

E2SHB 2582 - S AMD 367

By Senators McAuliffe, Schmidt

ADOPTED AS AMENDED 03/06/2006

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

3 "NEW SECTION. **Sec. 1.** The legislature finds that the goal of
4 Washington's education reform is for all students to meet rigorous
5 academic standards so that they are prepared for success in college,
6 work, and life. Educators know that not all students learn at the same
7 rate or in the same way. Some students will take longer to meet the
8 state's standards for high school graduation. Older students who
9 cannot graduate with their peers need an appropriate learning
10 environment and flexible programming that enables them simultaneously
11 to earn a diploma, work, and pursue other training options. Providing
12 learning options in locations in addition to high schools will
13 encourage older students to complete their diplomas. The legislature
14 further finds that the state's commitment to providing a basic
15 education for all public school students under the age of twenty-one
16 should continue until a student earns a diploma. Therefore the
17 legislature intends to expand high school completion programs at
18 community and technical colleges for older students who have not yet
19 received a diploma but are eligible for state basic education support.

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

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

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

28 (1) In accordance with this section, each community or technical

1 college shall make available courses or a program of study, on the
2 college campus, designed to enable students under the age of twenty-one
3 who have completed all state and local high school graduation
4 requirements except the certificate of academic achievement or
5 certificate of individual achievement to complete their high school
6 education and obtain a high school diploma.

7 (a) Colleges may make courses or programs under this section
8 available by entering into contracts with local school districts to
9 deliver the courses or programs. Colleges that offer courses or
10 programs under contract shall be reimbursed for each enrolled eligible
11 student as provided in the contract, and the high school diploma shall
12 be issued by the local school district;

13 (b) Colleges may deliver courses or programs under this section
14 directly. Colleges that deliver courses or programs directly shall be
15 reimbursed for each enrolled eligible student as provided in section 4
16 of this act, and the high school diploma shall be issued by the
17 college; or

18 (c) Colleges may make courses or programs under this section
19 available through a combination of contracts with local school
20 districts, collaboration with educational service districts, and direct
21 service delivery. Colleges may also make courses or programs under
22 this section available for students at locations in addition to the
23 college campus but not on a high school campus.

24 (2) Regardless of the service delivery method chosen, colleges
25 shall ensure that all eligible students have an opportunity to enroll
26 in a course or program under this section.

27 (3) Colleges shall not require students enrolled under this section
28 to pay tuition or services and activities fees, however this waiver of
29 tuition and services and activities fees shall be in effect only for
30 those courses that lead to a high school diploma.

31 (4) Nothing in this section or section 4 of this act precludes a
32 community or technical college from offering courses or a program of
33 study for students other than eligible students as defined by section
34 4 of this act to obtain a high school diploma, nor is intended to
35 restrict diploma completion programs offered by school districts or
36 educational service districts. Community and technical colleges and
37 school districts are encouraged to consult with educational service

1 districts in the development and delivery of programs and courses
2 required under this section.

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

5 (1) For purposes of this section and section 3 of this act,
6 "eligible student" means a student who has completed all state and
7 local high school graduation requirements except the certificate of
8 academic achievement under RCW 28A.655.061 or the certificate of
9 individual achievement under RCW 28A.155.045, and who is less than age
10 twenty-one as of September 1st of the academic year the student enrolls
11 at a community and technical college under this section.

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

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

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

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

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

1 (d) For eligible students who meet eligibility criteria for the
2 state transitional bilingual instruction program under chapter 28A.180
3 RCW, the superintendent shall allocate an amount equal to the per
4 student state allocation for the transitional bilingual instruction
5 program or a pro rata amount for less than full-time enrollment.

6 (4) School districts and the state board for community and
7 technical colleges shall report no student for more than 1.0 full-time
8 equivalent combining both their high school enrollment and instruction
9 in the college program offered for students meeting all graduation
10 requirements except the certificate of academic achievement or
11 certificate of individual achievement.

12 (5) The superintendent may adopt rules establishing enrollment
13 reporting, recordkeeping, and accounting requirements necessary to
14 ensure accountability for the use of basic education, learning
15 assistance, and transitional bilingual program funds under this
16 section.

17 (6) All school districts shall provide information about the high
18 school completion option under section 3 of this act to students in
19 grades ten, eleven, and twelve and the parents or guardians of those
20 students.

21 **Sec. 5.** RCW 28A.230.120 and 2003 c 234 s 1 are each amended to
22 read as follows:

23 (1) School districts shall issue diplomas to students signifying
24 graduation from high school upon the students' satisfactory completion
25 of all local and state graduation requirements. Districts shall grant
26 students the option of receiving a final transcript in addition to the
27 regular diploma. Each district must adopt a policy regarding whether
28 students who satisfactorily complete all local and state graduation
29 requirements except the certificate of academic achievement under RCW
30 28A.655.061 or the certificate of individual achievement under RCW
31 28A.155.045 may participate in high school graduation ceremonies.

32 (2) School districts or schools of attendance shall establish
33 policies and procedures to notify senior students of the transcript
34 option and shall direct students to indicate their decisions in a
35 timely manner. School districts shall make appropriate provisions to
36 assure that students who choose to receive a copy of their final
37 transcript shall receive such transcript after graduation.

1 (3)(a) A school district may issue a high school diploma to a
2 person who:

3 (i) Is an honorably discharged member of the armed forces of the
4 United States;

5 (ii) Was scheduled to graduate from high school in the years 1940
6 through 1955; and

7 (iii) Left high school before graduation to serve in World War II
8 or the Korean conflict.

9 (b) A school district may issue a diploma to or on behalf of a
10 person otherwise eligible under (a) of this subsection notwithstanding
11 the fact that the person holds a high school equivalency certification
12 or is deceased.

13 (c) The superintendent of public instruction shall adopt a form for
14 a diploma application to be used by a veteran or a person acting on
15 behalf of a deceased veteran under this subsection (3). The
16 superintendent of public instruction shall specify what constitutes
17 acceptable evidence of eligibility for a diploma.

18 **Sec. 6.** RCW 28A.655.061 and 2004 c 19 s 101 are each amended to
19 read as follows:

20 (1) The high school assessment system shall include but need not be
21 limited to the Washington assessment of student learning, opportunities
22 for a student to retake the content areas of the assessment in which
23 the student was not successful, and if approved by the legislature
24 pursuant to subsection (11) of this section, one or more objective
25 alternative assessments for a student to demonstrate achievement of
26 state academic standards. The objective alternative assessments for
27 each content area shall be comparable in rigor to the skills and
28 knowledge that the student must demonstrate on the Washington
29 assessment of student learning for each content area.

30 (2) Subject to the conditions in this section, a certificate of
31 academic achievement shall be obtained by most students at about the
32 age of sixteen, and is evidence that the students have successfully met
33 the state standard in the content areas included in the certificate.
34 With the exception of students satisfying the provisions of RCW
35 28A.155.045, acquisition of the certificate is required for graduation
36 from a public high school but is not the only requirement for
37 graduation.

1 (3) Beginning with the graduating class of 2008, with the exception
2 of students satisfying the provisions of RCW 28A.155.045, a student who
3 meets the state standards on the reading, writing, and mathematics
4 content areas of the high school Washington assessment of student
5 learning shall earn a certificate of academic achievement. If a
6 student does not successfully meet the state standards in one or more
7 content areas required for the certificate of academic achievement,
8 then the student may retake the assessment in the content area up to
9 four times at no cost to the student. If the student successfully
10 meets the state standards on a retake of the assessment then the
11 student shall earn a certificate of academic achievement. Once
12 objective alternative assessments are authorized pursuant to subsection
13 (11) of this section, a student may use the objective alternative
14 assessments to demonstrate that the student successfully meets the
15 state standards for that content area if the student has retaken the
16 Washington assessment of student learning at least once. If the
17 student successfully meets the state standards on the objective
18 alternative assessments then the student shall earn a certificate of
19 academic achievement. The student's transcript shall note whether the
20 certificate of academic achievement was acquired by means of the
21 Washington assessment of student learning or by an alternative
22 assessment.

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

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

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

35 (7) Beginning with the graduating class of 2006, the highest scale
36 score and level achieved in each content area on the high school
37 Washington assessment of student learning shall be displayed on a
38 student's transcript. In addition, beginning with the graduating class

1 of 2008, each student shall receive a scholar's designation on his or
2 her transcript for each content area in which the student achieves
3 level four the first time the student takes that content area
4 assessment.

5 (8) Beginning in 2006, school districts must make available to
6 students the following options:

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

10 (b) To retake the Washington assessment of student learning up to
11 four times in the content areas in which the student did not meet the
12 state 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 (9) Students who achieve the standard in a content area of the high
18 school assessment but who wish to improve their results shall pay for
19 retaking the assessment, using a uniform cost determined by the
20 superintendent of public instruction.

21 (10) Subject to available funding, the superintendent shall pilot
22 opportunities for retaking the high school assessment beginning in the
23 2004-05 school year. Beginning no later than September 2006,
24 opportunities to retake the assessment at least twice a year shall be
25 available to each school district.

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

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

7 (13) To help assure continued progress in academic achievement as
8 a foundation for high school graduation and to assure that students are
9 on track for high school graduation, each school district shall prepare
10 plans for students as provided in this subsection (13).

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

20 (i) Beginning no later than the 2004-05 school year ninth grade
21 students as described in this subsection (13)(a) shall have a plan.

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

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

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

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

1 (i) The parent or guardian of a student described in this
2 subsection (13)(b) shall be notified, preferably through a parent
3 conference, of the student's results on the Washington assessment of
4 student learning, actions the school intends to take to improve the
5 student's skills in any content area in which the student was
6 unsuccessful, and provide strategies to help them improve their
7 student's skills.

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

11 **Sec. 7.** RCW 28B.15.520 and 1993 sp.s. c 18 s 16 are each amended
12 to read as follows:

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

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

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

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

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

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

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

4 **Sec. 8.** RCW 28B.15.067 and 2003 c 232 s 4 are each amended to read
5 as follows:

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

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

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

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

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

29 (6) The tuition fees established under this chapter shall not apply
30 to eligible students enrolling in a community or technical college
31 under section 3 of this act for the purpose of obtaining a high school
32 diploma.

33 (7) For the academic years 2003-04 through 2008-09, the University
34 of Washington shall use an amount equivalent to ten percent of all
35 revenues received as a result of law school tuition increases beginning
36 in academic year 2000-01 through academic year 2008-09 to assist needy
37 low and middle income resident law students.

1 (~~(7)~~) (8) For the academic years 2003-04 through 2008-09,
2 institutions of higher education shall use an amount equivalent to ten
3 percent of all revenues received as a result of graduate academic
4 school tuition increases beginning in academic year 2003-04 through
5 academic year 2008-09 to assist needy low and middle-income resident
6 graduate academic students."

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By Senators McAuliffe, Schmidt

ADOPTED AS AMENDED 03/06/2006

7 On page 1, line 1 of the title, after "programs;" strike the
8 remainder of the title and insert "amending RCW 28B.50.535,
9 28A.230.120, 28A.655.061, 28B.15.520, and 28B.15.067; adding a new
10 section to chapter 28B.50 RCW; adding a new section to chapter 28A.600
11 RCW; and creating a new section."

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