

CERTIFICATION OF ENROLLMENT

**ENGROSSED SENATE BILL 5462**

68th Legislature  
2024 Regular Session

Passed by the Senate March 4, 2024  
Yeas 28 Nays 20

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**President of the Senate**

Passed by the House February 29, 2024  
Yeas 56 Nays 37

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**Speaker of the House of  
Representatives**

Approved

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**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 SENATE BILL 5462** as passed by the 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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**ENGROSSED SENATE BILL 5462**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2024 Regular Session

**State of Washington                      68th Legislature                      2023 Regular Session**

**By** Senators Lias, C. Wilson, Kuderer, Lovelett, Nguyen, Pedersen, Randall, Saldaña, and Valdez

Read first time 01/19/23. Referred to Committee on Early Learning & K-12 Education.

1            AN ACT Relating to promoting inclusive learning standards and  
2 instructional materials in public schools; amending RCW 28A.320.230  
3 and 28A.655.070; adding a new section to chapter 28A.345 RCW; adding  
4 new sections to chapter 28A.300 RCW; creating a new section; and  
5 providing an expiration date.

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

7            NEW SECTION.        **Sec. 1.**        (1) The legislature recognizes that  
8 Washington state law prohibits discrimination in public schools for  
9 certain protected classes. The legislature also acknowledges that  
10 school districts are required to adopt a policy related to the  
11 selection or removal of instructional materials. Under state rule,  
12 the instructional materials policy of each school district must  
13 establish and use appropriate screening criteria to identify and  
14 eliminate bias pertaining to protected classes.

15            (2) The legislature intends to expand these requirements by  
16 requiring school districts to adopt policies and procedures that  
17 incorporate adopting inclusive curricula and selecting inclusive  
18 instructional materials that include the histories, contributions,  
19 and perspectives of historically marginalized and underrepresented  
20 groups. The legislature recognizes that inclusive curricula have been  
21 shown to often improve the mental health, academic performance,

1 attendance rates, and graduation rates of historically marginalized  
2 and underrepresented communities. Research on students' sense of  
3 belonging and community in the school setting confirms that inclusive  
4 curricula and learning environments contribute to increased school  
5 motivation, participation, and achievement.

6 (3) The legislature intends to promote culturally and  
7 experientially representative learning opportunities for all students  
8 by directing the office of the superintendent of public instruction,  
9 when revising or developing state learning standards, to screen for  
10 inappropriate bias in the proposed state learning standards and to  
11 ensure that the histories, contributions, and perspectives of  
12 historically marginalized and underrepresented peoples and  
13 communities are included in the standards.

14 (4) The legislature believes that promoting inclusive learning  
15 standards, curricula, and instructional materials will improve  
16 student achievement, attendance, parent and family engagement, and  
17 other dimensions that contribute to student success.

18 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.345  
19 RCW to read as follows:

20 (1) By June 1, 2025, the Washington state school directors'  
21 association, with the assistance of the office of the superintendent  
22 of public instruction, must review and update a model policy and  
23 procedure regarding course design, selection, and adoption of  
24 instructional materials.

25 (2) The model policy and procedure must require that school  
26 district boards of directors, within available materials, adopt  
27 inclusive curricula and select diverse, equitable, inclusive, age-  
28 appropriate instructional materials that include the histories,  
29 contributions, and perspectives of historically marginalized and  
30 underrepresented groups including, but not limited to, people from  
31 various racial, ethnic, and religious backgrounds, people with  
32 differing learning needs, people with disabilities, LGBTQ people as  
33 the term is defined in RCW 43.114.010, and people with various  
34 socioeconomic and immigration backgrounds.

35 (3) The model policy and procedure must require that, in adopting  
36 curricula and selecting instructional materials in accordance with  
37 this section, school district boards of directors must seek curricula  
38 and instructional materials that are as culturally and experientially  
39 diverse as possible, recognizing that the availability of materials

1 that include the histories, contributions, and perspectives of  
2 historically marginalized and underrepresented groups may vary.

3 (4) By October 1, 2025, school district boards of directors must  
4 amend the policy and procedures required under RCW 28A.320.230 to  
5 conform with the model policy and procedure required by this section.  
6 Additionally, by October 1, 2025, charter school boards and schools  
7 subject to state-tribal education compacts must adopt or amend their  
8 policies and procedures governing curricula adoption and the  
9 selection of instructional materials to conform with the model policy  
10 and procedure required by this section. For the purpose of  
11 documenting compliance with this section and assisting school  
12 districts in accordance with section 6 of this act, school district  
13 boards of directors, within 10 days of completing the policy and  
14 procedure updates required by this subsection (4), shall provide  
15 notice of the completed actions and electronic copies of the  
16 applicable policies and procedures to the office of the  
17 superintendent of public instruction.

18 (5) This section governs school operation and management under  
19 RCW 28A.710.040 and 28A.715.020, and applies to charter schools  
20 established under chapter 28A.710 RCW and state-tribal education  
21 compact schools subject to chapter 28A.715 RCW to the same extent as  
22 it applies to school districts.

23 **Sec. 3.** RCW 28A.320.230 and 1989 c 371 s 1 are each amended to  
24 read as follows:

25 Every board of directors, unless otherwise specifically provided  
26 by law, shall:

27 (1) (~~Prepare~~) In accordance with section 2 of this act,  
28 prepare, negotiate, set forth in writing and adopt, policy relative  
29 to the selection or deletion of instructional materials. Such policy  
30 shall:

31 (a) State the school district's goals and principles relative to  
32 instructional materials;

33 (b) Delegate responsibility for the preparation and  
34 recommendation of teachers' reading lists and specify the procedures  
35 to be followed in the selection of all instructional materials  
36 including text books;

37 (c) Establish an instructional materials committee to be  
38 appointed, with the approval of the school board, by the school  
39 district's chief administrative officer. This committee shall consist

1 of representative members of the district's professional staff,  
2 including representation from the district's curriculum development  
3 committees, and, in the case of districts which operate elementary  
4 school(s) only, the educational service district superintendent, one  
5 of whose responsibilities shall be to assure the correlation of those  
6 elementary district adoptions with those of the high school  
7 district(s) which serve their children. The committee may include  
8 parents at the school board's discretion: PROVIDED, That parent  
9 members shall make up less than one-half of the total membership of  
10 the committee;

11 (d) Provide for reasonable notice to parents of the opportunity  
12 to serve on the committee and for terms of office for members of the  
13 instructional materials committee;

14 (e) Provide a system for receiving, considering and acting upon  
15 written complaints regarding instructional materials used by the  
16 school district;

17 (f) Provide free text books, supplies and other instructional  
18 materials to be loaned to the pupils of the school, when, in its  
19 judgment, the best interests of the district will be subserved  
20 thereby and prescribe rules and regulations to preserve such books,  
21 supplies and other instructional materials from unnecessary damage.

22 Recommendation of instructional materials shall be by the  
23 district's instructional materials committee in accordance with  
24 district policy. Approval or disapproval shall be by the local school  
25 district's board of directors.

26 Districts may pay the necessary travel and subsistence expenses  
27 for expert counsel from outside the district. In addition, the  
28 committee's expenses incidental to visits to observe other districts'  
29 selection procedures may be reimbursed by the school district.

30 Districts may, within limitations stated in board policy, use and  
31 experiment with instructional materials for a period of time before  
32 general adoption is formalized.

33 Within the limitations of board policy, a school district's chief  
34 administrator may purchase instructional materials to meet deviant  
35 needs or rapidly changing circumstances.

36 (2) Establish a depreciation scale for determining the value of  
37 texts which students wish to purchase.

38 **Sec. 4.** RCW 28A.655.070 and 2019 c 252 s 119 are each amended to  
39 read as follows:

1 (1) The superintendent of public instruction shall develop state  
2 learning standards that identify the knowledge and skills all public  
3 school students need to know and be able to do based on the student  
4 learning goals in RCW 28A.150.210, develop student assessments, and  
5 implement the accountability recommendations and requests regarding  
6 assistance, rewards, and recognition of the state board of education.

7 (2) The superintendent of public instruction shall:

8 (a) Periodically revise the state learning standards, as needed,  
9 based on the student learning goals in RCW 28A.150.210. Goals one and  
10 two shall be considered primary. To the maximum extent possible, the  
11 superintendent shall integrate goal four and the knowledge and skill  
12 areas in the other goals in the state learning standards; ~~((and))~~

13 (b) Include a screening for biased content in each development or  
14 revision of a state learning standard and ensure that the concepts of  
15 diversity, equity, and inclusion, as those terms are defined in RCW  
16 28A.415.443, are incorporated into each new or revised state learning  
17 standard. In meeting the requirements of this subsection (2)(b), the  
18 superintendent of public instruction shall consult with the  
19 applicable commissions established in Title 43 RCW and other persons  
20 and organizations with relevant expertise; and

21 (c) Review and prioritize the state learning standards and  
22 identify, with clear and concise descriptions, the grade level  
23 content expectations to be assessed on the statewide student  
24 assessment and used for state or federal accountability purposes. The  
25 review, prioritization, and identification shall result in more focus  
26 and targeting with an emphasis on depth over breadth in the number of  
27 grade level content expectations assessed at each grade level. Grade  
28 level content expectations shall be articulated over the grades as a  
29 sequence of expectations and performances that are logical, build  
30 with increasing depth after foundational knowledge and skills are  
31 acquired, and reflect, where appropriate, the sequential nature of  
32 the discipline. The office of the superintendent of public  
33 instruction, within seven working days, shall post on its website any  
34 grade level content expectations provided to an assessment vendor for  
35 use in constructing the statewide student assessment.

36 (3)(a) In consultation with the state board of education, the  
37 superintendent of public instruction shall maintain and continue to  
38 develop and revise a statewide academic assessment system in the  
39 content areas of reading, writing, mathematics, and science for use  
40 in the elementary, middle, and high school years designed to

1 determine if each student has mastered the state learning standards  
2 identified in subsection (1) of this section. School districts shall  
3 administer the assessments under guidelines adopted by the  
4 superintendent of public instruction. The academic assessment system  
5 may include a variety of assessment methods, including criterion-  
6 referenced and performance-based measures.

7 (b) Effective with the 2009 administration of the Washington  
8 assessment of student learning and continuing with the statewide  
9 student assessment, the superintendent shall redesign the assessment  
10 in the content areas of reading, mathematics, and science in all  
11 grades except high school by shortening test administration and  
12 reducing the number of short answer and extended response questions.

13 (c) By the 2014-15 school year, the superintendent of public  
14 instruction, in consultation with the state board of education, shall  
15 modify the statewide student assessment system to transition to  
16 assessments developed with a multistate consortium, as provided in  
17 this subsection:

18 (i) The assessments developed with a multistate consortium to  
19 assess student proficiency in English language arts and mathematics  
20 shall be administered beginning in the 2014-15 school year, and  
21 beginning with the graduating class of 2020, the assessments must be  
22 administered to students in the tenth grade. The reading and writing  
23 assessments shall not be administered by the superintendent of public  
24 instruction or schools after the 2013-14 school year.

25 (ii) The high school assessments in English language arts and  
26 mathematics in (c)(i) of this subsection shall be used for the  
27 purposes of federal and state accountability and for assessing  
28 student career and college readiness.

29 (d) The statewide academic assessment system must also include  
30 the Washington access to instruction and measurement assessment for  
31 students with significant cognitive challenges.

32 (4) If the superintendent proposes any modification to the state  
33 learning standards or the statewide assessments, then the  
34 superintendent shall, upon request, provide opportunities for the  
35 education committees of the house of representatives and the senate  
36 to review the assessments and proposed modifications to the state  
37 learning standards before the modifications are adopted.

38 (5) The assessment system shall be designed so that the results  
39 under the assessment system are used by educators as tools to  
40 evaluate instructional practices, and to initiate appropriate

1 educational support for students who have not mastered the state  
2 learning standards at the appropriate periods in the student's  
3 educational development.

4 (6) By September 2007, the results for reading and mathematics  
5 shall be reported in a format that will allow parents and teachers to  
6 determine the academic gain a student has acquired in those content  
7 areas from one school year to the next.

8 (7) To assist parents and teachers in their efforts to provide  
9 educational support to individual students, the superintendent of  
10 public instruction shall provide as much individual student  
11 performance information as possible within the constraints of the  
12 assessment system's item bank. The superintendent shall also provide  
13 to school districts:

14 (a) Information on classroom-based and other assessments that may  
15 provide additional achievement information for individual students;  
16 and

17 (b) A collection of diagnostic tools that educators may use to  
18 evaluate the academic status of individual students. The tools shall  
19 be designed to be inexpensive, easily administered, and quickly and  
20 easily scored, with results provided in a format that may be easily  
21 shared with parents and students.

22 (8) To the maximum extent possible, the superintendent shall  
23 integrate knowledge and skill areas in development of the  
24 assessments.

25 (9) Assessments for goals three and four of RCW 28A.150.210 shall  
26 be integrated in the state learning standards and assessments for  
27 goals one and two.

28 (10) The superintendent shall develop assessments that are  
29 directly related to the state learning standards, and are not biased  
30 toward persons with different learning styles, racial or ethnic  
31 backgrounds, or on the basis of gender.

32 (11) The superintendent shall review available and appropriate  
33 options for competency-based assessments that meet the state learning  
34 standards. In accordance with the review required by this subsection,  
35 the superintendent shall provide a report and recommendations to the  
36 education committees of the house of representatives and the senate  
37 by November 1, 2019.

38 (12) The superintendent shall consider methods to address the  
39 unique needs of special education students when developing the  
40 assessments under this section.

1 (13) The superintendent shall consider methods to address the  
2 unique needs of highly capable students when developing the  
3 assessments under this section.

4 (14) The superintendent shall post on the superintendent's  
5 website lists of resources and model assessments in social studies,  
6 the arts, and health and fitness.

7 (15) The superintendent shall integrate financial education  
8 skills and content knowledge into the state learning standards  
9 pursuant to RCW 28A.300.460(2)(d).

10 (16)(a) The superintendent shall notify the state board of  
11 education in writing before initiating the development or revision of  
12 the state learning standards under subsections (1) and (2) of this  
13 section. The notification must be provided to the state board of  
14 education in advance for review at a regularly scheduled or special  
15 board meeting and must include the following information:

16 (i) The subject matter of the state learning standards;

17 (ii) The reason or reasons the superintendent is initiating the  
18 development or revision; and

19 (iii) The process and timeline that the superintendent intends to  
20 follow for the development or revision.

21 (b) The state board of education may provide a response to the  
22 superintendent's notification for consideration in the development or  
23 revision process in (a) of this subsection.

24 (c) Prior to adoption by the superintendent of any new or revised  
25 state learning standards, the superintendent shall submit the  
26 proposed new or revised state learning standards to the state board  
27 of education in advance in writing for review at a regularly  
28 scheduled or special board meeting. The state board of education may  
29 provide a response to the superintendent's proposal for consideration  
30 prior to final adoption.

31 (17) The state board of education may propose new or revised  
32 state learning standards to the superintendent. The superintendent  
33 must respond to the state board of education's proposal in writing.

34 (18) The superintendent shall produce and post on its website a  
35 schedule for the revision of state learning standards under  
36 subsection (2) of this section by September 1, 2025. In addition to  
37 notifying parents, schools, and the public of the revision schedules  
38 and timelines, the website posting must be updated as necessary to  
39 inform persons of the status of any pending revisions, and of any

1 plans or actions related to developing new state learning standards  
2 under subsection (1) of this section.

3 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.300  
4 RCW to read as follows:

5 (1) Subject to the availability of amounts appropriated for this  
6 specific purpose, the office of the superintendent of public  
7 instruction, in collaboration with the statewide association of  
8 educational service districts, the legislative youth advisory council  
9 established under RCW 43.15.095, and the Washington state school  
10 directors' association, must create an open collection of educational  
11 resources for inclusive curricula. The office of the superintendent  
12 of public instruction must consult with the Washington state office  
13 of equity established in RCW 43.06D.020 and any other relevant state  
14 agencies when creating the open collection of educational resources.

15 (2) The open collection of educational resources must include  
16 resources that include the histories, contributions, and perspectives  
17 of historically marginalized and underrepresented groups.

18 NEW SECTION. **Sec. 6.** A new section is added to chapter 28A.300  
19 RCW to read as follows:

20 (1) The office of the superintendent of public instruction shall,  
21 as soon as is practicable, compile information received under section  
22 2(4) of this act and, based on the received materials, prepare best  
23 practices and other informative materials to support school  
24 districts, charter schools, and state-tribal education compact  
25 schools in meeting the requirements of section 2 of this act.

26 (2) This section expires June 30, 2028.

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