

CERTIFICATION OF ENROLLMENT

ENGROSSED SUBSTITUTE SENATE BILL 5878

Chapter 250, Laws of 2022

67th Legislature
2022 Regular Session

VISUAL AND PERFORMING ARTS INSTRUCTION

EFFECTIVE DATE: June 9, 2022

Passed by the Senate March 7, 2022
Yeas 46 Nays 3

DENNY HECK

President of the Senate

Passed by the House March 3, 2022
Yeas 92 Nays 4

LURIE JINKINS

**Speaker of the House of
Representatives**

Approved March 30, 2022 3:08 PM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Sarah Bannister, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 5878** as passed by the Senate and the House of Representatives on the dates hereon set forth.

SARAH BANNISTER

Secretary

FILED

March 31, 2022

**Secretary of State
State of Washington**

ENGROSSED SUBSTITUTE SENATE BILL 5878

AS AMENDED BY THE HOUSE

Passed Legislature - 2022 Regular Session

State of Washington 67th Legislature 2022 Regular Session

By Senate Early Learning & K-12 Education (originally sponsored by Senators Rolfes, Wellman, Hunt, Lovick, Nobles, and C. Wilson)

READ FIRST TIME 01/31/22.

1 AN ACT Relating to visual and performing arts instruction;
2 amending RCW 28A.230.020; adding a new section to chapter 28A.230
3 RCW; adding a new section to chapter 28A.710 RCW; adding a new
4 section to chapter 28A.715 RCW; and creating a new section.

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

6 NEW SECTION. **Sec. 1.** (1) Washington state has long led the way
7 in creating arts education policy. Washington state was one of the
8 first states to adopt visual and performing arts graduation
9 requirements. Our state has a two-credit visual and performing arts
10 graduation requirement, although the second credit may be waived in
11 certain circumstances. Our state has also been a leader by formally
12 declaring the arts including dance, music, theatre, visual arts, and
13 media as core content areas in the definition of basic education.
14 However, there is a very large gap between policy and practice in our
15 state. While most high schools offer a range of arts courses, it is
16 not uncommon for middle schools to offer only one of the arts,
17 usually music, and for elementary schools to offer no formal arts
18 instruction at all, during the regular school day. When arts
19 instruction is offered, it is often as an extracurricular activity, a
20 volunteer docent program, or as a program which meets far less often
21 than other core subjects do. Further, students who perform poorly on

1 standardized tests in math and English often have what little arts
2 instruction they would normally receive taken away, in favor of
3 remediation in the test subject areas. Our students who live in low
4 socioeconomic areas tend to perform worse on standardized tests. As a
5 result, poorer students in our state tend to be denied arts
6 instruction at a higher rate than students from economically stable
7 homes and neighborhoods. The evidence of the multiple benefits of
8 arts education is voluminous and undeniable. The arts are not only a
9 vehicle for doing better at other subjects; they have immense value
10 in their own right and should be taught as stand-alone disciplines,
11 the way our laws and policies are written.

12 (2) The legislature intends to clarify, for schools and school
13 districts, the importance of arts education and to bring our schools'
14 practices in line with our state and federal laws and policies, and
15 the promises made to our communities, by ensuring formal instruction
16 in the core disciplines of visual and performing arts for all
17 Washington students, regardless of their family's socioeconomic
18 status or the relative affluence of the neighborhood in which they
19 live. The legislature recognizes and supports that the best practice
20 is for basic education courses, including the arts, to be taught by
21 certificated teachers who are qualified through an endorsement to
22 teach in the subject area of the course. However, the legislature
23 acknowledges that there is a shortage of arts endorsed teachers in
24 Washington, so intends to allow arts instruction to also be provided
25 by certificated teachers actively pursuing an endorsement in the
26 relevant arts discipline.

27 **Sec. 2.** RCW 28A.230.020 and 2013 c 23 s 48 are each amended to
28 read as follows:

29 All common schools shall give instruction in reading,
30 handwriting, orthography, written and mental arithmetic, geography,
31 the history of the United States, English grammar, visual and
32 performing arts, physiology and hygiene with special reference to the
33 effects of alcohol and drug abuse on the human system, science with
34 special reference to the environment, and such other studies as may
35 be prescribed by rule of the superintendent of public instruction.
36 All teachers shall stress the importance of the cultivation of
37 manners, the fundamental principles of honesty, honor, industry and
38 economy, the minimum requisites for good health including the
39 beneficial effect of physical exercise and methods to prevent

1 exposure to and transmission of sexually transmitted diseases, and
2 the worth of kindness to all living creatures and the land. The
3 prevention of child abuse may be offered as part of the curriculum in
4 the common schools.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 28A.230
6 RCW to read as follows:

7 (1) Beginning with the 2023-24 school year, school districts with
8 more than 200 enrolled students shall offer regular instruction in at
9 least one visual art or at least one performing art, throughout the
10 school year. Each student must receive instruction in at least one
11 arts discipline throughout their elementary and middle education
12 experience. For grades nine through 12, all students must be given
13 the opportunity to take arts coursework each academic year.

14 (2) Every student must have access to arts education, as part of
15 basic education under RCW 28A.150.210. Arts instruction must be
16 accessible by all students, in a manner that is commensurate with
17 instruction in other core subject areas.

18 (3) (a) Except as provided in (b) of this subsection, arts
19 instruction must be provided by either: A certificated teacher with
20 an endorsement in the relevant arts discipline; or a certificated
21 teacher actively pursuing an endorsement in the relevant arts
22 discipline.

23 (b) A person holding a limited teaching certificate may provide
24 arts instruction while either: (i) The school district recruits and
25 hires a certificated teacher with the qualifications provided in (a)
26 of this subsection; or (ii) the certificated teacher with
27 qualifications provided in (a) of this subsection takes leave as
28 provided in the school district's written leave policy required by
29 RCW 28A.400.300.

30 (4) Instruction under this section must be solely for the arts
31 discipline in the skills and craft of each specific arts discipline
32 as their own end, rather than as a vehicle to enhance learning in any
33 other nonarts subject area. If schools wish to integrate or infuse
34 the arts into other subject matter, they must do so in addition to
35 the regular, formal arts instruction required by this section.

36 (5) The arts instructors in each school district, as subject
37 matter experts, shall be consulted to determine which specific visual
38 and performing arts courses to offer at given grade levels, so that
39 instruction is properly aligned to state learning standards in the

1 arts and students' developmental stages and vertically aligned to
2 give arts-focused students the best chance for success in their arts
3 college or career pathway.

4 NEW SECTION. **Sec. 4.** A new section is added to chapter 28A.710
5 RCW to read as follows:

6 Section 3 of this act, related to arts instruction, governs
7 school operation and management under RCW 28A.710.040 and applies to
8 charter schools with more than 200 enrolled students established
9 under this chapter.

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

12 Section 3 of this act, related to arts instruction, governs
13 school operation and management under RCW 28A.715.020 and applies to
14 state-tribal education compact schools with more than 200 enrolled
15 students established under this chapter.

Passed by the Senate March 7, 2022.

Passed by the House March 3, 2022.

Approved by the Governor March 30, 2022.

Filed in Office of Secretary of State March 31, 2022.

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