of the superintendent of public instruction shall
6 provide professional development, technical assistance, and guidance
7 for school districts to develop career and technical course
8 equivalencies that also qualify as advanced placement courses.

9 (3) The (~~office of the~~) superintendent of public instruction,
10 in consultation with one or more technical working groups convened
11 for this purpose, shall develop and approve curriculum frameworks for
12 a selected list of career and technical courses that may be offered
13 by high schools or skill centers whose content in science,
14 technology, engineering, and mathematics is considered equivalent in
15 full or in part to science or mathematics courses that meet high
16 school graduation requirements. The content of the courses must be
17 aligned with state essential academic learning requirements in
18 mathematics as adopted by the superintendent of public instruction in
19 July 2011 and the essential academic learning requirements in science
20 as adopted in October 2013, and industry standards. (~~The office~~)
21 Prior to the superintendent's approval, he or she shall submit the
22 list of equivalent career and technical courses and their curriculum
23 frameworks to the state board of education for review(~~(7)~~) and an
24 opportunity for public comment(~~(7, and approval)~~). The first list of
25 courses under this subsection must be developed and approved before
26 the 2015-16 school year. Thereafter, the (~~office~~) superintendent
27 may periodically update or revise the list of courses using the
28 process in this subsection.

29 (4) Subject to funds appropriated for this purpose, the (~~office~~
30 ~~of the~~) superintendent of public instruction shall allocate grant
31 funds to school districts to increase the integration and rigor of
32 academic instruction in career and technical courses. Grant
33 recipients are encouraged to use grant funds to support teams of
34 academic and technical teachers using a research-based professional
35 development model supported by the national research center for
36 career and technical education. The (~~office of the~~) superintendent
37 of public instruction may require that grant recipients provide
38 matching resources using federal Carl Perkins funds or other fund
39 sources.

1 (d) Supplemental instruction and services for underachieving
2 students through the learning assistance program under RCW
3 28A.165.005 through 28A.165.065;

4 (e) Supplemental instruction and services for eligible and
5 enrolled students and exited students whose primary language is other
6 than English through the transitional bilingual instruction program
7 under RCW 28A.180.010 through 28A.180.080;

8 (f) The opportunity for an appropriate education at public
9 expense as defined by RCW 28A.155.020 for all eligible students with
10 disabilities as defined in RCW 28A.155.020; and

11 (g) Programs for highly capable students under RCW 28A.185.010
12 through 28A.185.030.

13 (4) Nothing contained in this section shall be construed to
14 require individual students to attend school for any particular
15 number of hours per day or to take any particular courses.

16 (5)(a) Each school district's kindergarten through twelfth grade
17 basic educational program shall be accessible to all students who are
18 five years of age, as provided by RCW 28A.225.160, and less than
19 twenty-one years of age and shall consist of a minimum of one hundred
20 eighty school days per school year in such grades as are conducted by
21 a school district, and one hundred eighty half-days of instruction,
22 or equivalent, in kindergarten, to be increased to a minimum of one
23 hundred eighty school days per school year according to the
24 implementation schedule under RCW 28A.150.315.

25 (b) Schools administering the Washington kindergarten inventory
26 of developing skills may use up to three school days at the beginning
27 of the school year to meet with parents and families as required in
28 the parent involvement component of the inventory.

29 (c) In the case of students who are graduating from high school,
30 a school district may schedule the last five school days of the one
31 hundred eighty day school year for noninstructional purposes
32 including, but not limited to, the observance of graduation and early
33 release from school upon the request of a student. All such students
34 may be claimed as a full-time equivalent student to the extent they
35 could otherwise have been so claimed for the purposes of RCW
36 28A.150.250 and 28A.150.260. Any hours scheduled by a school district
37 for noninstructional purposes during the last five school days for
38 such students shall count toward the instructional hours requirement
39 in subsection (2)(a) of this section.

1 (6) Nothing in this section precludes a school district from
2 enriching the instructional program of basic education, such as
3 offering additional instruction or providing additional services,
4 programs, or activities that the school district determines to be
5 appropriate for the education of the school district's students.

6 (7) The (~~state board of education~~) superintendent of public
7 instruction shall adopt rules to implement and ensure compliance with
8 the program requirements imposed by this section, RCW 28A.150.250 and
9 28A.150.260, and such related supplemental program approval
10 requirements as the (~~state board~~) superintendent may establish.

11 **Sec. 302.** RCW 28A.150.230 and 2010 c 235 s 201 are each amended
12 to read as follows:

13 (1) It is the intent and purpose of this section to guarantee
14 that each common school district board of directors, whether or not
15 acting through its respective administrative staff, be held
16 accountable for the proper operation of their district to the local
17 community and its electorate. In accordance with the provisions of
18 this title (~~28A-RCW~~), as now or hereafter amended, each common
19 school district board of directors shall be vested with the final
20 responsibility for the setting of policies ensuring quality in the
21 content and extent of its educational program and that such program
22 provide students with the opportunity to achieve those skills which
23 are generally recognized as requisite to learning.

24 (2) In conformance with the provisions of this title (~~28A-RCW~~),
25 as now or hereafter amended, it shall be the responsibility of each
26 common school district board of directors to adopt policies to:

27 (a) Establish performance criteria and an evaluation process for
28 its superintendent, classified staff, certificated personnel,
29 including administrative staff, and for all programs constituting a
30 part of such district's curriculum. Each district shall report
31 annually to the superintendent of public instruction the following
32 for each employee group listed in this subsection (2)(a): (i)
33 Evaluation criteria and rubrics; (ii) a description of each rating;
34 and (iii) the number of staff in each rating;

35 (b) Determine the final assignment of staff, certificated or
36 classified, according to board enumerated classroom and program needs
37 and data, based upon a plan to ensure that the assignment policy: (i)
38 Supports the learning needs of all the students in the district; and
39 (ii) gives specific attention to high-need schools and classrooms;

1 (c) Provide information to the local community and its electorate
2 describing the school district's policies concerning hiring,
3 assigning, terminating, and evaluating staff, including the criteria
4 for evaluating teachers and principals;

5 (d) Determine the amount of instructional hours necessary for any
6 student to acquire a quality education in such district, in not less
7 than an amount otherwise required in RCW 28A.150.220, or rules of the
8 (~~state board of education~~) superintendent of public instruction;

9 (e) Determine the allocation of staff time, whether certificated
10 or classified;

11 (f) Establish final curriculum standards consistent with law and
12 rules of the superintendent of public instruction, relevant to the
13 particular needs of district students or the unusual characteristics
14 of the district, and ensuring a quality education for each student in
15 the district; and

16 (g) Evaluate teaching materials, including text books, teaching
17 aids, handouts, or other printed material, in public hearing upon
18 complaint by parents, guardians or custodians of students who
19 consider dissemination of such material to students objectionable.

20 **Sec. 303.** RCW 28A.225.010 and 2014 c 168 s 3 are each amended to
21 read as follows:

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

27 (a) The child is attending an approved private school for the
28 same time or is enrolled in an extension program as provided in RCW
29 28A.195.010(4);

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

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

34 (d) The school district superintendent of the district in which
35 the child resides shall have excused such child from attendance
36 because the child is physically or mentally unable to attend school,
37 is attending a residential school operated by the department of
38 social and health services, is incarcerated in an adult correctional
39 facility, or has been temporarily excused upon the request of his or

1 her parents for purposes agreed upon by the school authorities and
2 the parent: PROVIDED, That such excused absences shall not be
3 permitted if deemed to cause a serious adverse effect upon the
4 student's educational progress: PROVIDED FURTHER, That students
5 excused for such temporary absences may be claimed as full-time
6 equivalent students to the extent they would otherwise have been so
7 claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and shall
8 not affect school district compliance with the provisions of RCW
9 28A.150.220;

10 (e) The child is excused from school subject to approval by the
11 student's parent for a reason of faith or conscience, or an organized
12 activity conducted under the auspices of a religious denomination,
13 church, or religious organization, for up to two days per school year
14 without any penalty. Such absences may not mandate school closures.
15 Students excused for such temporary absences may be claimed as full-
16 time equivalent students to the extent they would otherwise have been
17 so claimed for the purposes of RCW 28A.150.250 and 28A.150.260 and
18 may not affect school district compliance with the provisions of RCW
19 28A.150.220; or

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

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

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

27 (iii) The child has received a certificate of educational
28 competence under rules (~~and regulations~~) established by the (~~state~~
29 ~~board of education~~) superintendent of public instruction under (~~RCW~~
30 ~~28A.305.190~~) section 308 of this act.

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

33 (3) An approved private school for the purposes of this chapter
34 and chapter 28A.200 RCW shall be one approved under (~~regulations~~)
35 rules established by the state board of education pursuant to RCW
36 28A.305.130.

37 (4) For the purposes of this chapter and chapter 28A.200 RCW,
38 instruction shall be home-based if it consists of planned and
39 supervised instructional and related educational activities,
40 including a curriculum and instruction in the basic skills of

1 occupational education, science, mathematics, language, social
2 studies, history, health, reading, writing, spelling, and the
3 development of an appreciation of art and music, provided for a
4 number of hours equivalent to the total annual program hours per
5 grade level established for approved private schools under RCW
6 28A.195.010 and 28A.195.040 and if such activities are:

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

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

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

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

32 NEW SECTION. **Sec. 304.** A new section is added to chapter
33 28A.150 RCW to read as follows:

34 (1) In addition to waivers authorized under section 601 of this
35 act and RCW 28A.655.180, the superintendent of public instruction may
36 grant waivers from the requirement for a one hundred eighty-day
37 school year under RCW 28A.150.220 to school districts that propose to
38 operate one or more schools on a flexible calendar for purposes of
39 economy and efficiency as provided in this section. The requirement

1 under RCW 28A.150.220 that school districts offer minimum
2 instructional hours may not be waived.

3 (2) A school district seeking a waiver under this section must
4 submit an application that includes:

5 (a) A proposed calendar for the school day and school year that
6 demonstrates how the instructional hour requirement will be
7 maintained;

8 (b) An explanation and estimate of the economies and efficiencies
9 to be gained from compressing the instructional hours into fewer than
10 one hundred eighty days;

11 (c) An explanation of how monetary savings from the proposal will
12 be redirected to support student learning;

13 (d) A summary of comments received at one or more public hearings
14 on the proposal and how concerns will be addressed;

15 (e) An explanation of the impact on students who rely upon free
16 and reduced-price school child nutrition services and the impact on
17 the ability of the child nutrition program to operate an economically
18 independent program;

19 (f) An explanation of the impact on employees in education
20 support positions and the ability to recruit and retain employees in
21 education support positions;

22 (g) An explanation of the impact on students whose parents work
23 during the missed school day; and

24 (h) Other information that the superintendent of public
25 instruction may request to assure that the proposed flexible calendar
26 will not adversely affect student learning.

27 (3) The superintendent of public instruction shall adopt criteria
28 to evaluate waiver requests under this section. A waiver may be
29 effective for up to three years and may be renewed for subsequent
30 periods of three or fewer years. After each school year in which a
31 waiver has been granted under this section, the superintendent of
32 public instruction must analyze empirical evidence to determine
33 whether the reduction is affecting student learning. If the
34 superintendent of public instruction determines that student learning
35 is adversely affected, the school district must discontinue the
36 flexible calendar as soon as possible but not later than the
37 beginning of the next school year after the determination has been
38 made.

39 (4) The superintendent of public instruction may grant waivers
40 authorized under this section to five or fewer school districts. Of

1 the five waivers that may be granted, two must be reserved for
2 districts with student populations of less than one hundred fifty
3 students, and three must be reserved for districts with student
4 populations of between one hundred fifty-one and five hundred
5 students.

6 **Sec. 305.** RCW 28A.150.250 and 2009 c 548 s 105 are each amended
7 to read as follows:

8 (1) From those funds made available by the legislature for the
9 current use of the common schools, the superintendent of public
10 instruction shall distribute annually as provided in RCW 28A.510.250
11 to each school district of the state operating a basic education
12 instructional program approved by the (~~state board of education~~)
13 superintendent an amount based on the formulas provided in RCW
14 28A.150.260, 28A.150.390, and 28A.150.392 which, when combined with
15 an appropriate portion of such locally available revenues, other than
16 receipts from federal forest revenues distributed to school districts
17 pursuant to RCW 28A.520.010 and 28A.520.020, as the superintendent of
18 public instruction may deem appropriate for consideration in
19 computing state equalization support, excluding excess property tax
20 levies, will constitute a basic education allocation in dollars for
21 each annual average full-time equivalent student enrolled.

22 (2) The instructional program of basic education shall be
23 considered to be fully funded by those amounts of dollars
24 appropriated by the legislature pursuant to RCW 28A.150.260,
25 28A.150.390, and 28A.150.392 to fund those program requirements
26 identified in RCW 28A.150.220 in accordance with the formula provided
27 in RCW 28A.150.260 and those amounts of dollars appropriated by the
28 legislature to fund the salary requirements of RCW 28A.150.410.

29 (3) If a school district's basic education program fails to meet
30 the basic education requirements enumerated in RCW 28A.150.260 and
31 28A.150.220, the (~~state board of education shall require the~~)
32 superintendent of public instruction (~~to~~) shall withhold state
33 funds in whole or in part for the basic education allocation until
34 program compliance is assured. However, the (~~state board of~~
35 ~~education~~) superintendent may waive this requirement in the event of
36 substantial lack of classroom space.

37 **Sec. 306.** RCW 28A.230.010 and 2014 c 217 s 103 are each amended
38 to read as follows:

1 (1) School district boards of directors shall identify and offer
2 courses with content that meet or exceed: (a) The basic education
3 skills identified in RCW 28A.150.210; (b) the graduation requirements
4 under RCW 28A.230.090; (c) the courses required to meet the minimum
5 college entrance requirements under RCW 28A.230.130; and (d) the
6 course options for career development under RCW 28A.230.130. Such
7 courses may be applied or theoretical, academic, or vocational.

8 (2) School district boards of directors must provide high school
9 students with the opportunity to access at least one career and
10 technical education course that is considered equivalent to a
11 mathematics course or at least one career and technical education
12 course that is considered equivalent to a science course as
13 determined by the office of the superintendent of public instruction
14 (~~(and the state board of education)~~) in RCW 28A.700.070. Students may
15 access such courses at high schools, interdistrict cooperatives,
16 skill centers or branch or satellite skill centers, or through online
17 learning or applicable running start vocational courses.

18 (3) School district boards of directors of school districts with
19 fewer than two thousand students may apply to the (~~state board of~~
20 ~~education~~) superintendent of public instruction for a waiver from
21 the provisions of subsection (2) of this section.

22 NEW SECTION. Sec. 307. A new section is added to chapter
23 28A.230 RCW to read as follows:

24 The superintendent of public instruction may grant a waiver from
25 the provisions of RCW 28A.230.010(2) based on an application from a
26 board of directors of a school district with fewer than two thousand
27 students.

28 NEW SECTION. Sec. 308. A new section is added to chapter
29 28A.230 RCW to read as follows:

30 The superintendent of public instruction shall adopt rules
31 governing the eligibility of a child sixteen years of age and under
32 nineteen years of age to take a test to earn a high school
33 equivalency certificate as provided in RCW 28B.50.536 if the child
34 provides a substantial and warranted reason for leaving the regular
35 high school education program, if the child was home-schooled, or if
36 the child is an eligible student enrolled in a dropout reengagement
37 program under RCW 28A.175.100 through 28A.175.110.

1 **Sec. 309.** RCW 28B.50.250 and 1991 c 238 s 46 are each amended to
2 read as follows:

3 The state board for community and technical colleges and the
4 (~~state board of education~~) superintendent of public instruction are
5 hereby authorized to permit, on an ad hoc basis, the common school
6 districts to conduct pursuant to RCW 28B.50.530 a program in adult
7 education in behalf of a college district when such program will not
8 conflict with existing programs of the same nature and in the same
9 geographical area conducted by the college districts: PROVIDED, That
10 federal programs for adult education shall be administered by the
11 state board for community and technical colleges, which agency is
12 hereby declared to be the state educational agency primarily
13 responsible for supervision of adult education in the public schools
14 as defined by RCW (~~28B.50.020~~) 28B.50.030.

15 **Sec. 310.** RCW 28B.50.535 and 2009 c 524 s 2 are each amended to
16 read as follows:

17 A community or technical college may issue a high school diploma
18 or certificate as provided under this section.

19 (1) An individual who satisfactorily meets the requirements for
20 high school completion shall be awarded a diploma from the college,
21 subject to rules adopted by the superintendent of public instruction
22 (~~and the state board of education~~).

23 (2) An individual enrolled through the option established under
24 RCW 28A.600.310 through 28A.600.400 who satisfactorily completes an
25 associate degree, including an associate of arts degree, associate of
26 science degree, associate of technology degree, or associate in
27 applied science degree, shall be awarded a diploma from the college
28 upon written request from the student.

29 (3) An individual, twenty-one years or older, who enrolls in a
30 community or technical college for the purpose of obtaining an
31 associate degree and who satisfactorily completes an associate
32 degree, including an associate of arts degree, associate of science
33 degree, associate of technology degree, or associate in applied
34 science degree, shall be awarded a diploma from the college upon
35 written request from the student. Individuals under this subsection
36 are not eligible for funding provided under chapter 28A.150 RCW.

37 **Sec. 311.** RCW 28B.50.536 and 2013 c 39 s 9 are each amended to
38 read as follows:

1 (1) Subject to rules adopted by the (~~state board of education~~
2 ~~under RCW 28A.305.190~~) superintendent of public instruction under
3 section 308 of this act, the state board for community and technical
4 colleges shall adopt rules governing the eligibility of persons
5 sixteen years of age and older to take a test to earn a high school
6 equivalency certificate, rules governing the administration of the
7 test, and rules governing the issuance of a high school equivalency
8 certificate to persons who successfully complete the test.

9 (2) A high school equivalency certificate is a certificate issued
10 jointly by the college board and the office of the superintendent of
11 public instruction that indicates that the holder has attained
12 standard scores at or above the minimum proficiency level prescribed
13 by the college board on a high school equivalency test. The college
14 board must identify and accept a high school equivalency test that is
15 at least as rigorous as the general educational development test. The
16 high school equivalency test identified by the college board must
17 cover reading, writing, mathematics, science, and social studies
18 subject areas.

19 (3) High school equivalency certificates issued under this
20 section shall be issued in such form and substance as agreed upon by
21 the state board for community and technical colleges and
22 superintendent of public instruction.

23 **PART IV**
24 **PRIVATE SCHOOLS**

25 **Sec. 401.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended
26 to read as follows:

27 The legislature hereby recognizes that private schools should be
28 subject only to those minimum state controls necessary to insure the
29 health and safety of all the students in the state and to insure a
30 sufficient basic education to meet usual graduation requirements. The
31 state, any agency or official thereof, shall not restrict or dictate
32 any specific educational or other programs for private schools except
33 as hereinafter in this section provided.

34 Principals of private schools or superintendents of private
35 school districts shall file each year with the state (~~superintendent~~
36 ~~of public instruction~~) board of education a statement certifying
37 that the minimum requirements hereinafter set forth are being met,
38 noting any deviations. After review of the statement, the (~~state~~

1 ~~superintendent~~) board will notify schools or school districts of
2 those deviations which must be corrected. In case of major
3 deviations, the school or school district may request and the state
4 board of education may grant provisional status for one year in order
5 that the school or school district may take action to meet the
6 requirements. The state board of education shall not require private
7 school students to meet the student learning goals, obtain a
8 certificate of academic achievement, or a certificate of individual
9 achievement to graduate from high school, to master the essential
10 academic learning requirements, or to be assessed pursuant to RCW
11 28A.655.061. However, private schools may choose, on a voluntary
12 basis, to have their students master these essential academic
13 learning requirements, take the assessments, and obtain a certificate
14 of academic achievement or a certificate of individual achievement.
15 Minimum requirements shall be as follows:

16 (1) The minimum school year for instructional purposes shall
17 consist of no less than one hundred eighty school days or the
18 equivalent in annual minimum instructional hour offerings, with a
19 school-wide annual average total instructional hour offering of one
20 thousand hours for students enrolled in grades one through twelve,
21 and at least four hundred fifty hours for students enrolled in
22 kindergarten.

23 (2) The school day shall be the same as defined in RCW
24 28A.150.203.

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

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

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

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

1 (a) The parent, guardian, or custodian be under the supervision
2 of an employee of the approved private school who is (~~certified~~)
3 certificated under chapter 28A.410 RCW;

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

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

12 (d) Each student's progress be evaluated by the (~~certified~~)
13 certificated person; and

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

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

19 (6) The physical facilities of the school or district shall be
20 adequate to meet the program offered by the school or district:
21 PROVIDED, That each school building shall meet reasonable health and
22 fire safety requirements. A residential dwelling of the parent,
23 guardian, or custodian shall be deemed to be an adequate physical
24 facility when a parent, guardian, or person having legal custody is
25 instructing his or her child under subsection (4) of this section.

26 (7) Private school curriculum shall include instruction of the
27 basic skills of occupational education, science, mathematics,
28 language, social studies, history, health, reading, writing,
29 spelling, and the development of appreciation of art and music, all
30 in sufficient units for meeting state board of education graduation
31 requirements.

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

35 All decisions of policy, philosophy, selection of books, teaching
36 material, curriculum, except as in subsection (7) of this section
37 provided, school rules and administration, or other matters not
38 specifically referred to in this section, shall be the responsibility
39 of the administration and administrators of the particular private
40 school involved.

1 service districts will take effect after June 30, 1995, without a
2 majority approval vote by the affected school directors voting in
3 such election by mail ballot. Prior to making any such changes, the
4 (~~state board~~) superintendent of public instruction, or his or her
5 designee, shall hold at least one public hearing on such proposed
6 action and shall consider any recommendations on such proposed
7 action.

8 The (~~state board~~) superintendent of public instruction in
9 making any change in boundaries shall give consideration to, but not
10 be limited by, the following factors: Size, population, topography,
11 and climate of the proposed district.

12 The superintendent of public instruction shall furnish personnel,
13 material, supplies, and information necessary to enable educational
14 service district boards and superintendents to consider the proposed
15 changes.

16 PART VI

17 WAIVERS FOR EFFECTIVE EDUCATION PROGRAMS AND INNOVATION SCHOOLS

18 NEW SECTION. **Sec. 601.** A new section is added to chapter
19 28A.230 RCW to read as follows:

20 (1) The superintendent of public instruction may grant waivers to
21 school districts from the provisions of RCW 28A.150.200 through
22 28A.150.220 on the basis that such waiver or waivers are necessary
23 to:

24 (a) Implement successfully a local plan to provide for all
25 students in the district an effective education system that is
26 designed to enhance the educational program for each student. The
27 local plan may include alternative ways to provide effective
28 educational programs for students who experience difficulty with the
29 regular education program;

30 (b) Implement an innovation school or innovation zone designated
31 under RCW 28A.630.081; or

32 (c) Implement a collaborative schools for innovation and success
33 pilot project approved under RCW 28A.630.104.

34 (2) The superintendent of public instruction shall adopt criteria
35 to evaluate the need for the waiver or waivers.

36 **Sec. 602.** RCW 28A.630.083 and 2011 c 260 s 5 are each amended to
37 read as follows:

1 (1)(a) The superintendent of public instruction (~~and the state~~
2 ~~board of education, each within the scope of their statutory~~
3 ~~authority,~~) may grant waivers of state statutes and administrative
4 rules for designated innovation schools and innovation zones as
5 follows:

6 (i) (~~Waivers may be granted under RCW 28A.655.180 and~~
7 ~~28A.305.140;~~

8 ~~(ii))~~ Waivers may be granted to permit the commingling of funds
9 appropriated by the legislature on a categorical basis for such
10 programs as, but not limited to, highly capable students,
11 transitional bilingual instruction, and learning assistance; and

12 ~~((iii))~~ (ii) Waivers may be granted of other administrative
13 rules that in the opinion of the superintendent of public instruction
14 (~~or the state board of education~~) are necessary to be waived to
15 implement an innovation school or innovation zone.

16 (b) State administrative rules dealing with public health,
17 safety, and civil rights, including accessibility for individuals
18 with disabilities, may not be waived.

19 (2) At the request of a school district, the superintendent of
20 public instruction may petition the United States department of
21 education or other federal agencies to waive federal regulations
22 necessary to implement an innovation school or innovation zone.

23 (3) The (~~state board of education~~) superintendent of public
24 instruction may grant waivers for innovation schools or innovation
25 zones of administrative rules pertaining to calculation of course
26 credits for high school courses.

27 (4) Waivers may be granted under this section for a period not to
28 exceed the duration of the designation of the innovation school or
29 innovation zone.

30 (5) The superintendent of public instruction (~~and the state~~
31 ~~board of education~~) shall provide an expedited review of requests
32 for waivers for designated innovation schools and innovation zones.
33 Requests may be denied if the superintendent of public instruction
34 (~~or the state board of education~~) conclude that the waiver:

35 (a) Is likely to result in a decrease in academic achievement in
36 the innovation school or innovation zone;

37 (b) Would jeopardize the receipt of state or federal funds that a
38 school district would otherwise be eligible to receive, unless the
39 school district submits a written authorization for the waiver
40 acknowledging that receipt of these funds could be jeopardized; or

1 (c) Would violate state or federal laws or rules that are not
2 authorized to be waived.

3 (6) This section expires June 30, 2019.

4 **Sec. 603.** RCW 28A.655.180 and 2012 c 53 s 9 are each amended to
5 read as follows:

6 (1) The (~~(state board of education, where appropriate, or the)~~)
7 superintendent of public instruction(~~(, where appropriate,)~~) may
8 grant waivers to districts from the provisions of statutes or rules
9 relating to: The length of the school year; student-to-teacher
10 ratios; and other administrative rules that in the opinion of the
11 (~~(state board of education or the opinion of the)~~) superintendent of
12 public instruction may need to be waived in order for a district to
13 implement a plan for restructuring its educational program or the
14 educational program of individual schools within the district or to
15 implement an innovation school or innovation zone designated under
16 RCW 28A.630.081 or to implement a collaborative schools for
17 innovation and success pilot project approved under RCW 28A.630.104.

18 (2) School districts may use the application process in (~~(RCW~~
19 ~~28A.305.140)~~) section 601 of this act to apply for the waivers under
20 this section.

21 **Sec. 604.** RCW 28A.655.180 and 2009 c 543 s 3 are each amended to
22 read as follows:

23 (1) The (~~(state board of education, where appropriate, or the)~~)
24 superintendent of public instruction(~~(, where appropriate,)~~) may
25 grant waivers to districts from the provisions of statutes or rules
26 relating to: The length of the school year; student-to-teacher
27 ratios; and other administrative rules that in the opinion of the
28 (~~(state board of education or the opinion of the)~~) superintendent of
29 public instruction may need to be waived in order for a district to
30 implement a plan for restructuring its educational program or the
31 educational program of individual schools within the district.

32 (2) School districts may use the application process in (~~(RCW~~
33 ~~28A.305.140)~~) section 601 of this act to apply for the waivers under
34 this section.

35 **Sec. 605.** RCW 28A.300.545 and 2011 c 45 s 2 are each amended to
36 read as follows:

1 (1) The superintendent of public instruction shall develop a
2 condensed compliance report form for second-class districts by August
3 1, 2011. The report form shall allow districts the option of
4 indicating one of the following for each funded program:

5 (a) The district has complied or received a (~~state board of~~
6 ~~education approved~~) superintendent of public instruction approved
7 waiver;

8 (b) The district has not complied, accompanied by an explanation
9 or the steps taken to comply; or

10 (c) The district has received a grant for less than half of a
11 full-time equivalent instructional staff.

12 (2) The office of the superintendent of public instruction may
13 conduct random audits of second-class districts that submit a
14 condensed compliance report under RCW 28A.330.250. The purpose of the
15 audit is to determine whether documentation exists to support a
16 school district superintendent's condensed compliance report.

17 **PART VII**

18 **STATE BOARD GOVERNANCE**

19 **Sec. 701.** RCW 28A.300.020 and 2005 c 497 s 403 are each amended
20 to read as follows:

21 The superintendent of public instruction may appoint assistant
22 superintendents of public instruction, a deputy superintendent of
23 public instruction, and may employ such other assistants and clerical
24 help as are necessary to carry out the duties of the superintendent
25 (~~and the state board of education. However, the superintendent shall~~
26 ~~employ without undue delay the executive director of the state board~~
27 ~~of education and other state board of education office assistants and~~
28 ~~clerical help, appointed by the state board under RCW 28A.305.130,~~
29 ~~whose positions are allotted and funded in accordance with moneys~~
30 ~~appropriated exclusively for the operation of the state board of~~
31 ~~education. The rate of compensation and termination of any such~~
32 ~~executive director, state board office assistants, and clerical help~~
33 ~~shall be subject to the prior consent of the state board of~~
34 ~~education~~)). The assistant superintendents, deputy superintendent,
35 and such other officers and employees as are exempted from the
36 provisions of chapter 41.06 RCW, shall serve at the pleasure of the
37 superintendent or at the pleasure of the superintendent (~~and the~~
38 ~~state board of education as provided in this section. Expenditures by~~

1 ~~the superintendent of public instruction for direct and indirect~~
2 ~~support of the state board of education are valid operational~~
3 ~~expenditures by and in behalf of the office of the superintendent of~~
4 ~~public instruction)).~~

5 NEW SECTION. **Sec. 702.** A new section is added to chapter
6 28A.305 RCW to read as follows:

7 The state board of education shall employ without undue delay the
8 executive director of the state board of education and other state
9 board of education office assistants and clerical help, appointed by
10 the state board of education under RCW 28A.305.130, whose positions
11 are allotted and funded in accordance with moneys appropriated
12 exclusively for the operation of the state board of education. The
13 rate of compensation and termination of any such executive director,
14 state board office assistants, and clerical help shall be subject to
15 the prior consent of the state board of education. Officers and
16 employees exempted from the provisions of chapter 41.06 RCW shall
17 serve at the pleasure of the state board of education as provided in
18 this section.

19 **Sec. 703.** RCW 28A.305.021 and 2005 c 497 s 102 are each amended
20 to read as follows:

21 The election of state board of education members by school
22 directors and private school board members shall be conducted by the
23 (~~office of the superintendent of public instruction~~) state board
24 for the members of the state board who begin serving on January 1,
25 2006, and thereafter.

26 (1) The (~~superintendent~~) state board of education shall adopt
27 rules for the conduct of elections, which shall include, but need not
28 be limited to: The definition of the eastern Washington and western
29 Washington geographic regions of the state for the purpose of
30 determining board member positions; the weighting of votes cast by
31 the number of students in the school director's school district or
32 board member's private school; election and dispute resolution
33 procedures; the process for filling vacancies; and election
34 timelines. The election timeline shall include calling for elections
35 no later than the twenty-fifth of August, and notification of the
36 election results no later than the fifteenth of December.

37 (2) State board member positions one and two shall be filled by
38 residents of the eastern Washington region and positions three, four,

1 and five shall be filled by residents of the western Washington
2 region.

3 (3) A school director shall be eligible to vote only for a
4 candidate for each position in the geographic region within which the
5 school director resides.

6 (4) Initial terms of the individuals elected by the school
7 directors shall be for terms of two to four years in length as
8 follows: Two members, one from eastern Washington and one from
9 western Washington, shall be elected to two-year terms; two members,
10 one from eastern Washington and one from western Washington, shall be
11 elected to four-year terms; and one member from western Washington
12 shall be elected to a three-year term. The term of the private school
13 member shall be two years. All terms shall expire on the second
14 Monday of January of the applicable year.

15 (5) No person employed in any public or private school, college,
16 university, or other educational institution or any educational
17 service district superintendent's office or in the office of the
18 superintendent of public instruction is eligible for membership on
19 the state board of education. No member of a board of directors of a
20 local school district or private school may continue to serve in that
21 capacity after having been elected to the state board.

22 **Sec. 704.** RCW 28A.525.025 and 2006 c 263 s 308 are each amended
23 to read as follows:

24 (1) To maintain citizen oversight on issues pertaining to school
25 facilities and funding for school construction, a school facilities
26 citizen advisory panel shall be created by the (~~state board of~~
27 ~~education~~) superintendent of public instruction. The panel shall
28 advise and make recommendations to the superintendent of public
29 instruction regarding school facilities, funding for school
30 construction, joint planning and financing of educational facilities,
31 facility plans and programs for nonhigh school districts, and
32 determinations of remote and necessary schools.

33 (2) The membership of the school facilities citizen advisory
34 panel shall be as follows:

35 (a) One member of the state board of education;

36 (b) Two school district directors representing school districts
37 of various sizes and geographic locations, who are appointed by the
38 (~~state board of education~~) superintendent of public instruction and
39 selected from a list of five names submitted to the (~~board~~)

1 superintendent by the Washington state school directors' association;
2 and

3 (c) Four additional citizen members appointed by the ((state
4 ~~board of education~~)) superintendent of public instruction.

5 (3) Members of the panel shall be reimbursed for travel expenses
6 in accordance with RCW 43.03.050 and 43.03.060.

7 (4) In addition to the school facilities citizen advisory panel,
8 the superintendent of public instruction may convene a technical
9 advisory group including representatives from school business
10 officers, building and construction contracting and trade
11 organizations, architecture and engineering organizations, and other
12 organizations with expertise in school facilities.

13 PART VIII

14 STUDENTS WITH MEDICAL CONDITIONS

15 **Sec. 801.** RCW 28A.210.320 and 2006 c 263 s 911 are each amended
16 to read as follows:

17 (1) The attendance of every child at every public school in the
18 state shall be conditioned upon the presentation before or on each
19 child's first day of attendance at a particular school of a
20 medication or treatment order addressing any life-threatening health
21 condition that the child has that may require medical services to be
22 performed at the school. Once such an order has been presented, the
23 child shall be allowed to attend school.

24 (2) The chief administrator of every public school shall prohibit
25 the further presence at the school for any and all purposes of each
26 child for whom a medication or treatment order has not been provided
27 in accordance with this section if the child has a life-threatening
28 health condition that may require medical services to be performed at
29 the school and shall continue to prohibit the child's presence until
30 such order has been provided. The exclusion of a child from a school
31 shall be accomplished in accordance with rules of the ((state board
32 ~~of education~~)) superintendent of public instruction. Before excluding
33 a child, each school shall provide written notice to the parents or
34 legal guardians of each child or to the adults in loco parentis to
35 each child, who is not in compliance with the requirements of this
36 section. The notice shall include, but not be limited to, the
37 following: (a) The requirements established by this section; (b) the
38 fact that the child will be prohibited from further attendance at the

1 school unless this section is complied with; and (c) such procedural
2 due process rights as are established pursuant to this section.

3 (3) The superintendent of public instruction in consultation with
4 the state board of health shall adopt rules under chapter 34.05 RCW
5 that establish the procedural and substantive due process
6 requirements governing the exclusion of children from public schools
7 under this section. The rules shall include any requirements under
8 applicable federal laws.

9 (4) As used in this section, "life-threatening condition" means a
10 health condition that will put the child in danger of death during
11 the school day if a medication or treatment order and a nursing plan
12 are not in place.

13 (5) As used in this section, "medication or treatment order"
14 means the authority a registered nurse obtains under RCW
15 18.79.260(2).

16 PART IX

17 MISCELLANEOUS PROVISIONS

18 NEW SECTION. **Sec. 901.** The following acts or parts of acts are
19 each repealed:

20 (1) RCW 28A.305.140 (Waiver from provisions of RCW 28A.150.200
21 through 28A.150.220 authorized) and 2012 c 53 s 8, 2011 c 260 s 8,
22 1990 c 33 s 267, (1992 c 141 s 302 expired September 1, 2000), & 1985
23 c 349 s 6;

24 (2) RCW 28A.305.141 (Waiver from one hundred eighty-day school
25 year requirement—Criteria) and 2016 c 99 s 1, 2014 c 171 s 1, & 2009
26 c 543 s 2;

27 (3) RCW 28A.305.142 (Waiver from career and technical course
28 equivalency requirement) and 2014 c 217 s 104; and

29 (4) RCW 28A.305.190 (Eligibility to take test to earn a high
30 school equivalency certificate) and 2013 c 39 s 8, 2010 c 20 s 6,
31 1993 c 218 s 1, 1991 c 116 s 5, & 1973 c 51 s 2.

32 NEW SECTION. **Sec. 902.** A new section is added to chapter
33 28A.305 RCW to read as follows:

34 (1) The transfer of powers, duties, and functions of the state
35 board of education pursuant to chapter . . . , Laws of 2017 (this act)
36 do not affect the validity of any act performed before the effective
37 date of this section.

1 (2) If apportionments of budgeted funds are required because of
2 the transfer of powers, duties, and functions directed by
3 chapter . . ., Laws of 2017 (this act), the director of financial
4 management shall certify the apportionments to the agencies affected,
5 the state auditor, and the state treasurer. Each of these shall make
6 the appropriate transfer and adjustments in funds and appropriation
7 accounts and equipment records in accordance with the certification.

8 (3) Unless otherwise provided, nothing contained in
9 chapter . . ., Laws of 2017 (this act) may be construed to alter any
10 existing collective bargaining unit or the provisions of any existing
11 collective bargaining agreement until the agreement has expired or
12 until the bargaining unit has been modified by action of the
13 personnel resources board as provided by law.

14 NEW SECTION. **Sec. 903.** Sections 104 and 603 of this act expire
15 June 30, 2019.

16 NEW SECTION. **Sec. 904.** Sections 105 and 604 of this act take
17 effect June 30, 2019.

--- END ---