

CERTIFICATION OF ENROLLMENT
SUBSTITUTE SENATE BILL 6474

Chapter 290, Laws of 2018

65th Legislature
2018 Regular Session

TRIBAL COMPACT SCHOOLS--SCHOOL REQUIREMENT MODIFICATIONS--PILOT

EFFECTIVE DATE: June 7, 2018

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

CYRUS HABIB

President of the Senate

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

FRANK CHOPP

Speaker of the House of Representatives

Approved March 27, 2018 3:05 PM

JAY INSLEE

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.

BRAD HENDRICKSON

Secretary

FILED

March 29, 2018

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6474

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
37 federal requirements that are a necessary condition to the receipt of
38 federal funds by the state.

Passed by the Senate March 6, 2018.
Passed by the House March 1, 2018.
Approved by the Governor March 27, 2018.
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