

SSB 5889 - S AMD 139

By Senators Hobbs, McAuliffe, McDermott, King

ADOPTED 03/10/2009

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.210.020 and 1971 c 32 s 2 are each amended to read
29 as follows:

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

1 the adoption or revision of such rules or regulations the state board
2 of health shall seek the recommendations of the superintendent of
3 public instruction regarding the administration of visual and auditory
4 screening and the qualifications of persons competent to administer
5 such screening.

6 (2) Except to the extent necessary to comply with the federal
7 individuals with disabilities education act (IDEA) or to serve children
8 who are eligible for free or reduced-price lunch, this section is
9 suspended until July 1, 2011.

10 **Sec. 5.** RCW 28A.210.030 and 1991 c 3 s 289 are each amended to
11 read as follows:

12 (1) The person or persons completing the screening prescribed in
13 RCW 28A.210.020 shall promptly prepare a record of the screening of
14 each child found to have, or suspected of having, reduced visual and/or
15 auditory acuity in need of attention, including the special education
16 services provided by RCW 28A.155.010 through 28A.155.100, and send
17 copies of such records and recommendations to the parents or guardians
18 of such children and shall deliver the original records to the
19 appropriate school official who shall preserve such records and forward
20 to the superintendent of public instruction and the secretary of health
21 visual and auditory data as requested by such officials.

22 (2) Except to the extent necessary to comply with the federal
23 individuals with disabilities education act (IDEA) or to serve children
24 who are eligible for free or reduced-price lunch, this section is
25 suspended until July 1, 2011.

26 **Sec. 6.** RCW 28A.210.040 and 1990 c 33 s 189 are each amended to
27 read as follows:

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

34 **Sec. 7.** RCW 28A.210.080 and 2007 c 276 s 1 are each amended to
35 read as follows:

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

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

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

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

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

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

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

36 (3)(a) Beginning with sixth grade entry, every public school in the
37 state shall provide parents and guardians with access to information
38 about human papillomavirus disease and its vaccine at the beginning of

1 every school year. Providing online access to the information
2 satisfies the requirements of this section unless a parent or guardian
3 specifically requests information to be provided in written form. The
4 information about human papillomavirus disease shall include:

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

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

11 (b) This subsection shall not be construed to require the
12 department of health or the school to provide human papillomavirus
13 vaccination to students.

14 (c) The department of health shall prepare the informational
15 materials and shall consult with the office of the superintendent of
16 public instruction.

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

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

21 **Sec. 8.** RCW 28A.225.005 and 1992 c 205 s 201 are each amended to
22 read as follows:

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

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

32 (1) The superintendent of public instruction shall prepare and
33 annually ~~((distribute-an))~~ provide access to information ~~((booklet))~~
34 outlining parents' and guardians' enrollment options for their
35 children. Providing online access to the information satisfies the

1 requirements of this section unless a parent or guardian specifically
2 requests information to be provided in written form.

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

12 (3) The booklet shall include:

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

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

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

23 **Sec. 10.** RCW 28A.225.300 and 1990 1st ex.s. c 9 s 208 are each
24 amended to read as follows:

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

33 **Sec. 11.** RCW 28A.230.095 and 2006 c 113 s 2 are each amended to
34 read as follows:

35 (1) By the end of the 2008-09 school year, school districts shall
36 have in place in elementary schools, middle schools, and high schools

1 assessments or other strategies to assure that students have an
2 opportunity to learn the essential academic learning requirements in
3 social studies, the arts, and health and fitness. Social studies
4 includes history, geography, civics, economics, and social studies
5 skills. Beginning with the 2008-09 school year, school districts shall
6 annually submit an implementation verification report to the office of
7 the superintendent of public instruction. The verification report
8 shall require school districts to report only the information necessary
9 to comply with this section.

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

25 **Sec. 12.** RCW 28A.230.125 and 2006 c 263 s 401 and 2006 c 115 s 6
26 are each reenacted and amended to read as follows:

27 (1) The superintendent of public instruction, in consultation with
28 the higher education coordinating board, the state board for community
29 and technical colleges, and the workforce training and education
30 coordinating board, shall develop for use by all public school
31 districts a standardized high school transcript. The superintendent
32 shall establish clear definitions for the terms "credits" and "hours"
33 so that school programs operating on the quarter, semester, or
34 trimester system can be compared.

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

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

12 **Sec. 13.** RCW 28A.300.040 and 2006 c 263 s 104 are each amended to
13 read as follows:

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

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

18 (2) To report to the governor and the legislature such information
19 and data as may be required for the management and improvement of the
20 schools;

21 (3) To prepare and have printed such forms, registers, courses of
22 study, rules for the government of the common schools, and such other
23 material and books as may be necessary for the discharge of the duties
24 of teachers and officials charged with the administration of the laws
25 relating to the common schools, and to distribute the same to
26 educational service district superintendents;

27 (4) To travel, without neglecting his or her other official duties
28 as superintendent of public instruction, for the purpose of attending
29 educational meetings or conventions, of visiting schools, and of
30 consulting educational service district superintendents or other school
31 officials;

32 (5) To prepare and from time to time to revise a manual of the
33 Washington state common school code, copies of which shall be provided
34 in such numbers as determined by the superintendent of public
35 instruction at no cost to those public agencies within the common
36 school system and which shall be sold at approximate actual cost of
37 publication and distribution per volume to all other public and

1 nonpublic agencies or individuals, said manual to contain Titles 28A
2 and 28C RCW, rules related to the common schools, and such other matter
3 as the state superintendent or the state board of education shall
4 determine. Proceeds of the sale of such code shall be transmitted to
5 the public printer who shall credit the state superintendent's account
6 within the state printing plant revolving fund by a like amount. This
7 subsection is suspended until July 1, 2011;

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

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

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

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

24 (10) To keep in the superintendent's office at the capital of the
25 state, all books and papers pertaining to the business of the
26 superintendent's office, and to keep and preserve in the
27 superintendent's office a complete record of statistics, as well as a
28 record of the meetings of the state board of education;

29 (11) With the assistance of the office of the attorney general, to
30 decide all points of law which may be submitted to the superintendent
31 in writing by any educational service district superintendent, or that
32 may be submitted to the superintendent by any other person, upon appeal
33 from the decision of any educational service district superintendent;
34 and the superintendent shall publish his or her rulings and decisions
35 from time to time for the information of school officials and teachers;
36 and the superintendent's decision shall be final unless set aside by a
37 court of competent jurisdiction;

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

3 (13) To deliver to his or her successor, at the expiration of the
4 superintendent's term of office, all records, books, maps, documents
5 and papers of whatever kind belonging to the superintendent's office or
6 which may have been received by the superintendent's for the use of the
7 superintendent's office;

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

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

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

15 **Sec. 14.** RCW 28A.300.118 and 2000 c 126 s 1 are each amended to
16 read as follows:

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

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

1 **Sec. 15.** RCW 28A.300.525 and 2008 c 297 s 2 are each amended to
2 read as follows:

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

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

12 **Sec. 16.** RCW 28A.320.160 and 2005 c 274 s 244 are each amended to
13 read as follows:

14 School districts must, at the first opportunity but in all cases
15 within forty-eight hours of receiving a report alleging sexual
16 misconduct by a school employee, notify the parents of a student
17 alleged to be the victim, target, or recipient of the misconduct.
18 School districts ~~((shall))~~ may provide parents with information
19 regarding their rights under the public records act, chapter 42.56 RCW,
20 to request the public records regarding school employee discipline.
21 This information shall be provided to ~~((all))~~ parents ~~((on an annual~~
22 ~~basis))~~ upon their request.

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

25 Schools as defined in RCW 17.21.415 shall provide online notice of
26 pesticide use to parents or guardians of students and employees
27 pursuant to chapter 17.21 RCW, and shall provide written notice upon
28 the request of the parent or guardian.

29 **Sec. 18.** RCW 28A.320.180 and 2007 c 396 s 11 are each amended to
30 read as follows:

31 (1) Subject to funding appropriated for this purpose and beginning
32 in the fall of 2009, school districts shall provide all high school
33 students enrolled in the district the option of taking the mathematics
34 college readiness test developed under RCW 28B.10.679 once at no cost

1 to the students. Districts shall encourage, but not require, students
2 to take the test in their junior or senior year of high school.

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

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

8 **Sec. 19.** RCW 28A.600.160 and 1998 c 225 s 2 are each amended to
9 read as follows:

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

33 **Sec. 20.** RCW 28A.655.061 and 2008 c 321 s 2 are each amended to
34 read as follows:

35 (1) The high school assessment system shall include but need not be
36 limited to the Washington assessment of student learning, opportunities

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

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

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

36 (4) Beginning no later than with the graduating class of 2013, a
37 student must meet the state standards in science in addition to the
38 other content areas required under subsection (3) of this section on

1 the Washington assessment of student learning or the objective
2 alternative assessments in order to earn a certificate of academic
3 achievement. The state board of education may adopt a rule that
4 implements the requirements of this subsection (4) beginning with a
5 graduating class before the graduating class of 2013, if the state
6 board of education adopts the rule by September 1st of the freshman
7 school year of the graduating class to which the requirements of this
8 subsection (4) apply. The state board of education's authority under
9 this subsection (4) does not alter the requirement that any change in
10 performance standards for the tenth grade assessment must comply with
11 RCW 28A.305.130.

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

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

19 (7) School districts must make available to students the following
20 options:

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

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

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

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

37 (10)(a) The office of the superintendent of public instruction
38 shall develop options for implementing objective alternative

1 assessments, which may include an appeals process for students' scores,
2 for students to demonstrate achievement of the state academic
3 standards. The objective alternative assessments shall be comparable
4 in rigor to the skills and knowledge that the student must demonstrate
5 on the Washington assessment of student learning and be objective in
6 its determination of student achievement of the state standards.
7 Before any objective alternative assessments in addition to those
8 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
9 student to demonstrate that the student has met the state standards in
10 a content area required to obtain a certificate, the legislature shall
11 formally approve the use of any objective alternative assessments
12 through the omnibus appropriations act or by statute or concurrent
13 resolution.

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

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

35 (iii) A student who scores at least a three on the grading scale of
36 one to five for selected AP examinations may use the score as an
37 objective alternative assessment under this section for demonstrating
38 that a student has met or exceeded state standards for the certificate

1 of academic achievement. A score of three on the AP examinations in
2 calculus or statistics may be used as an alternative assessment for the
3 mathematics portion of the Washington assessment of student learning.
4 A score of three on the AP examinations in English language and
5 composition may be used as an alternative assessment for the writing
6 portion of the Washington assessment of student learning. A score of
7 three on the AP examinations in English literature and composition,
8 macroeconomics, microeconomics, psychology, United States history,
9 world history, United States government and politics, or comparative
10 government and politics may be used as an alternative assessment for
11 the reading portion of the Washington assessment of student learning.

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

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

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

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

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

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

- 1 ~~(iv) The student's attendance rates over the previous two years;~~
2 ~~(v) The student's progress toward meeting state and local~~
3 ~~graduation requirements;~~
4 ~~(vi) The courses, competencies, and other steps needed to be taken~~
5 ~~by the student to meet state academic standards and stay on track for~~
6 ~~graduation;~~
7 ~~(vii) Remediation strategies and alternative education options~~
8 ~~available to students, including informing students of the option to~~
9 ~~continue to receive instructional services after grade twelve or until~~
10 ~~the age of twenty-one;~~
11 ~~(viii) The alternative assessment options available to students~~
12 ~~under this section and RCW 28A.655.065;~~
13 ~~(ix) School district programs, high school courses, and career and~~
14 ~~technical education options available for students to meet graduation~~
15 ~~requirements; and~~
16 ~~(x) Available programs offered through skill centers or community~~
17 ~~and technical colleges.~~
18 ~~(b) All fifth grade students who were not successful in one or more~~
19 ~~of the content areas of the fourth grade Washington assessment of~~
20 ~~student learning shall have a student learning plan.~~
21 ~~(i) The parent or guardian of the student shall be notified,~~
22 ~~preferably through a parent conference, of the student's results on the~~
23 ~~Washington assessment of student learning, actions the school intends~~
24 ~~to take to improve the student's skills in any content area in which~~
25 ~~the student was unsuccessful, and provide strategies to help them~~
26 ~~improve their student's skills.~~
27 ~~(ii) Progress made on the student plan shall be reported to the~~
28 ~~student's parents or guardian at least annually and adjustments to the~~
29 ~~plan made as necessary.))~~

30 **Sec. 21.** RCW 28A.655.075 and 2007 c 396 s 16 are each amended to
31 read as follows:

32 (1) Within funds specifically appropriated therefor, by December 1,
33 2008, the superintendent of public instruction shall develop essential
34 academic learning requirements and grade level expectations for
35 educational technology literacy and technology fluency that identify
36 the knowledge and skills that all public school students need to know
37 and be able to do in the areas of technology and technology literacy.

1 The development process shall include a review of current standards
2 that have been developed or are used by other states and national and
3 international technology associations. To the maximum extent possible,
4 the superintendent shall integrate goal four and the knowledge and
5 skill areas in the other goals in the technology essential academic
6 learning requirements.

7 (a) As used in this section, "technology literacy" means the
8 ability to responsibly, creatively, and effectively use appropriate
9 technology to communicate; access, collect, manage, integrate, and
10 evaluate information; solve problems and create solutions; build and
11 share knowledge; and improve and enhance learning in all subject areas
12 and experiences.

13 (b) Technology fluency builds upon technology literacy and is
14 demonstrated when students: Apply technology to real-world
15 experiences; adapt to changing technologies; modify current and create
16 new technologies; and personalize technology to meet personal needs,
17 interests, and learning styles.

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

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

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

1 **Sec. 22.** RCW 17.21.415 and 2001 c 333 s 3 are each amended to read
2 as follows:

3 (1) As used in this section, "school" means a licensed day care
4 center or a public kindergarten or a public elementary or secondary
5 school.

6 (2) A school shall provide online notification, or written
7 notification (~~(annually or upon enrollment)~~) upon request, to parents
8 or guardians of students and employees describing the school's pest
9 control policies and methods, including the posting and notification
10 requirements of this section.

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

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

- 19 (a) The product name of the pesticide to be applied;
- 20 (b) The intended date and time of application;
- 21 (c) The location to which the pesticide is to be applied;
- 22 (d) The pest to be controlled; and
- 23 (e) The name and phone number of a contact person at the school.

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

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

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

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

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

7 (ii) The date and time of application;

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

9 (iv) The pest to be controlled; and

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

11 (c) Notification signs shall be printed in colors contrasting to
12 the background.

13 (d) Notification signs shall remain in place for at least
14 twenty-four hours from the time the application is completed. In the
15 event the pesticide label requires a restricted entry interval greater
16 than twenty-four hours, the notification sign shall remain in place
17 consistent with the restricted entry interval time as required by the
18 label.

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

22 (8) The prenotification requirements of this section do not apply
23 if the school facility application is made when the school is not
24 occupied by students for at least two consecutive days after the
25 application.

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

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

37 (11) A school is not liable for the removal of signs by

1 unauthorized persons. A school that complies with this section may not
2 be held liable for personal property damage or bodily injury resulting
3 from signs that are placed as required.

4 NEW SECTION. **Sec. 23.** The following acts or parts of acts, as now
5 existing or hereafter amended, are each repealed:

6 (1) RCW 28A.210.130 (Immunization program--Superintendent of public
7 instruction to provide information) and 1990 c 33 s 197 & 1985 c 49 s
8 4;

9 (2) RCW 28A.220.050 (Information on proper use of left-hand lane)
10 and 1986 c 93 s 4;

11 (3) RCW 28A.220.080 (Information on motorcycle awareness) and 2007
12 c 97 s 4 & 2004 c 126 s 1;

13 (4) RCW 28A.220.085 (Information on driving safely among bicyclists
14 and pedestrians) and 2008 c 125 s 4; and

15 (5) RCW 28A.300.412 (Washington civil liberties public education
16 program--Report) and 2000 c 210 s 6.

17 NEW SECTION. **Sec. 24.** Sections 4, 5, 13, 15, 18, and 21 of this
18 act expire July 1, 2011.

19 NEW SECTION. **Sec. 25.** This act is necessary for the immediate
20 preservation of the public peace, health, or safety, or support of the
21 state government and its existing public institutions, and takes effect
22 immediately."

SSB 5889 - S AMD

By Senators Hobbs, McAuliffe, McDermott, King

ADOPTED 03/10/2009

23 On page 1, line 1 of the title, after "system;" strike the
24 remainder of the title and insert "amending RCW 28A.165.025,
25 28A.165.045, 28A.210.010, 28A.210.020, 28A.210.030, 28A.210.040,
26 28A.210.080, 28A.225.005, 28A.225.290, 28A.225.300, 28A.230.095,
27 28A.300.040, 28A.300.118, 28A.300.525, 28A.320.160, 28A.320.165,

1 28A.320.180, 28A.600.160, 28A.655.061, 28A.655.075, and 17.21.415;
2 reenacting and amending RCW 28A.230.125; repealing RCW 28A.210.130,
3 28A.220.050, 28A.220.080, 28A.220.085, and 28A.300.412; providing an
4 expiration date; and declaring an emergency."

EFFECT: The following requirements that had been repealed are now removed from the bill:

(1) A school district must provide general information on Running Start programs to students in grades 10-12 including online courses at institutions of higher education.

(2) The office of the superintendent of public instruction (OSPI) must develop a family preservation education program model curriculum to be available to each school board. The model should be posted on OSPI's web site.

--- END ---