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**ENGROSSED SECOND SUBSTITUTE HOUSE BILL 1162**

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**State of Washington 67th Legislature 2022 Regular Session**

**By** House Education (originally sponsored by Representatives Stonier, Harris, Lekanoff, Hackney, Pollet, Dolan, and Callan; by request of State Board of Education)

AN ACT Relating to creating new graduation credit and pathway options; amending RCW 28A.150.220, 28A.655.250, and 28A.655.260; and declaring an emergency.

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

**Sec.**  RCW 28A.150.220 and 2017 3rd sp.s. c 13 s 506 are each amended to read as follows:

(1) In order for students to have the opportunity to develop the basic education knowledge and skills under RCW 28A.150.210, school districts must provide instruction of sufficient quantity and quality and give students the opportunity to complete graduation requirements that are intended to prepare them for postsecondary education, gainful employment, and citizenship. The program established under this section shall be the minimum instructional program of basic education offered by school districts.

(2) Each school district shall make available to students the following minimum instructional offering each school year:

(a) For students enrolled in grades one through ((~~twelve~~)) 12, at least a district-wide annual average of ((~~one thousand~~)) 1,000 hours, which shall be increased beginning in the 2015-16 school year to at least ((~~one thousand eighty~~)) 1,080 instructional hours for students enrolled in grades nine through ((~~twelve~~)) 12 and at least ((~~one thousand~~)) 1,000 instructional hours for students in grades one through eight, all of which may be calculated by a school district using a district-wide annual average of instructional hours over grades one through ((~~twelve~~)) 12; and

(b) For students enrolled in kindergarten, at least ((~~four hundred fifty~~)) 450 instructional hours, which shall be increased to at least ((~~one thousand~~)) 1,000 instructional hours according to the implementation schedule under RCW 28A.150.315.

(3) The instructional program of basic education provided by each school district shall include:

(a) Instruction in the ((~~essential academic learning requirements~~)) state learning standards under RCW 28A.655.070;

(b) Instruction that provides students the opportunity to complete ((~~twenty-four~~)) 24 credits ((~~for high school graduation~~)), beginning with the graduating class of 2019 or as otherwise provided in RCW 28A.230.090. Course distribution requirements may be established by the state board of education under RCW 28A.230.090;

(c) If the ((~~essential academic learning requirements~~)) state learning standards include a requirement of languages other than English, the requirement may be met by students receiving instruction in one or more American Indian languages;

(d) Supplemental instruction and services for students who are not meeting academic standards through the learning assistance program under RCW 28A.165.005 through 28A.165.065;

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

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

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

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

(5)(a) Each school district's kindergarten through ((~~twelfth~~)) 12th grade basic educational program shall be accessible to all students who are five years of age, as provided by RCW 28A.225.160, and less than ((~~twenty-one~~)) 21 years of age and shall consist of a minimum of ((~~one hundred eighty~~)) 180 school days per school year in such grades as are conducted by a school district, and ((~~one hundred eighty~~)) 180 half-days of instruction, or equivalent, in kindergarten, to be increased to a minimum of ((~~one hundred eighty~~)) 180 school days per school year according to the implementation schedule under RCW 28A.150.315.

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

(c) In the case of students who are graduating from high school, a school district may schedule the last five school days of the ((~~one hundred eighty day~~)) 180-day school year for noninstructional purposes including, but not limited to, the observance of graduation and early release from school upon the request of a student. All such students may be claimed as a full‑time equivalent student to the extent they could otherwise have been so claimed for the purposes of RCW 28A.150.250 and 28A.150.260. Any hours scheduled by a school district for noninstructional purposes during the last five school days for such students shall count toward the instructional hours requirement in subsection (2)(a) of this section.

(6) Subject to RCW 28A.150.276, nothing in this section precludes a school district from enriching the instructional program of basic education, such as offering additional instruction or providing additional services, programs, or activities that the school district determines to be appropriate for the education of the school district's students.

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

**Sec.**  RCW 28A.655.250 and 2021 c 7 s 3 are each amended to read as follows:

(1)(a) Beginning with the class of 2020, except as provided in RCW 28A.230.320, graduation from a public high school and the earning of a high school diploma must include the following:

(i) Satisfying the graduation requirements established by the state board of education under RCW 28A.230.090 and any graduation requirements established by the applicable public high school or school district;

(ii) Satisfying credit requirements for graduation;

(iii) Demonstrating career and college readiness through completion of the high school and beyond plan as required by RCW 28A.230.090; and

(iv) Meeting the requirements of at least one graduation pathway option established in this section. The pathway options established in this section are intended to provide a student with multiple pathways to graduating with a meaningful high school diploma that are tailored to the goals of the student. A student may choose to pursue one or more of the pathway options under (b) of this subsection, but any pathway option used by a student to demonstrate career and college readiness must be in alignment with the student's high school and beyond plan.

(b) The following graduation pathway options may be used to demonstrate career and college readiness in accordance with (a)(iv) of this subsection:

(i) Meet or exceed the graduation standard established by the state board of education under RCW 28A.305.130 on the statewide high school assessments in English language arts and mathematics as provided for under RCW 28A.655.070;

(ii) Complete and qualify for college credit in dual credit courses in English language arts and mathematics. For the purposes of this subsection, "dual credit course" means a course in which a student qualifies for college and high school credit in English language arts or mathematics upon successfully completing the course;

(iii) Earn high school credit in a high school transition course in English language arts and mathematics, an example of which includes a bridge to college course. For the purposes of this subsection (1)(b)(iii), "high school transition course" means an English language arts or mathematics course offered in high school where successful completion by a high school student ensures the student college-level placement at participating institutions of higher education as defined in RCW 28B.10.016. High school transition courses must satisfy core or elective credit graduation requirements established by the state board of education. A student's successful completion of a high school transition course does not entitle the student to be admitted to an institution of higher education as defined in RCW 28B.10.016;

(iv) Earn high school credit, with a C+ grade, or receiving a three or higher on the AP exam, or equivalent, in AP, international baccalaureate, or Cambridge international courses in English language arts and mathematics; or receiving a four or higher on international baccalaureate exams. For English language arts, successfully completing any of the following courses meets the standard: AP English language and composition literature, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics; or any of the international baccalaureate individuals and societies courses. For mathematics, successfully completing any of the following courses meets the standard: AP statistics, computer science, computer science principles, or calculus; or any of the international baccalaureate mathematics courses;

(v) Meet or exceed the scores established by the state board of education for the mathematics portion and the reading, English, or writing portion of the SAT or ACT;

(vi) Meet any combination of at least one English language arts option and at least one mathematics option established in (b)(i) through (v) of this subsection (1);

(vii) Meet standard in the armed services vocational aptitude battery; ((~~and~~))

(viii) Complete a sequence of career and technical education courses that are relevant to a student's postsecondary pathway, including those leading to workforce entry, state or nationally approved apprenticeships, or postsecondary education, and that meet either: The curriculum requirements of core plus programs for aerospace, maritime, health care, information technology, or construction and manufacturing; or the minimum criteria identified in RCW 28A.700.030. Nothing in this subsection (1)(b)(viii) requires a student to enroll in a preparatory course that is approved under RCW 28A.700.030 for the purposes of demonstrating career and college readiness under this section; and

(ix)(A) Complete a performance exhibition that includes: Authentic evidence demonstrating industry or profession specific knowledge and skills in two or more subject areas; and opportunities to demonstrate proficiency in other state learning standards. Students who select the graduation pathway established in this subsection (1)(b)(ix) must have successfully completed, or demonstrated mastery or competency in, algebra one or integrated math one, and geometry or integrated math two, or have earned two credits in equivalent career and technical education courses. For the purposes of this subsection (1)(b)(ix), "demonstrated mastery or competency in" means having earned mastery or competency-based credit in accordance with the policies of the applicable school or school district.

(B) Prior to offering the performance exhibition graduation pathway to students, the board of directors of the school district shall adopt a written policy in conformity with applicable state requirements that describes the school district's processes for approving student requests to use the graduation pathway and evaluating student performance exhibitions.

(2) While the legislature encourages school districts to make all pathway options established in this section available to their high school students, and to expand their pathway options until that goal is met, school districts have discretion in determining which pathway options under this section they will offer to students. School districts, however, must annually provide students in grades nine through 12 and their parents or legal guardians with comprehensive information about the graduation pathway options offered by the district.

(3) School districts shall determine if there is disproportionality among student subgroups participating in and completing each graduation pathway option offered by the school district and, if so, take appropriate corrective actions to ensure the pathway options are equitable. At a minimum, the subgroups to be examined must include those referenced in RCW 28A.300.042(3). If further disaggregation of subgroups is available, the school district shall also examine those subgroups.

(4)(a) The state board of education shall adopt rules to implement the graduation pathway options established in this section.

(b) Prior to adopting rules to implement the graduation pathway established in subsection (1)(b)(ix) of this section, the state board of education shall consult with states, schools in Washington and in other states, or both, that have successfully implemented exhibition or performance-based options that students may use to demonstrate knowledge and skills. Consultations required by this subsection shall, among other topics determined by the state board of education, address: Criteria that is or may be employed when constituting panels to evaluate student performance exhibitions; and needed or anticipated considerations for the promotion and support of mastery-based learning practices.

**Sec.**  RCW 28A.655.260 and 2021 c 144 s 3 are each amended to read as follows:

(1) The superintendent of public instruction shall collect the following information from school districts: Which of the graduation pathways under RCW 28A.655.250 are available to students at each of the school districts; and the number of students using each graduation pathway for graduation purposes. This information shall be reported annually to the education committees of the legislature beginning January 10, 2021. To the extent feasible, data on student participation in each of the graduation pathways shall be disaggregated by race, ethnicity, gender, and receipt of free or reduced-price lunch.

(2) Beginning August 1, 2019, the state board of education shall survey interested parties regarding what additional graduation pathways should be added to the existing graduation pathways identified in RCW 28A.655.250 and whether modifications should be made to any of the existing pathways. Interested parties shall include at a minimum: High school students; recent high school graduates; representatives from the state board for community and technical colleges and four-year higher education institutions; representatives from the apprenticeship and training council; associations representing business; members of the educational opportunity gap oversight and accountability committee; and associations representing educators, school board members, school administrators, superintendents, and parents. The state board of education shall provide reports to the education committees of the legislature by August 1, 2020, and December 10, 2022, summarizing the information collected in the surveys.

(3) Using the data reported by the superintendent of public instruction under subsection (1) of this section, the state board of education shall survey a sampling of the school districts unable to provide all of the graduation pathways under RCW 28A.655.250 in order to identify the types of barriers to implementation school districts have. Using the survey results from this subsection and the survey results collected under subsection (2) of this section, the state board of education shall review the existing graduation pathways, suggested changes to those graduation pathways, and the options for additional graduation pathways, and shall provide a report to the education committees of the legislature by December 10, 2022, on the following:

(a) Recommendations on whether changes to the existing pathways should be made and what those changes should be;

(b) The barriers school districts have to offering all of the graduation pathways and recommendations for ways to eliminate or reduce those barriers for school districts;

(c) Whether all students have equitable access to all of the graduation pathways and, if not, recommendations for reducing the barriers students may have to accessing all of the graduation pathways; and

(d) Whether additional graduation pathways should be included and recommendations for what those pathways should be.

(4) In order to ensure that school districts offering the graduation pathway established in RCW 28A.655.250(1)(b)(ix) are complying with requirements of RCW 28A.655.250(1)(b)(ix), the state board of education shall review and monitor the implementation of the graduation pathway at least once every five years. The reviews and monitoring required by this subsection may be conducted concurrently with other program reviews and monitoring conducted by the state board of education.

NEW SECTION. **Sec.**  This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect immediately.

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