

ESSB 5889 - H COMM AMD
By Committee on Education

NOT CONSIDERED 04/13/2009

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

3 "Sec. 1. RCW 28A.165.025 and 2004 c 20 s 3 are each amended to
4 read as follows:

5 ~~((By July 1st of each year,))~~ (1) A participating school district
6 shall submit the district's plan for using learning assistance funds to
7 the office of the superintendent of public instruction for approval, to
8 the extent required under subsection (2) of this section. ~~((For the~~
9 ~~2004-05 school year, school districts must identify the program~~
10 ~~activities to be implemented from RCW 28A.165.035 and are encouraged to~~
11 ~~implement the elements in subsections (1) through (8) of this section.~~
12 ~~Beginning in the 2005-06 school year,))~~ The program plan must identify
13 the program activities to be implemented from RCW 28A.165.035 and
14 implement all of the elements in ~~((subsections (1)))~~ (a) through
15 ~~((+8))~~ (h) of this ~~((section))~~ subsection. The school district plan
16 shall include the following:

17 ~~((+1))~~ (a) District and school-level data on reading, writing, and
18 mathematics achievement as reported pursuant to chapter 28A.655 RCW and
19 relevant federal law;

20 ~~((+2))~~ (b) Processes used for identifying the underachieving
21 students to be served by the program, including the identification of
22 school or program sites providing program activities;

23 ~~((+3))~~ (c) How accelerated learning plans are developed and
24 implemented for participating students. Accelerated learning plans may
25 be developed as part of existing student achievement plan process such
26 as student plans for achieving state high school graduation standards,
27 individual student academic plans, or the achievement plans for groups
28 of students. Accelerated learning plans shall include:

29 ~~((+a))~~ (i) Achievement goals for the students;

1 ~~((b))~~ (ii) Roles of the student, parents, or guardians and
2 teachers in the plan;
3 ~~((c))~~ (iii) Communication procedures regarding student
4 accomplishment; and
5 ~~((d))~~ (iv) Plan reviews and adjustments processes;
6 ~~((4))~~ (d) How state level and classroom assessments are used to
7 inform instruction;
8 ~~((5))~~ (e) How focused and intentional instructional strategies
9 have been identified and implemented;
10 ~~((6))~~ (f) How highly qualified instructional staff are developed
11 and supported in the program and in participating schools;
12 ~~((7))~~ (g) How other federal, state, district, and school
13 resources are coordinated with school improvement plans and the
14 district's strategic plan to support underachieving students; and
15 ~~((8))~~ (h) How a program evaluation will be conducted to determine
16 direction for the following school year.

17 (2) If a school district has received approval of its plan once, it
18 is not required to submit a plan for approval under RCW 28A.165.045 or
19 this section unless the district has made a significant change to the
20 plan. If a district has made a significant change to only a portion of
21 the plan the district need only submit a description of the changes
22 made and not the entire plan. Plans or descriptions of changes to the
23 plan must be submitted by July 1st as required under this section. The
24 office of the superintendent of public instruction shall establish
25 guidelines for what a "significant change" is.

26 **Sec. 2.** RCW 28A.165.045 and 2004 c 20 s 5 are each amended to read
27 as follows:

28 A participating school district shall ~~((annually))~~ submit a program
29 plan to the office of the superintendent of public instruction for
30 approval to the extent required by RCW 28A.165.025. The program plan
31 must address all of the elements in RCW 28A.165.025 and identify the
32 program activities to be implemented from RCW 28A.165.035.

33 School districts achieving state reading and mathematics goals as
34 prescribed in chapter 28A.655 RCW shall have their program approved
35 once the program plan and activities submittal is completed.

36 School districts not achieving state reading and mathematics goals
37 as prescribed in chapter 28A.655 RCW and that are not in a state or

1 federal program of school improvement shall be subject to program
2 approval once the plan components are reviewed by the office of the
3 superintendent of public instruction for the purpose of receiving
4 technical assistance in the final development of the plan.

5 School districts with one or more schools in a state or federal
6 program of school improvement shall have their plans and activities
7 reviewed and approved in conjunction with the state or federal program
8 school improvement program requirements.

9 **Sec. 3.** RCW 28A.210.010 and 1971 c 32 s 1 are each amended to read
10 as follows:

11 The state board of health, after consultation with the
12 superintendent of public instruction, shall adopt reasonable rules
13 (~~and regulations~~) regarding the presence of persons on or about any
14 school premises who have, or who have been exposed to, contagious
15 diseases deemed by the state board of health as dangerous to the public
16 health. Such rules (~~and regulations~~) shall specify reasonable and
17 precautionary procedures as to such presence and/or readmission of such
18 persons and may include the requirement for a certificate from a
19 licensed physician that there is no danger of contagion. The
20 superintendent of public instruction shall (~~print and distribute the~~)
21 provide to appropriate school officials and personnel, access and
22 notice of these rules (~~and regulations~~) of the state board of health
23 (~~above provided to appropriate school officials and personnel~~).
24 Providing online access to these rules satisfies the requirements of
25 this section. The superintendent of public instruction is required to
26 provide this notice only when there are significant changes to the
27 rules.

28 **Sec. 4.** RCW 28A.210.040 and 1990 c 33 s 189 are each amended to
29 read as follows:

30 The superintendent of public instruction shall (~~print and~~
31 ~~distribute~~) provide access to appropriate school officials the rules
32 (~~and regulations~~) adopted by the state board of health pursuant to
33 RCW 28A.210.020 and the recommended records and forms to be used in
34 making and reporting such screenings. Providing online access to the
35 materials satisfies the requirements of this section.

1 **Sec. 5.** RCW 28A.210.080 and 2007 c 276 s 1 are each amended to
2 read as follows:

3 (1) The attendance of every child at every public and private
4 school in the state and licensed day care center shall be conditioned
5 upon the presentation before or on each child's first day of attendance
6 at a particular school or center, of proof of either (a) full
7 immunization, (b) the initiation of and compliance with a schedule of
8 immunization, as required by rules of the state board of health, or (c)
9 a certificate of exemption as provided for in RCW 28A.210.090. The
10 attendance at the school or the day care center during any subsequent
11 school year of a child who has initiated a schedule of immunization
12 shall be conditioned upon the presentation of proof of compliance with
13 the schedule on the child's first day of attendance during the
14 subsequent school year. Once proof of full immunization or proof of
15 completion of an approved schedule has been presented, no further proof
16 shall be required as a condition to attendance at the particular school
17 or center.

18 (2)(a) Beginning with sixth grade entry, every public and private
19 school in the state shall provide parents and guardians with access to
20 information about meningococcal disease and its vaccine at the
21 beginning of every school year. Providing online access to the
22 information satisfies the requirements of this section unless a parent
23 or guardian specifically requests information to be provided in written
24 form. The information about meningococcal disease shall include:

25 (i) Its causes and symptoms, how meningococcal disease is spread,
26 and the places where parents and guardians may obtain additional
27 information and vaccinations for their children; and

28 (ii) Current recommendations from the United States centers for
29 disease control and prevention regarding the receipt of vaccines for
30 meningococcal disease and where the vaccination can be received.

31 (b) This subsection shall not be construed to require the
32 department of health or the school to provide meningococcal vaccination
33 to students.

34 (c) The department of health shall prepare the informational
35 materials and shall consult with the office of superintendent of public
36 instruction.

37 (d) This subsection does not create a private right of action.

1 (3)(a) Beginning with sixth grade entry, every public school in the
2 state shall provide parents and guardians with access to information
3 about human papillomavirus disease and its vaccine at the beginning of
4 every school year. Providing online access to the information
5 satisfies the requirements of this section unless a parent or guardian
6 specifically requests information to be provided in written form. The
7 information about human papillomavirus disease shall include:

8 (i) Its causes and symptoms, how human papillomavirus disease is
9 spread, and the places where parents and guardians may obtain
10 additional information and vaccinations for their children; and

11 (ii) Current recommendations from the United States centers for
12 disease control and prevention regarding the receipt of vaccines for
13 human papillomavirus disease and where the vaccination can be received.

14 (b) This subsection shall not be construed to require the
15 department of health or the school to provide human papillomavirus
16 vaccination to students.

17 (c) The department of health shall prepare the informational
18 materials and shall consult with the office of the superintendent of
19 public instruction.

20 (d) This subsection does not create a private right of action.

21 (4) Private schools are required by state law to notify parents
22 that information on the human papillomavirus disease prepared by the
23 department of health is available.

24 **Sec. 6.** RCW 28A.225.005 and 1992 c 205 s 201 are each amended to
25 read as follows:

26 Each school within a school district shall inform the students and
27 the parents of the students enrolled in the school about the compulsory
28 education requirements under this chapter. The school shall
29 ~~((distribute))~~ provide access to the information at least annually.
30 Providing online access to the information satisfies the requirements
31 of this section unless a parent or guardian specifically requests
32 information to be provided in written form.

33 **Sec. 7.** RCW 28A.225.290 and 1990 1st ex.s. c 9 s 207 are each
34 amended to read as follows:

35 (1) The superintendent of public instruction shall prepare and
36 annually ~~((distribute-an))~~ provide access to information ~~((booklet))~~

1 outlining parents' and guardians' enrollment options for their
2 children. Providing online access to the information satisfies the
3 requirements of this section unless a parent or guardian specifically
4 requests information to be provided in written form.

5 (2) (~~Before the 1991-92 school year, the booklet shall be~~
6 ~~distributed to all school districts by the office of the superintendent~~
7 ~~of public instruction. School districts shall have a copy of the~~
8 ~~information booklet available for public inspection at each school in~~
9 ~~the district, at the district office, and in public libraries)) School
10 districts shall provide access to the information in this section to
11 the public. Providing online access to the information satisfies the
12 requirements of this subsection unless a parent or guardian
13 specifically requests the information be provided in written form.~~

14 (3) The booklet shall include:

15 (a) Information about enrollment options and program opportunities,
16 including but not limited to programs in RCW 28A.225.220, 28A.185.040,
17 28A.225.200 through 28A.225.215, 28A.225.230 through 28A.225.250,
18 28A.175.090, 28A.340.010 through 28A.340.070 (small high school
19 cooperative projects), and 28A.335.160.

20 (b) Information about the running start - community college or
21 vocational-technical institute choice program under RCW 28A.600.300
22 through (~~28A.600.395~~) 28A.600.390; and

23 (c) Information about the seventh and eighth grade choice program
24 under RCW 28A.230.090.

25 **Sec. 8.** RCW 28A.225.300 and 1990 1st ex.s. c 9 s 208 are each
26 amended to read as follows:

27 Each school district board of directors annually shall inform
28 parents of the district's intradistrict and interdistrict enrollment
29 options and parental involvement opportunities. Information on
30 intradistrict enrollment options and interdistrict acceptance policies
31 shall be provided to nonresidents on request. Providing online access
32 to the information satisfies the requirements of this section unless a
33 parent or guardian specifically requests information to be provided in
34 written form.

35 **Sec. 9.** RCW 28A.230.095 and 2006 c 113 s 2 are each amended to
36 read as follows:

1 (1) By the end of the 2008-09 school year, school districts shall
2 have in place in elementary schools, middle schools, and high schools
3 assessments or other strategies chosen by the district to assure that
4 students have an opportunity to learn the essential academic learning
5 requirements in social studies, the arts, and health and fitness.
6 Social studies includes history, geography, civics, economics, and
7 social studies skills. Beginning with the 2008-09 school year, school
8 districts shall annually submit an implementation verification report
9 to the office of the superintendent of public instruction. The office
10 of the superintendent of public instruction may not require school
11 districts to use a classroom-based assessment in social studies, the
12 arts, and health and fitness to meet the requirements of this section
13 and shall clearly communicate to districts their option to use other
14 strategies chosen by the district.

15 (2) Beginning with the 2008-09 school year, school districts shall
16 require students in ((~~the fourth or fifth grades~~ [~~grade~~],)) the seventh
17 or eighth ((~~grades~~ [~~grade~~])) grade, and the eleventh or twelfth
18 ((~~grades~~ [~~grade~~])) grade to each complete at least one classroom-based
19 assessment in civics. Beginning with the 2010-11 school year, school
20 districts shall require students in the fourth or fifth grade to
21 complete at least one classroom-based assessment in civics. The civics
22 assessment may be selected from a list of classroom-based assessments
23 approved by the office of the superintendent of public instruction.
24 Beginning with the 2008-09 school year, school districts shall annually
25 submit implementation verification reports to the office of the
26 superintendent of public instruction documenting the use of the
27 classroom-based assessments in civics.

28 (3) Verification reports shall require school districts to report
29 only the information necessary to comply with this section.

30 **Sec. 10.** RCW 28A.230.125 and 2006 c 263 s 401 and 2006 c 115 s 6
31 are each reenacted and amended to read as follows:

32 (1) The superintendent of public instruction, in consultation with
33 the higher education coordinating board, the state board for community
34 and technical colleges, and the workforce training and education
35 coordinating board, shall develop for use by all public school
36 districts a standardized high school transcript. The superintendent

1 shall establish clear definitions for the terms "credits" and "hours"
2 so that school programs operating on the quarter, semester, or
3 trimester system can be compared.

4 (2) The standardized high school transcript shall include a
5 notation of whether the student has earned a certificate of individual
6 achievement or a certificate of academic achievement.

7 ~~((3) Transcripts are important documents to students who will
8 apply for admission to postsecondary institutions of higher education.
9 Transcripts are also important to students who will seek employment
10 upon or prior to graduation from high school. It is recognized that
11 student transcripts may be the only record available to employers in
12 their decision-making processes regarding prospective employees. The
13 superintendent of public instruction shall require school districts to
14 inform annually all high school students that prospective employers may
15 request to see transcripts and that the prospective employee's decision
16 to release transcripts can be an important part of the process of
17 applying for employment.))~~

18 **Sec. 11.** RCW 28A.300.040 and 2006 c 263 s 104 are each amended to
19 read as follows:

20 In addition to any other powers and duties as provided by law, the
21 powers and duties of the superintendent of public instruction shall be:

22 (1) To have supervision over all matters pertaining to the public
23 schools of the state;

24 (2) To report to the governor and the legislature such information
25 and data as may be required for the management and improvement of the
26 schools;

27 (3) To prepare and have printed such forms, registers, courses of
28 study, rules for the government of the common schools, and such other
29 material and books as may be necessary for the discharge of the duties
30 of teachers and officials charged with the administration of the laws
31 relating to the common schools, and to distribute the same to
32 educational service district superintendents;

33 (4) To travel, without neglecting his or her other official duties
34 as superintendent of public instruction, for the purpose of attending
35 educational meetings or conventions, of visiting schools, and of
36 consulting educational service district superintendents or other school
37 officials;

1 (5) To prepare and from time to time to revise a manual of the
2 Washington state common school code, copies of which shall be
3 (~~provided in such numbers as determined by the superintendent of~~
4 ~~public instruction at no cost to those public agencies within the~~
5 ~~common school system~~) made available online and which shall be sold at
6 approximate actual cost of publication and distribution per volume to
7 (~~all other~~) public and nonpublic agencies or individuals, said manual
8 to contain Titles 28A and 28C RCW, rules related to the common schools,
9 and such other matter as the state superintendent or the state board of
10 education shall determine. Proceeds of the sale of such code shall be
11 transmitted to the public printer who shall credit the state
12 superintendent's account within the state printing plant revolving fund
13 by a like amount;

14 (6) To file all papers, reports and public documents transmitted to
15 the superintendent by the school officials of the several counties or
16 districts of the state, each year separately. Copies of all papers
17 filed in the superintendent's office, and the superintendent's official
18 acts, may, or upon request, shall be certified by the superintendent
19 and attested by the superintendent's official seal, and when so
20 certified shall be evidence of the papers or acts so certified to;

21 (7) To require annually, on or before the 15th day of August, of
22 the president, manager, or principal of every educational institution
23 in this state, a report as required by the superintendent of public
24 instruction; and it is the duty of every president, manager, or
25 principal, to complete and return such forms within such time as the
26 superintendent of public instruction shall direct;

27 (8) To keep in the superintendent's office a record of all teachers
28 receiving certificates to teach in the common schools of this state;

29 (9) To issue certificates as provided by law;

30 (10) To keep in the superintendent's office at the capital of the
31 state, all books and papers pertaining to the business of the
32 superintendent's office, and to keep and preserve in the
33 superintendent's office a complete record of statistics, as well as a
34 record of the meetings of the state board of education;

35 (11) With the assistance of the office of the attorney general, to
36 decide all points of law which may be submitted to the superintendent
37 in writing by any educational service district superintendent, or that
38 may be submitted to the superintendent by any other person, upon appeal

1 from the decision of any educational service district superintendent;
2 and the superintendent shall publish his or her rulings and decisions
3 from time to time for the information of school officials and teachers;
4 and the superintendent's decision shall be final unless set aside by a
5 court of competent jurisdiction;

6 (12) To administer oaths and affirmations in the discharge of the
7 superintendent's official duties;

8 (13) To deliver to his or her successor, at the expiration of the
9 superintendent's term of office, all records, books, maps, documents
10 and papers of whatever kind belonging to the superintendent's office or
11 which may have been received by the superintendent's for the use of the
12 superintendent's office;

13 (14) To administer family services and programs to promote the
14 state's policy as provided in RCW 74.14A.025;

15 (15) To promote the adoption of school-based curricula and policies
16 that provide quality, daily physical education for all students, and to
17 encourage policies that provide all students with opportunities for
18 physical activity outside of formal physical education classes;

19 (16) To perform such other duties as may be required by law.

20 **Sec. 12.** RCW 28A.300.118 and 2000 c 126 s 1 are each amended to
21 read as follows:

22 (1) Beginning with the ((2000-01)) 2011-12 school year, the
23 superintendent of public instruction shall notify senior high schools
24 and any other public school that includes ninth grade of the names and
25 contact information of public and private entities offering programs
26 leading to college credit, including information about online advanced
27 placement classes, if the superintendent has knowledge of such entities
28 and if the cost of reporting these entities is minimal.

29 (2) Beginning with the ((2000-01)) 2011-12 school year, each senior
30 high school and any other public school that includes ninth grade shall
31 publish annually and deliver to each parent with children enrolled in
32 ninth through twelfth grades, information concerning the entrance
33 requirements and the availability of programs in the local area that
34 lead to college credit, including classes such as advanced placement,
35 running start, tech-prep, skill centers, college in the high school,
36 and international baccalaureate programs. The information may be
37 included with other information the school regularly mails to parents.

1 In addition, each senior high school and any other public school that
2 includes ninth grade shall enclose information of the names and contact
3 information of other public or private entities offering such programs,
4 including online advanced placement programs, to its ninth through
5 twelfth grade students if the school has knowledge of such entities.

6 **Sec. 13.** RCW 28A.300.525 and 2008 c 297 s 2 are each amended to
7 read as follows:

8 (1) The superintendent of public instruction shall provide an
9 annual aggregate report to the legislature on the educational
10 experiences and progress of students in children's administration out-
11 of-home care. This data should be disaggregated in the smallest units
12 allowable by law that do not identify an individual student, in order
13 to learn which school districts are experiencing the greatest success
14 and challenges in achieving quality educational outcomes with students
15 in children's administration out-of-home care.

16 (2) This section is suspended until July 1, 2011.

17 **Sec. 14.** RCW 28A.320.165 and 2001 c 333 s 4 are each amended to
18 read as follows:

19 Schools as defined in RCW 17.21.415 shall provide notice of
20 pesticide use to parents or guardians of students and employees
21 pursuant to chapter 17.21 RCW, upon the request of the parent or
22 guardian.

23 **Sec. 15.** RCW 28A.320.180 and 2007 c 396 s 11 are each amended to
24 read as follows:

25 (1) Subject to funding appropriated for this purpose and beginning
26 in the fall of 2009, school districts shall provide all high school
27 students enrolled in the district the option of taking the mathematics
28 college readiness test developed under RCW 28B.10.679 once at no cost
29 to the students. Districts shall encourage, but not require, students
30 to take the test in their junior or senior year of high school.

31 (2) Subject to funding appropriated for this purpose, the office of
32 the superintendent of public instruction shall reimburse each district
33 for the costs incurred by the district in providing students the
34 opportunity to take the mathematics placement test.

35 (3) This section is suspended until July 1, 2011.

1 **Sec. 16.** RCW 28A.600.160 and 1998 c 225 s 2 are each amended to
2 read as follows:

3 Any middle school, junior high school, or high school using
4 educational pathways shall ensure that all participating students will
5 continue to have access to the courses and instruction necessary to
6 meet admission requirements at baccalaureate institutions. Students
7 shall be allowed to enter the educational pathway of their choice.
8 Before accepting a student into an educational pathway, the school
9 shall inform the student's parent of the pathway chosen, the
10 opportunities available to the student through the pathway, and the
11 career objectives the student will have exposure to while pursuing the
12 pathway. Providing online access to the information satisfies the
13 requirements of this section unless a parent or guardian specifically
14 request information to be provided in written form. Parents and
15 students dissatisfied with the opportunities available through the
16 selected educational pathway shall be provided with the opportunity to
17 transfer the student to any other pathway provided in the school.
18 Schools may not develop educational pathways that retain students in
19 high school beyond the date they are eligible to graduate, and may not
20 require students who transfer between pathways to complete pathway
21 requirements beyond the date the student is eligible to graduate.
22 Educational pathways may include, but are not limited to, programs such
23 as work-based learning, (~~(school-to-work transition,)~~) tech prep,
24 (~~(vocational-technical)~~) career and technical education, running start,
25 and preparation for technical college, community college, or university
26 education.

27 **Sec. 17.** RCW 28A.655.061 and 2008 c 321 s 2 are each amended to
28 read as follows:

29 (1) The high school assessment system shall include but need not be
30 limited to the Washington assessment of student learning, opportunities
31 for a student to retake the content areas of the assessment in which
32 the student was not successful, and if approved by the legislature
33 pursuant to subsection (10) of this section, one or more objective
34 alternative assessments for a student to demonstrate achievement of
35 state academic standards. The objective alternative assessments for
36 each content area shall be comparable in rigor to the skills and

1 knowledge that the student must demonstrate on the Washington
2 assessment of student learning for each content area.

3 (2) Subject to the conditions in this section, a certificate of
4 academic achievement shall be obtained by most students at about the
5 age of sixteen, and is evidence that the students have successfully met
6 the state standard in the content areas included in the certificate.
7 With the exception of students satisfying the provisions of RCW
8 28A.155.045 or 28A.655.0611, acquisition of the certificate is required
9 for graduation from a public high school but is not the only
10 requirement for graduation.

11 (3) Beginning with the graduating class of 2008, with the exception
12 of students satisfying the provisions of RCW 28A.155.045, a student who
13 meets the state standards on the reading, writing, and mathematics
14 content areas of the high school Washington assessment of student
15 learning shall earn a certificate of academic achievement. If a
16 student does not successfully meet the state standards in one or more
17 content areas required for the certificate of academic achievement,
18 then the student may retake the assessment in the content area up to
19 four times at no cost to the student. If the student successfully
20 meets the state standards on a retake of the assessment then the
21 student shall earn a certificate of academic achievement. Once
22 objective alternative assessments are authorized pursuant to subsection
23 (10) of this section, a student may use the objective alternative
24 assessments to demonstrate that the student successfully meets the
25 state standards for that content area if the student has taken the
26 Washington assessment of student learning at least once. If the
27 student successfully meets the state standards on the objective
28 alternative assessments then the student shall earn a certificate of
29 academic achievement.

30 (4) Beginning no later than with the graduating class of 2013, a
31 student must meet the state standards in science in addition to the
32 other content areas required under subsection (3) of this section on
33 the Washington assessment of student learning or the objective
34 alternative assessments in order to earn a certificate of academic
35 achievement. The state board of education may adopt a rule that
36 implements the requirements of this subsection (4) beginning with a
37 graduating class before the graduating class of 2013, if the state
38 board of education adopts the rule by September 1st of the freshman

1 school year of the graduating class to which the requirements of this
2 subsection (4) apply. The state board of education's authority under
3 this subsection (4) does not alter the requirement that any change in
4 performance standards for the tenth grade assessment must comply with
5 RCW 28A.305.130.

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

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

13 (7) School districts must make available to students the following
14 options:

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

18 (b) To retake the Washington assessment of student learning up to
19 four times in the content areas in which the student did not meet the
20 state standards if the student is enrolled in a high school completion
21 program at a community or technical college. The superintendent of
22 public instruction and the state board for community and technical
23 colleges shall jointly identify means by which students in these
24 programs can be assessed.

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

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

31 (10)(a) The office of the superintendent of public instruction
32 shall develop options for implementing objective alternative
33 assessments, which may include an appeals process for students' scores,
34 for students to demonstrate achievement of the state academic
35 standards. The objective alternative assessments shall be comparable
36 in rigor to the skills and knowledge that the student must demonstrate
37 on the Washington assessment of student learning and be objective in
38 its determination of student achievement of the state standards.

1 Before any objective alternative assessments in addition to those
2 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
3 student to demonstrate that the student has met the state standards in
4 a content area required to obtain a certificate, the legislature shall
5 formally approve the use of any objective alternative assessments
6 through the omnibus appropriations act or by statute or concurrent
7 resolution.

8 (b)(i) A student's score on the mathematics, reading or English, or
9 writing portion of the (~~scholastic assessment test~~)SAT(+) or the
10 (~~American college test~~)ACT(+) may be used as an objective
11 alternative assessment under this section for demonstrating that a
12 student has met or exceeded the state standards for the certificate of
13 academic achievement. The state board of education shall identify the
14 scores students must achieve on the relevant portion of the SAT or ACT
15 to meet or exceed the state standard in the relevant content area on
16 the Washington assessment of student learning. The state board of
17 education shall identify the first scores by December 1, 2007. After
18 the first scores are established, the state board may increase but not
19 decrease the scores required for students to meet or exceed the state
20 standards.

21 (ii) Until August 31, 2008, a student's score on the mathematics
22 portion of the (~~preliminary scholastic assessment test~~)PSAT(+))
23 may be used as an objective alternative assessment under this section
24 for demonstrating that a student has met or exceeded the state standard
25 for the certificate of academic achievement. The state board of
26 education shall identify the score students must achieve on the
27 mathematics portion of the PSAT to meet or exceed the state standard in
28 that content area on the Washington assessment of student learning.

29 (iii) A student who scores at least a three on the grading scale of
30 one to five for selected AP examinations may use the score as an
31 objective alternative assessment under this section for demonstrating
32 that a student has met or exceeded state standards for the certificate
33 of academic achievement. A score of three on the AP examinations in
34 calculus or statistics may be used as an alternative assessment for the
35 mathematics portion of the Washington assessment of student learning.
36 A score of three on the AP examinations in English language and
37 composition may be used as an alternative assessment for the writing
38 portion of the Washington assessment of student learning. A score of

1 three on the AP examinations in English literature and composition,
2 macroeconomics, microeconomics, psychology, United States history,
3 world history, United States government and politics, or comparative
4 government and politics may be used as an alternative assessment for
5 the reading portion of the Washington assessment of student learning.

6 (11) By December 15, 2004, the house of representatives and senate
7 education committees shall obtain information and conclusions from
8 recognized, independent, national assessment experts regarding the
9 validity and reliability of the high school Washington assessment of
10 student learning for making individual student high school graduation
11 determinations.

12 ~~((12) To help assure continued progress in academic achievement as
13 a foundation for high school graduation and to assure that students are
14 on track for high school graduation, each school district shall prepare
15 plans for and notify students and their parents or legal guardians as
16 provided in this subsection (12).~~

17 ~~(a) Student learning plans are required for eighth through twelfth
18 grade students who were not successful on any or all of the content
19 areas of the Washington assessment for student learning during the
20 previous school year or who may not be on track to graduate due to
21 credit deficiencies or absences. The parent or legal guardian shall be
22 notified about the information in the student learning plan, preferably
23 through a parent conference and at least annually. To the extent
24 feasible, schools serving English language learner students and their
25 parents shall translate the plan into the primary language of the
26 family. The plan shall include the following information as
27 applicable:~~

28 ~~(i) The student's results on the Washington assessment of student
29 learning;~~

30 ~~(ii) If the student is in the transitional bilingual program, the
31 score on his or her Washington language proficiency test II;~~

32 ~~(iii) Any credit deficiencies;~~

33 ~~(iv) The student's attendance rates over the previous two years;~~

34 ~~(v) The student's progress toward meeting state and local
35 graduation requirements;~~

36 ~~(vi) 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;~~

1 ~~(vii) Remediation strategies and alternative education options~~
2 ~~available to students, including informing students of the option to~~
3 ~~continue to receive instructional services after grade twelve or until~~
4 ~~the age of twenty-one;~~

5 ~~(viii) The alternative assessment options available to students~~
6 ~~under this section and RCW 28A.655.065;~~

7 ~~(ix) School district programs, high school courses, and career and~~
8 ~~technical education options available for students to meet graduation~~
9 ~~requirements; and~~

10 ~~(x) Available programs offered through skill centers or community~~
11 ~~and technical colleges.~~

12 ~~(b) All fifth grade students who were not successful in one or more~~
13 ~~of the content areas of the fourth grade Washington assessment of~~
14 ~~student learning shall have a student learning plan.~~

15 ~~(i) The parent or guardian of the student shall be notified,~~
16 ~~preferably through a parent conference, of the student's results on the~~
17 ~~Washington assessment of student learning, actions the school intends~~
18 ~~to take to improve the student's skills in any content area in which~~
19 ~~the student was unsuccessful, and provide strategies to help them~~
20 ~~improve their student's skills.~~

21 ~~(ii) Progress made on the student plan shall be reported to the~~
22 ~~student's parents or guardian at least annually and adjustments to the~~
23 ~~plan made as necessary.))~~

24 **Sec. 18.** RCW 28A.655.075 and 2007 c 396 s 16 are each amended to
25 read as follows:

26 (1) Within funds specifically appropriated therefor, by December 1,
27 2008, the superintendent of public instruction shall develop essential
28 academic learning requirements and grade level expectations for
29 educational technology literacy and technology fluency that identify
30 the knowledge and skills that all public school students need to know
31 and be able to do in the areas of technology and technology literacy.
32 The development process shall include a review of current standards
33 that have been developed or are used by other states and national and
34 international technology associations. To the maximum extent possible,
35 the superintendent shall integrate goal four and the knowledge and
36 skill areas in the other goals in the technology essential academic
37 learning requirements.

1 (a) As used in this section, "technology literacy" means the
2 ability to responsibly, creatively, and effectively use appropriate
3 technology to communicate; access, collect, manage, integrate, and
4 evaluate information; solve problems and create solutions; build and
5 share knowledge; and improve and enhance learning in all subject areas
6 and experiences.

7 (b) Technology fluency builds upon technology literacy and is
8 demonstrated when students: Apply technology to real-world
9 experiences; adapt to changing technologies; modify current and create
10 new technologies; and personalize technology to meet personal needs,
11 interests, and learning styles.

12 (2)(a) Within funds specifically appropriated therefor, the
13 superintendent shall obtain or develop education technology assessments
14 that may be administered in the elementary, middle, and high school
15 grades to assess the essential academic learning requirements for
16 technology. The assessments shall be designed to be classroom or
17 project-based so that they can be embedded in classroom instruction and
18 be administered and scored by school staff throughout the regular
19 school year using consistent scoring criteria and procedures. By the
20 2010-11 school year, these assessments shall be made available to
21 school districts for the districts' voluntary use. If a school
22 district uses the assessments created under this section, then the
23 school district shall notify the superintendent of public instruction
24 of the use. The superintendent shall report annually to the
25 legislature on the number of school districts that use the assessments
26 each school year.

27 (b) Beginning December 1, 2010, and annually thereafter, the
28 superintendent of public instruction shall provide a report to the
29 relevant legislative committees regarding the use of the assessments.

30 (3) This section is suspended until July 1, 2011.

31 **Sec. 19.** RCW 17.21.415 and 2001 c 333 s 3 are each amended to read
32 as follows:

33 (1) As used in this section, "school" means a licensed day care
34 center or a public kindergarten or a public elementary or secondary
35 school.

36 (2) A school shall provide written notification (~~annually or upon~~

1 enrollment)), upon request, to parents or guardians of students and
2 employees describing the school's pest control policies and methods,
3 including the posting and notification requirements of this section.

4 (3) A school shall establish a notification system that, as a
5 minimum, notifies interested parents or guardians of students and
6 employees at least forty-eight hours before a pesticide application to
7 a school facility. The notification system shall include posting of
8 the notification in a prominent place in the main office of the school.

9 (4) All notifications to parents, guardians, and employees shall
10 include the heading "Notice: Pesticide Application" and, at a minimum,
11 shall state:

12 (a) The product name of the pesticide to be applied;

13 (b) The intended date and time of application;

14 (c) The location to which the pesticide is to be applied;

15 (d) The pest to be controlled; and

16 (e) The name and phone number of a contact person at the school.

17 (5) A school facility application must be made within forty-eight
18 hours following the intended date and time stated in the notification
19 or the notification process shall be repeated.

20 (6) A school shall, at the time of application, post notification
21 signs for all pesticide applications made to school facilities unless
22 the application is otherwise required to be posted by a certified
23 applicator under the provisions of RCW 17.21.410(1)(d).

24 (a) Notification signs for applications made to school grounds by
25 school employees shall be placed at the location of the application and
26 at each primary point of entry to the school grounds. The signs shall
27 be a minimum of four inches by five inches and shall include the words:
28 "THIS LANDSCAPE HAS BEEN RECENTLY SPRAYED OR TREATED WITH PESTICIDES BY
29 YOUR SCHOOL" as the headline and "FOR MORE INFORMATION PLEASE CALL" as
30 the footer. The footer shall provide the name and telephone number of
31 a contact person at the school.

32 (b) Notification signs for applications made to school facilities
33 other than school grounds shall be posted at the location of the
34 application. The signs shall be a minimum of eight and one-half by
35 eleven inches and shall include the heading "Notice: Pesticide
36 Application" and, at a minimum, shall state:

37 (i) The product name of the pesticide applied;

38 (ii) The date and time of application;

1 (iii) The location to which the pesticide was applied;

2 (iv) The pest to be controlled; and

3 (v) The name and phone number of a contact person at the school.

4 (c) Notification signs shall be printed in colors contrasting to
5 the background.

6 (d) Notification signs shall remain in place for at least
7 twenty-four hours from the time the application is completed. In the
8 event the pesticide label requires a restricted entry interval greater
9 than twenty-four hours, the notification sign shall remain in place
10 consistent with the restricted entry interval time as required by the
11 label.

12 (7) A school facility application does not include the application
13 of antimicrobial pesticides or the placement of insect or rodent baits
14 that are not accessible to children.

15 (8) The prenotification requirements of this section do not apply
16 if the school facility application is made when the school is not
17 occupied by students for at least two consecutive days after the
18 application.

19 (9) The prenotification requirements of this section do not apply
20 to any emergency school facility application for control of any pest
21 that poses an immediate human health or safety threat, such as an
22 application to control stinging insects. When an emergency school
23 facility application is made, notification consistent with the school's
24 notification system shall occur as soon as possible after the
25 application. The notification shall include information consistent
26 with subsection (6)(b) of this section.

27 (10) A school shall make the records of all pesticide applications
28 to school facilities required under this chapter, including an annual
29 summary of the records, readily accessible to interested persons.

30 (11) A school is not liable for the removal of signs by
31 unauthorized persons. A school that complies with this section may not
32 be held liable for personal property damage or bodily injury resulting
33 from signs that are placed as required.

34 **Sec. 20.** RCW 28A.650.015 and 2006 c 263 s 917 are each amended to
35 read as follows:

36 (1) The superintendent of public instruction, to the extent funds
37 are appropriated, shall develop and implement a Washington state K-12

1 education technology plan. The technology plan shall be updated on at
2 least a biennial basis, shall be developed to coordinate and expand the
3 use of education technology in the common schools of the state. The
4 plan shall be consistent with applicable provisions of chapter 43.105
5 RCW. The plan, at a minimum, shall address:

6 (a) The provision of technical assistance to schools and school
7 districts for the planning, implementation, and training of staff in
8 the use of technology in curricular and administrative functions;

9 (b) The continued development of a network to connect school
10 districts, institutions of higher learning, and other sources of online
11 information; and

12 (c) Methods to equitably increase the use of education technology
13 by students and school personnel throughout the state.

14 (2) The superintendent of public instruction shall appoint an
15 educational technology advisory committee to assist in the development
16 and implementation of the technology plan in subsection (1) of this
17 section. The committee shall include, but is not limited to, persons
18 representing: The department of information services, educational
19 service districts, school directors, school administrators, school
20 principals, teachers, classified staff, higher education faculty,
21 parents, students, business, labor, scientists and mathematicians, the
22 higher education coordinating board, the workforce training and
23 education coordinating board, and the state library.

24 (3) The plan adopted and implemented under this section may not
25 impose on school districts any requirements that are not specifically
26 required by federal law or regulation, including requirements to
27 maintain eligibility for the federal schools and libraries program of
28 the universal service fund.

29 **Sec. 21.** RCW 28A.210.020 and 1971 c 32 s 2 are each amended to
30 read as follows:

31 Every board of school directors shall have the power, and it shall
32 be its duty to provide for and require screening for the visual and
33 auditory acuity of all children attending schools in their districts to
34 ascertain which if any of such children have defects sufficient to
35 retard them in their studies. Auditory and visual screening shall be
36 made in accordance with procedures and standards adopted by rule or
37 regulation of the state board of health. Prior to the adoption or

1 revision of such rules or regulations the state board of health shall
2 seek the recommendations of the superintendent of public instruction
3 regarding the administration of visual and auditory screening and the
4 qualifications of persons competent to administer such screening.
5 Persons performing visual screening may include, but are not limited
6 to, ophthalmologists, optometrists, or opticians who donate their
7 professional services to schools or school districts.

8 NEW SECTION. Sec. 22. The following acts or parts of acts, as now
9 existing or hereafter amended, are each repealed:

- 10 (1) RCW 28A.220.050 (Information on proper use of left-hand lane)
11 and 1986 c 93 s 4;
- 12 (2) RCW 28A.220.080 (Information on motorcycle awareness) and 2007
13 c 97 s 4 & 2004 c 126 s 1;
- 14 (3) RCW 28A.220.085 (Information on driving safely among bicyclists
15 and pedestrians) and 2008 c 125 s 4;
- 16 (4) RCW 28A.230.092 (Washington state history and government--
17 Course content) and 2008 c 190 s 2;
- 18 (5) RCW 28A.230.185 (Family preservation education program) and
19 2005 c 491 s 2;
- 20 (6) RCW 28A.300.412 (Washington civil liberties public education
21 program--Report) and 2000 c 210 s 6;
- 22 (7) RCW 28A.600.415 (Alternatives to suspension--Community service
23 encouraged--Information provided to school districts) and 1992 c 155 s
24 2;
- 25 (8) RCW 28A.625.010 (Short title) and 1995 c 335 s 107, 1990 c 33
26 s 513, & 1986 c 147 s 1;
- 27 (9) RCW 28A.625.020 (Recipients--Awards) and 1991 c 255 s 1;
- 28 (10) RCW 28A.625.030 (Washington State Christa McAuliffe award for
29 teachers) and 1991 c 255 s 2 & 1986 c 147 s 3;
- 30 (11) RCW 28A.625.042 (Certificates--Recognition awards) and 1994 c
31 279 s 4;
- 32 (12) RCW 28A.625.050 (Rules) and 1995 c 335 s 108, 1991 c 255 s 8,
33 1990 c 33 s 516, 1988 c 251 s 2, & 1986 c 147 s 5;
- 34 (13) RCW 28A.625.350 (Short title) and 1990 1st ex.s. c 10 s 1;
- 35 (14) RCW 28A.625.360 (Excellence in teacher preparation award) and
36 2006 c 263 s 804 & 1990 1st ex.s. c 10 s 2;

1 (15) RCW 28A.625.370 (Award for teacher educator) and 2006 c 263 s
2 820 & 1990 1st ex.s. c 10 s 3;

3 (16) RCW 28A.625.380 (Rules) and 2006 c 263 s 821 & 1990 1st ex.s.
4 c 10 s 4;

5 (17) RCW 28A.625.390 (Educational grant--Eligibility--Award) and
6 2006 c 263 s 822 & 1990 1st ex.s. c 10 s 5;

7 (18) RCW 28A.625.900 (Severability--1990 1st ex.s. c 10) and 1990
8 1st ex.s. c 10 s 10;

9 (19) RCW 28A.630.045 (Local control and flexibility in
10 assessments--Pilot project) and 2006 c 175 s 1; and

11 (20) RCW 28A.630.881 (School-to-work transition project--Findings--
12 Intent--Outreach--Technical assistance) and 1997 c 58 s 304.

13 NEW SECTION. **Sec. 23.** Sections 13, 15, and 18 of this act expire
14 July 1, 2011."

15 Correct the title.

EFFECT: (1) Removes the following provisions from the bill:

(a) A requirement for SPI to provide information about immunization requirements is repealed.

(b) Requirements for school districts to provide visual and auditory screening and prepare and provide records are suspended until July 1, 2011, except as required by the federal IDEA or to serve low-income children.

(2) Adds the following provisions to the bill:

(a) A requirement that SPI must encourage school districts to use community service as an alternative to suspension and distribute information on programs is repealed.

(b) A requirement that SPI must submit an application to US DOE for flexibility in the state's assessment and conduct a pilot project with certain districts is repealed.

(c) Districts must provide information about Running Start to 10-12th graders, including opportunity to enroll through online courses.

(d) Requirements that are imposed on school-to-work transition projects and a federal grant for school-to-work transition are repealed.

(e) The state education technology plan's requirements on school districts are restricted to only what is required by federal rule or E-rate eligibility.

(f) SPI cannot require districts to use classroom-based assessments in social studies, arts, and health and fitness and must communicate clearly districts' option to use other strategies chosen by district.

(g) The Award for Excellence in Education is repealed.

(h) The Award for Excellence in Teaching Preparation is repealed.

(3) Modifies the following provision in the bill: Rather than suspending until July 1, 2011, a requirement that SPI publish and distribute a Common School Manual for free to public school agencies, SPI is required to make the Common School Manual available online. SPI is authorized to charge any agency for hard copies of the Manual rather than just nonpublic school agencies.

(4) Allows visual screening in schools to be performed by ophthalmologists, optometrists, or opticians who donate their professional services.

--- END ---