

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 6474**

65th Legislature  
2018 Regular Session

Passed by the Senate March 6, 2018  
Yeas 44 Nays 5

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**President of the Senate**

Passed by the House March 1, 2018  
Yeas 86 Nays 11

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**Speaker of the House of Representatives**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6474** as passed by Senate and the House of Representatives on the dates hereon set forth.

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**Secretary**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 6474**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2018 Regular Session

**State of Washington                      65th Legislature                      2018 Regular Session**

**By** Senate Early Learning & K-12 Education (originally sponsored by Senators McCoy, Sheldon, Chase, Conway, Frockt, Hasegawa, Hunt, Kuderer, Palumbo, Rolfes, Saldaña, and Van De Wege)

READ FIRST TIME 02/02/18.

1            AN ACT Relating to creating a pilot project for tribal compact  
2 schools that accommodates cultural and agricultural events in school  
3 attendance requirements; adding new sections to chapter 28A.715 RCW;  
4 adding a new section to chapter 28A.300 RCW; creating a new section;  
5 and providing expiration dates.

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

7            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 28A.715  
8 RCW to read as follows:

9            (1) The office of the superintendent of public instruction shall  
10 establish a pilot project for one or more schools that are the  
11 subject of a state-tribal education compact, schools also known as  
12 "tribal compact schools," to implement modifications to requirements  
13 governing school attendance, school year length, and assessments.  
14 Tribal compact schools that apply to the office of the superintendent  
15 of public instruction to participate in the pilot project must be  
16 included in the pilot project.

17            (2) The purpose of the pilot project is to grant participating  
18 schools flexibility regarding:

19            (a) Accommodating cultural, fisheries, and agricultural events  
20 and practices; and

1 (b) Replacing, to the maximum extent permitted by state and  
2 federal law, statewide student assessments with locally developed  
3 assessments that are culturally relevant, based on community  
4 standards, and aligned with the Washington state learning standards.

5 (3) Schools participating in the pilot project may:

6 (a) Request a waiver, in accordance with section 2 of this act,  
7 to the requirement for a one hundred eighty-day school year  
8 established in RCW 28A.150.220. The waiver requested in accordance  
9 with this subsection (3)(a) may be for allowing additional  
10 instructional days, including an allowance for year-round  
11 instruction;

12 (b) Develop curricula that links student learning with engagement  
13 in cultural, fisheries, and agricultural programs, and aligns with  
14 the Washington state learning standards;

15 (c) Request authorization to consider student participation in  
16 cultural, fisheries, or agricultural programs as instructional days  
17 for the purposes of RCW 28A.150.220(5);

18 (d) Replace, to the maximum extent permitted by state and federal  
19 law, statewide student assessments with locally developed assessments  
20 that are culturally relevant, based on community standards, and  
21 aligned with the Washington state learning standards; and

22 (e) Consider and implement, to the maximum extent permitted by  
23 state and federal law, other modifications to requirements as  
24 determined by each participating school.

25 (4) The office of native education within the office of the  
26 superintendent of public instruction must collaborate with each  
27 tribal compact school participating in the pilot project, including  
28 providing technical support and assistance, and review any terms of  
29 the compact that relate to the school's implementation of the pilot  
30 project.

31 (5) The office of the superintendent of public instruction, in  
32 establishing the pilot project required by this section, shall  
33 explore and pursue options for granting flexibility to participating  
34 schools from state and federal requirements, including requirements  
35 related to assessments, to further the purpose of the pilot project  
36 as expressed in subsection (2) of this section.

37 (6) If requested by a tribal compact school participating or  
38 intending to participate in the pilot project, the superintendent of  
39 public instruction shall convene a government-to-government meeting  
40 with the tribal compact school for the purpose of revising the

1 compact to reflect the terms of the pilot project. The superintendent  
2 of public instruction may also convene a government-to-government  
3 meeting on his or her own accord.

4 (7) Nothing contained in this section is intended or may be  
5 construed to limit the amount of funding allocated to tribal compact  
6 schools participating in the pilot project.

7 (8)(a) Each tribal compact school participating in the pilot  
8 project shall submit a report every two years to the appropriate  
9 committees of the house of representatives and senate and the office  
10 of the superintendent of public instruction, with the first report  
11 submitted no later than August 1, 2021.

12 (b) Reports submitted in accordance with this subsection (8) must  
13 include:

14 (i) Information about student performance on assessments required  
15 for state and federal accountability purposes and locally developed  
16 assessments under subsection (3)(d) of this section, including  
17 differences in student performance between the statewide and locally  
18 developed assessments; and

19 (ii) Recommendations for lessening or removing barriers that may  
20 affect either student performance on assessments, the effective  
21 administration of assessments, or both.

22 (c) The final report of each participating school must include a  
23 recommendation of whether the pilot project should be modified,  
24 continued, expanded, or discontinued.

25 (d) Reports submitted to the house of representatives and the  
26 senate in accordance with this subsection (8) must comply with RCW  
27 43.01.036.

28 (9) The pilot project expires August 1, 2023.

29 (10) This section expires September 1, 2023.

30 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.300  
31 RCW to read as follows:

32 (1) The superintendent of public instruction shall, upon receipt  
33 of an application from a school that is the subject of a state-tribal  
34 education compact and that is participating in the pilot project  
35 established in section 1 of this act:

36 (a) Grant a waiver from the requirements for a one hundred  
37 eighty-day school year under RCW 28A.150.220; and

1 (b) Authorize the school to consider student participation in  
2 cultural, fisheries, or agricultural programs as instructional days  
3 for the purposes of RCW 28A.150.220(5).

4 (2) This section expires September 1, 2023.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.715  
6 RCW to read as follows:

7 (1) Students in a school that is the subject of a state-tribal  
8 education compact and that is participating in the pilot project  
9 established in section 1 of this act are exempt from the obligation  
10 to earn:

11 (a) A certificate of academic achievement as a prerequisite for  
12 graduating from a public high school under RCW 28A.230.090 and  
13 28A.655.061; or

14 (b) A certificate of individual achievement as a prerequisite for  
15 graduating from a public high school under RCW 28A.155.045 and  
16 28A.230.090.

17 (2) If a student attends a school that is participating in the  
18 pilot project established in section 1 of this act, the statewide  
19 high school assessments in English language arts and mathematics that  
20 are administered under RCW 28A.655.070 may not be used:

21 (a) To determine whether the student has met the requirements for  
22 graduating from a public high school; or

23 (b) For assessing the student's career and college readiness.

24 (3) Schools participating in the pilot project established in  
25 section 1 of this act are exempt from the provisions in RCW  
26 28A.230.125 that require standardized high school transcripts to  
27 include a notation of whether the student has earned a certificate of  
28 individual achievement or certificate of academic achievement.

29 (4) This section expires September 1, 2023.

30 NEW SECTION. **Sec. 4.** If any part of this act is found to be in  
31 conflict with federal requirements that are a prescribed condition to  
32 the allocation of federal funds to the state, the conflicting part of  
33 this act is inoperative solely to the extent of the conflict and with  
34 respect to the agencies directly affected, and this finding does not  
35 affect the operation of the remainder of this act in its application  
36 to the agencies concerned. Rules adopted under this act must meet

1 federal requirements that are a necessary condition to the receipt of  
2 federal funds by the state.

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