

ESSB 6023 - H AMD TO H AMD (H-3668.3/07) **942**
By Representative Schindler

FAILED 4/22/2007

1 On page 1, line 3 of the striking amendment, after "**Sec. 1.**"
2 strike all material through "instruction." on page 3, line 31 and
3 insert "RCW 28A.655.061 and 2006 c 115 s 4 are each amended to read
4 as follows:

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

16 (2) Beginning with the graduating class of 2008, acquisition of
17 one of the certificates provided in this subsection is required for
18 high school graduation but is not the only requirement for
19 graduation. The student's transcript shall note whether the
20 student earned a certificate of academic achievement, a certificate
21 of completion, or a certificate of individual achievement.

22 (a) A student who meets the state standards on each of the
23 content areas required under subsection (5) of this section on the
24 high school Washington assessment of student learning or through an
25 approved objective alternative assessment shall earn a certificate
26 of academic achievement.

27 (b) A student who successfully meets all state and local high
28 school graduation requirements except for earning a certificate of
29 academic achievement and fulfills the requirements established in
30 subsection (6) of this section shall earn a certificate of
31 completion.

1 (c) A student who is eligible under and successfully meets the
2 provisions of RCW 28A.155.045 shall earn a certificate of
3 individual achievement.

4 (3) The state board of education may not require the
5 acquisition of the certificate of academic achievement or the
6 certificate of completion for students in home-based instruction
7 under chapter 28A.200 RCW, for students enrolled in private schools
8 under chapter 28A.195 RCW, or for students eligible and satisfying
9 the provisions of RCW 28A.155.045.

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

18 ~~—(3))~~ (5)(a) Beginning with the graduating class of 2008,
19 ((with the exception of students satisfying the provisions of RCW
20 28A.155.045,)) a student who meets the state standards on the
21 reading, writing, and mathematics content areas of the high school
22 Washington assessment of student learning shall earn a certificate
23 of academic achievement.

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

30 (6) If a student does not successfully meet the state standards
31 in one or more content areas required for the certificate of
32 academic achievement, then:

33 (a) The school district shall prepare a student learning plan,
34 according to the provisions of subsection (12) of this section,
35 that specifies the courses and competencies the student must
36 complete to receive a certificate of completion. The courses and
37 competencies must include instruction in each of the content areas
38 in which the student does not meet the standard on the Washington
39 assessment of student learning. The courses shall be intended to

1 increase the student's proficiency toward meeting or exceeding the
2 state standards in that content area. Specific consideration shall
3 be given to whether career and technical education courses, online
4 courses, or courses at skill centers could be used to meet the
5 coursework requirements. The student learning plan shall also
6 establish a minimum grade point average that the student must
7 receive in the course in order for the course to count toward the
8 certificate of completion.

9 (b) The student must retake the assessment in the content area
10 or areas at least annually until the student meets the state
11 standard or the student graduates from high school. The student
12 may retake the assessment in the content area up to four times at
13 no cost to the student. If the student successfully meets the
14 state standards on a retake of the assessment then the student
15 shall earn a certificate of academic achievement. Once objective
16 alternative assessments are authorized pursuant to subsection (10)
17 of this section, a student may use the objective alternative
18 assessments to demonstrate that the student successfully meets the
19 state standards for that content area if the student has
20 ~~((retaken))~~ taken the Washington assessment of student learning at
21 least once. If the student successfully meets the state standards
22 on the objective alternative assessments then the student shall
23 earn a certificate of academic achievement.

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

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

35 ~~(6))~~ (7)(a) A student may retain and use the highest result
36 from each successfully completed content area of the high school
37 assessment.

38 ~~((7) Beginning in 2006,))~~ (b) Students who achieve the
39 standard in a content area of the high school assessment but who

1 wish to improve their results shall pay for retaking the
2 assessment, using a uniform cost determined by the superintendent
3 of public instruction.

4 (8) School districts must make available to students the
5 following options:

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

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

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

21 Renumber the remaining sections consecutively and correct
22 internal references accordingly.

23 On page 6, beginning on line 22 of the striking amendment,
24 strike all of sections 3 and 4

25 Renumber the remaining sections consecutively and correct
26 internal references accordingly.

27 On page 21, after line 17 of the striking amendment, insert the
28 following:

29 **"Sec. 13.** RCW 28A.195.010 and 2004 c 19 s 106 are each amended
30 to read as follows:

31 The legislature hereby recognizes that private schools should
32 be subject only to those minimum state controls necessary to insure
33 the health and safety of all the students in the state and to

1 insure a sufficient basic education to meet usual graduation
2 requirements. The state, any agency or official thereof, shall not
3 restrict or dictate any specific educational or other programs for
4 private schools except as hereinafter in this section provided.

5 Principals of private schools or superintendents of private
6 school districts shall file each year with the state superintendent
7 of public instruction a statement certifying that the minimum
8 requirements hereinafter set forth are being met, noting any
9 deviations. After review of the statement, the state
10 superintendent will notify schools or school districts of those
11 deviations which must be corrected. In case of major deviations,
12 the school or school district may request and the state board of
13 education may grant provisional status for one year in order that
14 the school or school district may take action to meet the
15 requirements. The state board of education shall not require
16 private school students to meet the student learning goals, obtain
17 a certificate of academic achievement, a certificate of completion,
18 or a certificate of individual achievement to graduate from high
19 school, to master the essential academic learning requirements, or
20 to be assessed pursuant to RCW 28A.655.061. However, private
21 schools may choose, on a voluntary basis, to have their students
22 master these essential academic learning requirements, take the
23 assessments, and obtain a certificate of academic achievement, a
24 certificate of completion, or a certificate of individual
25 achievement. Minimum requirements shall be as follows:

26 (1) The minimum school year for instructional purposes shall
27 consist of no less than one hundred eighty school days or the
28 equivalent in annual minimum program hour offerings as prescribed
29 in RCW 28A.150.220.

30 (2) The school day shall be the same as that required in RCW
31 28A.150.030 and 28A.150.220, except that the percentages of total
32 program hour offerings as prescribed in RCW 28A.150.220 for basic
33 skills, work skills, and optional subjects and activities shall not
34 apply to private schools or private sectarian schools.

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

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

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

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

10 (a) The parent, guardian, or custodian be under the supervision
11 of an employee of the approved private school who is certified
12 under chapter 28A.410 RCW;

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

17 (c) The certified person spend a minimum average each month of
18 one contact hour per week with each student under his or her
19 supervision who is enrolled in the approved private school
20 extension program;

21 (d) Each student's progress be evaluated by the certified
22 person; and

23 (e) The certified employee shall not supervise more than thirty
24 students enrolled in the approved private school's extension
25 program.

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

28 (6) The physical facilities of the school or district shall be
29 adequate to meet the program offered by the school or district:
30 PROVIDED, That each school building shall meet reasonable health
31 and fire safety requirements. A residential dwelling of the
32 parent, guardian, or custodian shall be deemed to be an adequate
33 physical facility when a parent, guardian, or person having legal
34 custody is instructing his or her child under subsection (4) of
35 this section.

36 (7) Private school curriculum shall include instruction of the
37 basic skills of occupational education, science, mathematics,
38 language, social studies, history, health, reading, writing,
39 spelling, and the development of appreciation of art and music, all

1 in sufficient units for meeting state board of education graduation
2 requirements.

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

6 All decisions of policy, philosophy, selection of books,
7 teaching material, curriculum, except as in subsection (7) of this
8 section provided, school rules and administration, or other matters
9 not specifically referred to in this section, shall be the
10 responsibility of the administration and administrators of the
11 particular private school involved.

12 **Sec. 14.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended
13 to read as follows:

14 (1) Each parent whose child is receiving home-based instruction
15 under RCW 28A.225.010(4) shall have the duty to:

16 (a) File annually a signed declaration of intent that he or she
17 is planning to cause his or her child to receive home-based
18 instruction. The statement shall include the name and age of the
19 child, shall specify whether a certificated person will be
20 supervising the instruction, and shall be written in a format
21 prescribed by the superintendent of public instruction. Each
22 parent shall file the statement by September 15th of the school
23 year or within two weeks of the beginning of any public school
24 quarter, trimester, or semester with the superintendent of the
25 public school district within which the parent resides or the
26 district that accepts the transfer, and the student shall be deemed
27 a transfer student of the nonresident district. Parents may apply
28 for transfer under RCW 28A.225.220;

29 (b) Ensure that test scores or annual academic progress
30 assessments and immunization records, together with any other
31 records that are kept relating to the instructional and educational
32 activities provided, are forwarded to any other public or private
33 school to which the child transfers. At the time of a transfer to
34 a public school, the superintendent of the local school district in
35 which the child enrolls may require a standardized achievement test
36 to be administered and shall have the authority to determine the
37 appropriate grade and course level placement of the child after
38 consultation with parents and review of the child's records; and

1 (c) Ensure that a standardized achievement test approved by the
2 state board of education is administered annually to the child by
3 a qualified individual or that an annual assessment of the
4 student's academic progress is written by a certificated person who
5 is currently working in the field of education. The state board of
6 education shall not require these children to meet the student
7 learning goals, master the essential academic learning
8 requirements, to take the assessments, or to obtain a certificate
9 of academic achievement, a certificate of completion, or a
10 certificate of individual achievement pursuant to RCW 28A.655.061
11 and 28A.155.045. The standardized test administered or the annual
12 academic progress assessment written shall be made a part of the
13 child's permanent records. If, as a result of the annual test or
14 assessment, it is determined that the child is not making
15 reasonable progress consistent with his or her age or stage of
16 development, the parent shall make a good faith effort to remedy
17 any deficiency.

18 (2) Failure of a parent to comply with the duties in this
19 section shall be deemed a failure of such parent's child to attend
20 school without valid justification under RCW 28A.225.020. Parents
21 who do comply with the duties set forth in this section shall be
22 presumed to be providing home-based instruction as set forth in RCW
23 28A.225.010(4).

24 **Sec. 15.** RCW 28A.230.090 and 2006 c 114 s 3 are each amended
25 to read as follows:

26 (1) The state board of education shall establish high school
27 graduation requirements or equivalencies for students, except those
28 equivalencies established by local high schools or school districts
29 under RCW 28A.230.097.

30 (a) Any course in Washington state history and government used
31 to fulfill high school graduation requirements shall consider
32 including information on the culture, history, and government of
33 the American Indian peoples who were the first inhabitants of the
34 state.

35 (b) The certificate of academic achievement or the certificate
36 of completion requirements under RCW 28A.655.061 or the certificate
37 of individual achievement requirements under RCW 28A.155.045 are

1 required for graduation from a public high school but are not the
2 only requirements for graduation.

3 (c) Any decision on whether a student has met the state board's
4 high school graduation requirements for a high school and beyond
5 plan shall remain at the local level.

6 (2) In recognition of the statutory authority of the state
7 board of education to establish and enforce minimum high school
8 graduation requirements, the state board shall periodically
9 reevaluate the graduation requirements and shall report such
10 findings to the legislature in a timely manner as determined by the
11 state board. The state board shall reevaluate the graduation
12 requirements for students enrolled in vocationally intensive and
13 rigorous career and technical education programs, particularly
14 those programs that lead to a certificate or credential that is
15 state or nationally recognized. The purpose of the evaluation is
16 to ensure that students enrolled in these programs have sufficient
17 opportunity to earn a certificate of academic achievement or a
18 certificate of completion, complete the program and earn the
19 program's certificate or credential, and complete other state and
20 local graduation requirements. The board shall ((~~reports~~
21 ~~report~~)) report its findings and recommendations for additional
22 flexibility in graduation requirements, if necessary, to the
23 legislature by December 1, 2007.

24 (3) Pursuant to any requirement for instruction in languages
25 other than English established by the state board of education or
26 a local school district, or both, for purposes of high school
27 graduation, students who receive instruction in American sign
28 language or one or more American Indian languages shall be
29 considered to have satisfied the state or local school district
30 graduation requirement for instruction in one or more languages
31 other than English.

32 (4) If requested by the student and his or her family, a
33 student who has completed high school courses before attending high
34 school shall be given high school credit which shall be applied to
35 fulfilling high school graduation requirements if:

36 (a) The course was taken with high school students, if the
37 academic level of the course exceeds the requirements for seventh
38 and eighth grade classes, and the student has successfully passed

1 by completing the same course requirements and examinations as the
2 high school students enrolled in the class; or

3 (b) The academic level of the course exceeds the requirements
4 for seventh and eighth grade classes and the course would qualify
5 for high school credit, because the course is similar or equivalent
6 to a course offered at a high school in the district as determined
7 by the school district board of directors.

8 (5) Students who have taken and successfully completed high
9 school courses under the circumstances in subsection (4) of this
10 section shall not be required to take an additional competency
11 examination or perform any other additional assignment to receive
12 credit.

13 (6) At the college or university level, five quarter or three
14 semester hours equals one high school credit.

15 **Sec. 16.** RCW 28A.230.125 and 2006 c 263 s 401 and 2006 c 115
16 s 6 are each reenacted and amended to read as follows:

17 (1) The superintendent of public instruction, in consultation
18 with the higher education coordinating board, the state board for
19 community and technical colleges, and the work force training and
20 education coordinating board, shall develop for use by all public
21 school districts a standardized high school transcript. The
22 superintendent shall establish clear definitions for the terms
23 "credits" and "hours" so that school programs operating on the
24 quarter, semester, or trimester system can be compared.

25 (2) The standardized high school transcript shall include a
26 notation of whether the student has earned a certificate of
27 individual achievement , a certificate of completion, or a
28 certificate of academic achievement.

29 (3) Transcripts are important documents to students who will
30 apply for admission to postsecondary institutions of higher
31 education. Transcripts are also important to students who will
32 seek employment upon or prior to graduation from high school. It
33 is recognized that student transcripts may be the only record
34 available to employers in their decision-making processes regarding
35 prospective employees. The superintendent of public instruction
36 shall require school districts to inform annually all high school
37 students that prospective employers may request to see transcripts

1 and that the prospective employee's decision to release transcripts
2 can be an important part of the process of applying for employment.

3 **Sec. 17.** RCW 28A.600.310 and 2005 c 125 s 1 are each amended
4 to read as follows:

5 (1) Eleventh and twelfth grade students or students who have
6 not yet received the credits required for the award of a high
7 school diploma and are eligible to be in the eleventh or twelfth
8 grades may apply to a participating institution of higher education
9 to enroll in courses or programs offered by the institution of
10 higher education. A student receiving home-based instruction
11 enrolling in a public high school for the sole purpose of
12 participating in courses or programs offered by institutions of
13 higher education shall not be counted by the school district in any
14 required state or federal accountability reporting if the student's
15 parents or guardians filed a declaration of intent to provide home-
16 based instruction and the student received home-based instruction
17 during the school year before the school year in which the student
18 intends to participate in courses or programs offered by the
19 institution of higher education. Students receiving home-based
20 instruction under chapter 28A.200 RCW and students attending
21 private schools approved under chapter 28A.195 RCW shall not be
22 required to meet the student learning goals, obtain a certificate
23 of academic achievement, a certificate of completion, or a
24 certificate of individual achievement to graduate from high school,
25 or to master the essential academic learning requirements.
26 However, students are eligible to enroll in courses or programs in
27 participating universities only if the board of directors of the
28 student's school district has decided to participate in the
29 program. Participating institutions of higher education, in
30 consultation with school districts, may establish admission
31 standards for these students. If the institution of higher
32 education accepts a secondary school pupil for enrollment under
33 this section, the institution of higher education shall send
34 written notice to the pupil and the pupil's school district within
35 ten days of acceptance. The notice shall indicate the course and
36 hours of enrollment for that pupil.

37 (2) The pupil's school district shall transmit to the
38 institution of higher education an amount per each full-time

1 equivalent college student at statewide uniform rates for
2 vocational and nonvocational students. The superintendent of
3 public instruction shall separately calculate and allocate moneys
4 appropriated for basic education under RCW 28A.150.260 to school
5 districts for purposes of making such payments and for granting
6 school districts seven percent thereof to offset program related
7 costs. The calculations and allocations shall be based upon the
8 estimated statewide annual average per full-time equivalent high
9 school student allocations under RCW 28A.150.260, excluding small
10 high school enhancements, and applicable rules adopted under
11 chapter 34.05 RCW. The superintendent of public instruction, the
12 higher education coordinating board, and the state board for
13 community and technical colleges shall consult on the calculation
14 and distribution of the funds. The institution of higher education
15 shall not require the pupil to pay any other fees. The funds
16 received by the institution of higher education from the school
17 district shall not be deemed tuition or operating fees and may be
18 retained by the institution of higher education. A student
19 enrolled under this subsection shall not be counted for the purpose
20 of determining any enrollment restrictions imposed by the state on
21 the institution of higher education."

22 Renumber the remaining section consecutively and correct
23 internal references accordingly.

EFFECT: Beginning with the class of 2008, students who meet all state and local graduation requirements except meeting the state standard on the WASL can graduate by earning a Certificate of Completion. Students who pass all required content areas on the WASL continue to earn a Certificate of Academic Achievement, and special education students continue to earn the Certificate of Individual Achievement. Student Learning Plans must specify the courses and competencies students must complete to receive a Certificate of Completion, as well as the minimum GPA received for those courses. Various sections of law are amended to reference the new Certificate.

Provisions changing the dates by which students must pass the math and science WASL in order to graduate are removed.