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**HOUSE BILL 1089**

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**State of Washington**

**66th Legislature**

**2019 Regular Session**

**By** Representative MacEwen

Prefiled 01/08/19.

1 AN ACT Relating to certificates of academic and individual  
2 achievement; amending RCW 28A.155.045, 28A.155.170, 28A.230.090,  
3 28A.230.122, 28A.230.125, 28A.655.070, 28A.180.100, 28A.195.010,  
4 28A.200.010, 28A.305.130, 28A.320.208, 28A.415.360, and 28A.600.310;  
5 adding a new section to chapter 28A.655 RCW; creating a new section;  
6 repealing RCW 28A.600.405, 28A.655.061, 28A.655.063, 28A.655.065,  
7 28A.655.066, and 28A.655.068; and declaring an emergency.

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

9 **PART I**

10 **DISCONTINUING CERTIFICATES OF ACADEMIC AND INDIVIDUAL ACHIEVEMENT AS**  
11 **GRADUATION REQUIREMENTS**

12 **Sec. 101.** RCW 28A.155.045 and 2007 c 354 s 3 are each amended to  
13 read as follows:

14 Beginning with the graduating class of 2008, students served  
15 under this chapter, who are not appropriately assessed by the high  
16 school Washington assessment system (~~(as defined in RCW 28A.655.061)~~)  
17 established in accordance with RCW 28A.655.070, even with  
18 accommodations, may ~~((earn a certificate of individual achievement.~~  
19 ~~The certificate may be earned using multiple ways to))~~, through  
20 alternate assessments, demonstrate skills and abilities commensurate

1 with their individual education programs. The determination of  
2 whether the high school assessment system is appropriate shall be  
3 made by the student's individual education program team. (~~Except as~~  
4 ~~provided in RCW 28A.655.0611, for these students, the certificate of~~  
5 ~~individual achievement is required for graduation from a public high~~  
6 ~~school, but need not be the only requirement for graduation.~~) When  
7 measures other than the high school assessment system (~~as defined in~~  
8 ~~RCW 28A.655.061~~) established in accordance with RCW 28A.655.070 are  
9 used, the measures shall be in agreement with the appropriate  
10 educational opportunity provided for the student as required by this  
11 chapter. The superintendent of public instruction shall develop the  
12 guidelines for determining which students should not be required to  
13 participate in the high school assessment system and which types of  
14 assessments are appropriate to use.

15 When measures other than the high school assessment system (~~as~~  
16 ~~defined in RCW 28A.655.061~~) established in accordance with RCW  
17 28A.655.070 are used for high school graduation purposes, the  
18 student's high school transcript shall note whether that student  
19 (~~has earned a certificate of individual achievement~~) was assessed  
20 with alternative assessments.

21 Nothing in this section shall be construed to deny a student the  
22 right to participation in the high school assessment system (~~as~~  
23 ~~defined in RCW 28A.655.061, and, upon successfully meeting the high~~  
24 ~~school standard, receipt of the certificate of academic achievement~~)  
25 established in accordance with RCW 28A.655.070.

26 **Sec. 102.** RCW 28A.155.170 and 2007 c 318 s 2 are each amended to  
27 read as follows:

28 (1) Beginning July 1, 2007, each school district that operates a  
29 high school shall establish a policy and procedures that permit any  
30 student who is receiving special education or related services under  
31 an individualized education program pursuant to state and federal law  
32 and who will continue to receive such services between the ages of  
33 eighteen and twenty-one to participate in the graduation ceremony and  
34 activities after four years of high school attendance with his or her  
35 age-appropriate peers and receive a certificate of attendance.

36 (2) Participation in a graduation ceremony and receipt of a  
37 certificate of attendance under this section does not preclude a  
38 student from continuing to receive special education and related

1 services under an individualized education program beyond the  
2 graduation ceremony.

3 (3) A student's participation in a graduation ceremony and  
4 receipt of a certificate of attendance under this section shall not  
5 be construed as the student's receipt of (~~either:~~

6 ~~(a)) a high school diploma pursuant to RCW 28A.230.120 (~~or~~~~

7 ~~(b) A certificate of individual achievement pursuant to RCW~~  
8 ~~28A.155.045)).~~

9 **Sec. 103.** RCW 28A.230.090 and 2018 c 229 s 1 are each amended to  
10 read as follows:

11 (1) The state board of education shall establish high school  
12 graduation requirements or equivalencies for students, except as  
13 provided in RCW 28A.230.122 and except those equivalencies  
14 established by local high schools or school districts under RCW  
15 28A.230.097. The purpose of a high school diploma is to declare that  
16 a student is ready for success in postsecondary education, gainful  
17 employment, and citizenship, and is equipped with the skills to be a  
18 lifelong learner.

19 (a) Any course in Washington state history and government used to  
20 fulfill high school graduation requirements shall consider including  
21 information on the culture, history, and government of the American  
22 Indian peoples who were the first inhabitants of the state.

23 (b) (~~The certificate of academic achievement requirements under~~  
24 ~~RCW 28A.655.061 or the certificate of individual achievement~~  
25 ~~requirements under RCW 28A.155.045 are required for graduation from a~~  
26 ~~public high school but are not the only requirements for graduation.~~

27 ~~(c))~~ (i) Each student must have a high school and beyond plan to  
28 guide the student's high school experience and prepare the student  
29 for postsecondary education or training and career.

30 (ii) A high school and beyond plan must be initiated for each  
31 student during the seventh or eighth grade. In preparation for  
32 initiating that plan, each student must first be administered a  
33 career interest and skills inventory.

34 (iii) The high school and beyond plan must be updated to reflect  
35 high school assessment results in RCW 28A.655.070(3)(b) and to review  
36 transcripts, assess progress toward identified goals, and revised as  
37 necessary for changing interests, goals, and needs. The plan must  
38 identify available interventions and academic support, courses, or  
39 both, that are designed for students who have not met the high school

1 graduation standard, to enable them to meet the standard. School  
2 districts are encouraged to involve parents and guardians in the  
3 process of developing and updating the high school and beyond plan,  
4 and the plan must be provided to the students' parents or guardians  
5 in their native language if that language is one of the two most  
6 frequently spoken non-English languages of students in the district.  
7 Nothing in this subsection (1) ~~((e))~~ (b) (iii) prevents districts from  
8 providing high school and beyond plans to parents and guardians in  
9 additional languages that are not required by this subsection.

10 (iv) All high school and beyond plans must, at a minimum, include  
11 the following elements:

12 (A) Identification of career goals, aided by a skills and  
13 interest assessment;

14 (B) Identification of educational goals;

15 (C) Identification of dual credit programs and the opportunities  
16 they create for students, including but not limited to career and  
17 technical education programs, running start programs, and college in  
18 the high school programs;

19 (D) Information about the college bound scholarship program  
20 established in chapter 28B.118 RCW;

21 (E) A four-year plan for course taking that:

22 (I) Includes information about options for satisfying state and  
23 local graduation requirements;

24 (II) Satisfies state and local graduation requirements;

25 (III) Aligns with the student's secondary and postsecondary  
26 goals;

27 (IV) Identifies dual credit programs and the opportunities they  
28 create for students; and

29 (V) Includes information about the college bound scholarship  
30 program; and

31 (F) By the end of the twelfth grade, a current resume or activity  
32 log that provides a written compilation of the student's education,  
33 any work experience, and any community service and how the school  
34 district has recognized the community service pursuant to RCW  
35 28A.320.193.

36 ~~((d))~~ (c) Any decision on whether a student has met the state  
37 board's high school graduation requirements for a high school and  
38 beyond plan shall remain at the local level. Effective with the  
39 graduating class of 2015, the state board of education may not  
40 establish a requirement for students to complete a culminating

1 project for graduation. A district may establish additional, local  
2 requirements for a high school and beyond plan to serve the needs and  
3 interests of its students and the purposes of this section.

4 ~~((e))~~ (d)(i) The state board of education shall adopt rules to  
5 implement the career and college ready graduation requirement  
6 proposal adopted under board resolution on November 10, 2010, and  
7 revised on January 9, 2014, to take effect beginning with the  
8 graduating class of 2019 or as otherwise provided in this subsection  
9 (1)~~((e))~~ (d). The rules must include authorization for a school  
10 district to waive up to two credits for individual students based on  
11 unusual circumstances and in accordance with written policies that  
12 must be adopted by each board of directors of a school district that  
13 grants diplomas. The rules must also provide that the content of the  
14 third credit of mathematics and the content of the third credit of  
15 science may be chosen by the student based on the student's interests  
16 and high school and beyond plan with agreement of the student's  
17 parent or guardian or agreement of the school counselor or principal.

18 (ii) School districts may apply to the state board of education  
19 for a waiver to implement the career and college ready graduation  
20 requirement proposal beginning with the graduating class of 2020 or  
21 2021 instead of the graduating class of 2019. In the application, a  
22 school district must describe why the waiver is being requested, the  
23 specific impediments preventing timely implementation, and efforts  
24 that will be taken to achieve implementation with the graduating  
25 class proposed under the waiver. The state board of education shall  
26 grant a waiver under this subsection (1)~~((e))~~ (d) to an applying  
27 school district at the next subsequent meeting of the board after  
28 receiving an application.

29 (iii) A school district must update the high school and beyond  
30 plans for each student who has not earned a score of level 3 or level  
31 4 on the middle school mathematics assessment identified in RCW  
32 28A.655.070 by ninth grade, to ensure that the student takes a  
33 mathematics course in both ninth and tenth grades. This course may  
34 include career and technical education equivalencies in mathematics  
35 adopted pursuant to RCW 28A.230.097.

36 (2)(a) In recognition of the statutory authority of the state  
37 board of education to establish and enforce minimum high school  
38 graduation requirements, the state board shall periodically  
39 reevaluate the graduation requirements and shall report such findings

1 to the legislature in a timely manner as determined by the state  
2 board.

3 (b) The state board shall reevaluate the graduation requirements  
4 for students enrolled in vocationally intensive and rigorous career  
5 and technical education programs, particularly those programs that  
6 lead to a certificate or credential that is state or nationally  
7 recognized. The purpose of the evaluation is to ensure that students  
8 enrolled in these programs have sufficient opportunity to (~~earn a~~  
9 ~~certificate of academic achievement,~~) complete the program and earn  
10 the program's certificate or credential, and complete other state and  
11 local graduation requirements.

12 (c) The state board shall forward any proposed changes to the  
13 high school graduation requirements to the education committees of  
14 the legislature for review. The legislature shall have the  
15 opportunity to act during a regular legislative session before the  
16 changes are adopted through administrative rule by the state board.  
17 Changes that have a fiscal impact on school districts, as identified  
18 by a fiscal analysis prepared by the office of the superintendent of  
19 public instruction, shall take effect only if formally authorized and  
20 funded by the legislature through the omnibus appropriations act or  
21 other enacted legislation.

22 (3) Pursuant to any requirement for instruction in languages  
23 other than English established by the state board of education or a  
24 local school district, or both, for purposes of high school  
25 graduation, students who receive instruction in American sign  
26 language or one or more American Indian languages shall be considered  
27 to have satisfied the state or local school district graduation  
28 requirement for instruction in one or more languages other than  
29 English.

30 (4) If requested by the student and his or her family, a student  
31 who has completed high school courses before attending high school  
32 shall be given high school credit which shall be applied to  
33 fulfilling high school graduation requirements if:

34 (a) The course was taken with high school students, if the  
35 academic level of the course exceeds the requirements for seventh and  
36 eighth grade classes, and the student has successfully passed by  
37 completing the same course requirements and examinations as the high  
38 school students enrolled in the class; or

39 (b) The academic level of the course exceeds the requirements for  
40 seventh and eighth grade classes and the course would qualify for

1 high school credit, because the course is similar or equivalent to a  
2 course offered at a high school in the district as determined by the  
3 school district board of directors.

4 (5) Students who have taken and successfully completed high  
5 school courses under the circumstances in subsection (4) of this  
6 section shall not be required to take an additional competency  
7 examination or perform any other additional assignment to receive  
8 credit.

9 (6) At the college or university level, five quarter or three  
10 semester hours equals one high school credit.

11 **Sec. 104.** RCW 28A.230.122 and 2011 c 203 s 1 are each amended to  
12 read as follows:

13 (1) A student who fulfills the requirements specified in  
14 subsection (3) of this section toward completion of an international  
15 baccalaureate diploma programme is considered to have satisfied state  
16 minimum requirements for graduation from a public high school, except  
17 that ((÷

18 ~~(a) The provisions of RCW 28A.655.061 regarding the certificate~~  
19 ~~of academic achievement or RCW 28A.155.045 regarding the certificate~~  
20 ~~of individual achievement apply to students under this section; and~~

21 ~~(b))~~ the provisions of RCW 28A.230.170 regarding study of the  
22 United States Constitution and the Washington state Constitution  
23 apply to students under this section.

24 (2) School districts may require students under this section to  
25 complete local graduation requirements that are in addition to state  
26 minimum requirements before issuing a high school diploma under RCW  
27 28A.230.120. However, school districts are encouraged to waive local  
28 requirements as necessary to encourage students to pursue an  
29 international baccalaureate diploma.

30 (3) To receive a high school diploma under this section, a  
31 student must complete and pass all required international  
32 baccalaureate diploma programme courses as scored at the local level;  
33 pass all internal assessments as scored at the local level;  
34 successfully complete all required projects and products as scored at  
35 the local level; and complete the final examinations administered by  
36 the international baccalaureate organization in each of the required  
37 subjects under the diploma programme.

1           **Sec. 105.** RCW 28A.230.125 and 2014 c 102 s 3 are each amended to  
2 read as follows:

3           (1) The superintendent of public instruction, in consultation  
4 with the four-year institutions as defined in RCW 28B.76.020, the  
5 state board for community and technical colleges, and the workforce  
6 training and education coordinating board, shall develop for use by  
7 all public school districts a standardized high school transcript.  
8 The superintendent shall establish clear definitions for the terms  
9 "credits" and "hours" so that school programs operating on the  
10 quarter, semester, or trimester system can be compared.

11           (2) ~~((The standardized high school transcript shall include a  
12 notation of whether the student has earned a certificate of  
13 individual achievement or a certificate of academic achievement.~~

14           (3)) The standardized high school transcript may include a  
15 notation of whether the student has earned the Washington state seal  
16 of biliteracy established under RCW 28A.300.575.

17           **Sec. 106.** RCW 28A.655.070 and 2018 c 177 s 401 are each amended  
18 to read as follows:

19           (1) The superintendent of public instruction shall develop  
20 essential academic learning requirements that identify the knowledge  
21 and skills all public school students need to know and be able to do  
22 based on the student learning goals in RCW 28A.150.210, develop  
23 student assessments, and implement the accountability recommendations  
24 and requests regarding assistance, rewards, and recognition of the  
25 state board of education.

26           (2) The superintendent of public instruction shall:

27           (a) Periodically revise the essential academic learning  
28 requirements, as needed, based on the student learning goals in RCW  
29 28A.150.210. Goals one and two shall be considered primary. To the  
30 maximum extent possible, the superintendent shall integrate goal four  
31 and the knowledge and skill areas in the other goals in the essential  
32 academic learning requirements; and

33           (b) Review and prioritize the essential academic learning  
34 requirements and identify, with clear and concise descriptions, the  
35 grade level content expectations to be assessed on the statewide  
36 student assessment and used for state or federal accountability  
37 purposes. The review, prioritization, and identification shall result  
38 in more focus and targeting with an emphasis on depth over breadth in  
39 the number of grade level content expectations assessed at each grade



1 level. Grade level content expectations shall be articulated over the  
2 grades as a sequence of expectations and performances that are  
3 logical, build with increasing depth after foundational knowledge and  
4 skills are acquired, and reflect, where appropriate, the sequential  
5 nature of the discipline. The office of the superintendent of public  
6 instruction, within seven working days, shall post on its web site  
7 any grade level content expectations provided to an assessment vendor  
8 for use in constructing the statewide student assessment.

9 (3) (a) In consultation with the state board of education, the  
10 superintendent of public instruction shall maintain and continue to  
11 develop and revise a statewide academic assessment system in the  
12 content areas of reading, writing, mathematics, and science for use  
13 in the elementary, middle, and high school years designed to  
14 determine if each student has mastered the essential academic  
15 learning requirements identified in subsection (1) of this section.  
16 School districts shall administer the assessments under guidelines  
17 adopted by the superintendent of public instruction. The academic  
18 assessment system may include a variety of assessment methods,  
19 including criterion-referenced and performance-based measures.

20 (b) Effective with the 2009 administration of the Washington  
21 assessment of student learning and continuing with the statewide  
22 student assessment, the superintendent shall redesign the assessment  
23 in the content areas of reading, mathematics, and science in all  
24 grades except high school by shortening test administration and  
25 reducing the number of short answer and extended response questions.

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

31 (i) The assessments developed with a multistate consortium to  
32 assess student proficiency in English language arts and mathematics  
33 shall be administered beginning in the 2014-15 school year, and  
34 beginning with the graduating class of 2020, the assessments must be  
35 administered to students in the tenth grade. The reading and writing  
36 assessments shall not be administered by the superintendent of public  
37 instruction or schools after the 2013-14 school year.

38 (ii) The high school assessments in English language arts and  
39 mathematics in (c) (i) of this subsection shall be used for ~~((the~~  
40 ~~purposes of earning a certificate of academic achievement for high~~

1 ~~school graduation under the timeline established in RCW 28A.655.061~~  
2 ~~and for~~) assessing student career and college readiness.

3 ~~((iii) During the transition period specified in RCW~~  
4 ~~28A.655.061, the superintendent of public instruction shall use test~~  
5 ~~items and other resources from the consortium assessment to develop~~  
6 ~~and administer a tenth grade high school English language arts~~  
7 ~~assessment, an end-of-course mathematics assessment to assess the~~  
8 ~~standards common to algebra I and integrated mathematics I, and an~~  
9 ~~end-of-course mathematics assessment to assess the standards common~~  
10 ~~to geometry and integrated mathematics II.))~~

11 (4) If the superintendent proposes any modification to the  
12 essential academic learning requirements or the statewide  
13 assessments, then the superintendent shall, upon request, provide  
14 opportunities for the education committees of the house of  
15 representatives and the senate to review the assessments and proposed  
16 modifications to the essential academic learning requirements before  
17 the modifications are adopted.

18 (5) The assessment system shall be designed so that the results  
19 under the assessment system are used by educators as tools to  
20 evaluate instructional practices, and to initiate appropriate  
21 educational support for students who have not mastered the essential  
22 academic learning requirements at the appropriate periods in the  
23 student's educational development.

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

28 (7) To assist parents and teachers in their efforts to provide  
29 educational support to individual students, the superintendent of  
30 public instruction shall provide as much individual student  
31 performance information as possible within the constraints of the  
32 assessment system's item bank. The superintendent shall also provide  
33 to school districts:

34 (a) Information on classroom-based and other assessments that may  
35 provide additional achievement information for individual students;  
36 and

37 (b) A collection of diagnostic tools that educators may use to  
38 evaluate the academic status of individual students. The tools shall  
39 be designed to be inexpensive, easily administered, and quickly and

1 easily scored, with results provided in a format that may be easily  
2 shared with parents and students.

3 (8) To the maximum extent possible, the superintendent shall  
4 integrate knowledge and skill areas in development of the  
5 assessments.

6 (9) Assessments for goals three and four of RCW 28A.150.210 shall  
7 be integrated in the essential academic learning requirements and  
8 assessments for goals one and two.

9 (10) The superintendent shall develop assessments that are  
10 directly related to the essential academic learning requirements, and  
11 are not biased toward persons with different learning styles, racial  
12 or ethnic backgrounds, or on the basis of gender.

13 (11) The superintendent shall review available and appropriate  
14 options for competency-based assessments that meet the essential  
15 academic learning requirements. In accordance with the review  
16 required by this subsection, the superintendent shall provide a  
17 report and recommendations to the education committees of the house  
18 of representatives and the senate by November 1, 2019.

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

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

25 (14) The superintendent shall post on the superintendent's web  
26 site lists of resources and model assessments in social studies, the  
27 arts, and health and fitness.

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

31 (16)(a) The superintendent shall notify the state board of  
32 education in writing before initiating the development or revision of  
33 the essential academic learning requirements under subsections (1)  
34 and (2) of this section. The notification must be provided to the  
35 state board of education in advance for review at a regularly  
36 scheduled or special board meeting and must include the following  
37 information:

38 (i) The subject matter of the essential academic learning  
39 requirements;

1 (ii) The reason or reasons the superintendent is initiating the  
2 development or revision; and

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

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

8 (c) Prior to adoption by the superintendent of any new or revised  
9 essential academic learning requirements, the superintendent shall  
10 submit the proposed new or revised essential academic learning  
11 requirements to the state board of education in advance in writing  
12 for review at a regularly scheduled or special board meeting. The  
13 state board of education may provide a response to the  
14 superintendent's proposal for consideration prior to final adoption.

15 (17) The state board of education may propose new or revised  
16 essential academic learning requirements to the superintendent. The  
17 superintendent must respond to the state board of education's  
18 proposal in writing.

## 19 PART II

### 20 MODIFICATIONS TO PROVISIONS OF EDUCATION AGENCIES

21 **Sec. 201.** RCW 28A.180.100 and 2004 c 19 s 105 are each amended  
22 to read as follows:

23 The office of the superintendent of public instruction and the  
24 state board for community and technical colleges shall jointly  
25 develop a program plan to provide a continuing education option for  
26 students who are eligible for the state transitional bilingual  
27 instruction program and who need more time to develop language  
28 proficiency but who are more age-appropriately suited for a  
29 postsecondary learning environment than for a high school. In  
30 developing the plan, the superintendent of public instruction shall  
31 consider options to formally recognize the accomplishments of  
32 students in the state transitional bilingual instruction program who  
33 have completed the twelfth grade but have not (~~earned a certificate~~  
34 ~~of academic achievement~~) met all applicable graduation requirements.  
35 By December 1, 2004, the agencies shall report to the legislative  
36 education and fiscal committees with any recommendations for  
37 legislative action and any resources necessary to implement the plan.

1       **Sec. 202.** RCW 28A.195.010 and 2018 c 177 s 201 are each amended  
2 to read as follows:

3       The legislature hereby recognizes that private schools should be  
4 subject only to those minimum state controls necessary to insure the  
5 health and safety of all the students in the state and to insure a  
6 sufficient basic education to meet usual graduation requirements. The  
7 state, any agency or official thereof, shall not restrict or dictate  
8 any specific educational or other programs for private schools except  
9 as hereinafter in this section provided.

10       The administrative or executive authority of private schools or  
11 private school districts shall file each year with the state board of  
12 education a statement certifying that the minimum requirements  
13 hereinafter set forth are being met, noting any deviations. The state  
14 board of education may request clarification or additional  
15 information. After review of the statement, the state board of  
16 education will notify schools or school districts of any concerns,  
17 deficiencies, and deviations which must be corrected. If there are  
18 any unresolved concerns, deficiencies, or deviations, the school or  
19 school district may request or the state board of education on its  
20 own initiative may grant provisional status for one year in order  
21 that the school or school district may take action to meet the  
22 requirements. The state board of education shall not require private  
23 school students to meet the student learning goals, (~~obtain a~~  
24 ~~certificate of academic achievement, or a certificate of individual~~  
25 ~~achievement to graduate from high school,~~) to master the essential  
26 academic learning requirements, or to be assessed pursuant to RCW  
27 (~~28A.655.061~~) 28A.655.070. However, private schools may choose, on  
28 a voluntary basis, to have their students master these essential  
29 academic learning requirements(~~(7)~~) and take the assessments(~~(7 and~~  
30 ~~obtain a certificate of academic achievement or a certificate of~~  
31 ~~individual achievement)~~). Minimum requirements shall be as follows:

32       (1) The minimum school year for instructional purposes shall  
33 consist of no less than one hundred eighty school days or the  
34 equivalent in annual minimum instructional hour offerings, with a  
35 school-wide annual average total instructional hour offering of one  
36 thousand hours for students enrolled in grades one through twelve,  
37 and at least four hundred fifty hours for students enrolled in  
38 kindergarten.

39       (2) The school day shall be the same as defined in RCW  
40 28A.150.203.

1 (3) All classroom teachers shall hold appropriate Washington  
2 state certification except as follows:

3 (a) Teachers for religious courses or courses for which no  
4 counterpart exists in public schools shall not be required to obtain  
5 a state certificate to teach those courses.

6 (b) In exceptional cases, people of unusual competence but  
7 without certification may teach students so long as a certified  
8 person exercises general supervision. Annual written statements shall  
9 be submitted to the state board of education reporting and explaining  
10 such circumstances.

11 (4) An approved private school may operate an extension program  
12 for parents, guardians, or persons having legal custody of a child to  
13 teach children in their custody. The extension program shall require  
14 at a minimum that:

15 (a) The parent, guardian, or custodian be under the supervision  
16 of an employee of the approved private school who is certificated  
17 under chapter 28A.410 RCW;

18 (b) The planning by the certificated person and the parent,  
19 guardian, or person having legal custody include objectives  
20 consistent with this subsection and subsections (1), (2), (5), (6),  
21 and (7) of this section;

22 (c) The certificated person spend a minimum average each month of  
23 one contact hour per week with each student under his or her  
24 supervision who is enrolled in the approved private school extension  
25 program;

26 (d) Each student's progress be evaluated by the certificated  
27 person; and

28 (e) The certificated employee shall not supervise more than  
29 thirty students enrolled in the approved private school's extension  
30 program.

31 (5) Appropriate measures shall be taken to safeguard all  
32 permanent records against loss or damage.

33 (6) The physical facilities of the school or district shall be  
34 adequate to meet the program offered by the school or district:  
35 PROVIDED, That each school building shall meet reasonable health and  
36 fire safety requirements. A residential dwelling of the parent,  
37 guardian, or custodian shall be deemed to be an adequate physical  
38 facility when a parent, guardian, or person having legal custody is  
39 instructing his or her child under subsection (4) of this section.

1 (7) Private school curriculum shall include instruction of the  
2 basic skills of occupational education, science, mathematics,  
3 language, social studies, history, health, reading, writing,  
4 spelling, and the development of appreciation of art and music, all  
5 in sufficient units for meeting state board of education graduation  
6 requirements.

7 (8) Each school or school district shall be required to maintain  
8 up-to-date policy statements related to the administration and  
9 operation of the school or school district.

10 All decisions of policy, philosophy, selection of books, teaching  
11 material, curriculum, except as in subsection (7) of this section  
12 provided, school rules and administration, or other matters not  
13 specifically referred to in this section, shall be the responsibility  
14 of the administration and administrators of the particular private  
15 school involved.

16 **Sec. 203.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended  
17 to read as follows:

18 (1) Each parent whose child is receiving home-based instruction  
19 under RCW 28A.225.010(4) shall have the duty to:

20 (a) File annually a signed declaration of intent that he or she  
21 is planning to cause his or her child to receive home-based  
22 instruction. The statement shall include the name and age of the  
23 child, shall specify whether a certificated person will be  
24 supervising the instruction, and shall be written in a format  
25 prescribed by the superintendent of public instruction. Each parent  
26 shall file the statement by September 15th of the school year or  
27 within two weeks of the beginning of any public school quarter,  
28 trimester, or semester with the superintendent of the public school  
29 district within which the parent resides or the district that accepts  
30 the transfer, and the student shall be deemed a transfer student of  
31 the nonresident district. Parents may apply for transfer under RCW  
32 28A.225.220;

33 (b) Ensure that test scores or annual academic progress  
34 assessments and immunization records, together with any other records  
35 that are kept relating to the instructional and educational  
36 activities provided, are forwarded to any other public or private  
37 school to which the child transfers. At the time of a transfer to a  
38 public school, the superintendent of the local school district in  
39 which the child enrolls may require a standardized achievement test

1 to be administered and shall have the authority to determine the  
2 appropriate grade and course level placement of the child after  
3 consultation with parents and review of the child's records; and

4 (c) Ensure that a standardized achievement test approved by the  
5 state board of education is administered annually to the child by a  
6 qualified individual or that an annual assessment of the student's  
7 academic progress is written by a certificated person who is  
8 currently working in the field of education. The state board of  
9 education shall not require these children to meet the student  
10 learning goals((7)) or master the essential academic learning  
11 requirements, to take the assessments(~~(7, or to obtain a certificate~~  
12 ~~of academic achievement or a certificate of individual achievement~~  
13 ~~pursuant to RCW 28A.655.061 and 28A.155.045)~~). The standardized test  
14 administered or the annual academic progress assessment written shall  
15 be made a part of the child's permanent records. If, as a result of  
16 the annual test or assessment, it is determined that the child is not  
17 making reasonable progress consistent with his or her age or stage of  
18 development, the parent shall make a good faith effort to remedy any  
19 deficiency.

20 (2) Failure of a parent to comply with the duties in this section  
21 shall be deemed a failure of such parent's child to attend school  
22 without valid justification under RCW 28A.225.020. Parents who do  
23 comply with the duties set forth in this section shall be presumed to  
24 be providing home-based instruction as set forth in RCW  
25 28A.225.010(4).

26 **Sec. 204.** RCW 28A.305.130 and 2017 3rd sp.s. c 31 s 3 are each  
27 amended to read as follows:

28 The purpose of the state board of education is to provide  
29 advocacy and strategic oversight of public education; implement a  
30 standards-based accountability framework that creates a unified  
31 system of increasing levels of support for schools in order to  
32 improve student academic achievement; provide leadership in the  
33 creation of a system that personalizes education for each student and  
34 respects diverse cultures, abilities, and learning styles; and  
35 promote achievement of the goals of RCW 28A.150.210. In addition to  
36 any other powers and duties as provided by law, the state board of  
37 education shall:

38 (1) Hold regularly scheduled meetings at such time and place  
39 within the state as the board shall determine and may hold such



1 special meetings as may be deemed necessary for the transaction of  
2 public business;

3 (2) Form committees as necessary to effectively and efficiently  
4 conduct the work of the board;

5 (3) Seek advice from the public and interested parties regarding  
6 the work of the board;

7 (4) For purposes of statewide accountability:

8 (a) Adopt and revise performance improvement goals in reading,  
9 writing, science, and mathematics, by subject and grade level, once  
10 assessments in these subjects are required statewide; academic and  
11 technical skills, as appropriate, in secondary career and technical  
12 education programs; and student attendance, as the board deems  
13 appropriate to improve student learning. The goals shall be  
14 consistent with student privacy protection provisions of RCW  
15 28A.655.090(7) and shall not conflict with requirements contained in  
16 Title I of the federal elementary and secondary education act of  
17 1965, or the requirements of the Carl D. Perkins vocational education  
18 act of 1998, each as amended. The goals may be established for all  
19 students, economically disadvantaged students, limited English  
20 proficient students, students with disabilities, and students from  
21 disproportionately academically underachieving racial and ethnic  
22 backgrounds. The board may establish school and school district goals  
23 addressing high school graduation rates and dropout reduction goals  
24 for students in grades seven through twelve. The board shall adopt  
25 the goals by rule. However, before each goal is implemented, the  
26 board shall present the goal to the education committees of the house  
27 of representatives and the senate for the committees' review and  
28 comment in a time frame that will permit the legislature to take  
29 statutory action on the goal if such action is deemed warranted by  
30 the legislature;

31 (b) (i) Identify the scores students must achieve in order to meet  
32 the standard on the statewide student assessment. The board shall  
33 also determine student scores that identify levels of student  
34 performance below and beyond the standard. The board shall set such  
35 performance standards and levels in consultation with the  
36 superintendent of public instruction and after consideration of any  
37 recommendations that may be developed by any advisory committees that  
38 may be established for this purpose;

39 (ii) ~~((A))~~ The legislature intends to continue the  
40 implementation of chapter 22, Laws of 2013, 2nd sp. sess. when the

1 legislature expressed the intent for the state board of education to  
2 identify the student performance standard that demonstrates a  
3 student's career and college readiness for the eleventh grade  
4 consortium-developed assessments. Therefore, by December 1, 2018, the  
5 state board of education, in consultation with the superintendent of  
6 public instruction, must identify and report to the governor and the  
7 education policy and fiscal committees of the legislature on the  
8 equivalent student performance standard that a tenth grade student  
9 would need to achieve on the state assessments to be on track to be  
10 career and college ready at the end of the student's high school  
11 experience;

12 ~~((B) Nothing in this section prohibits the state board of  
13 education from identifying a college and career readiness score that  
14 is different from the score required for high school graduation  
15 purposes;))~~

16 (iii) The legislature shall be advised of the initial performance  
17 standards and any changes made to the elementary, middle, and high  
18 school level performance standards. The board must provide an  
19 explanation of and rationale for all initial performance standards  
20 and any changes, for all grade levels of the statewide student  
21 assessment. If the board changes the performance standards for any  
22 grade level or subject, the superintendent of public instruction must  
23 recalculate the results from the previous ten years of administering  
24 that assessment regarding students below, meeting, and beyond the  
25 state standard, to the extent that this data is available, and post a  
26 comparison of the original and recalculated results on the  
27 superintendent's web site;

28 (c) Annually review the assessment reporting system to ensure  
29 fairness, accuracy, timeliness, and equity of opportunity, especially  
30 with regard to schools with special circumstances and unique  
31 populations of students, and a recommendation to the superintendent  
32 of public instruction of any improvements needed to the system; and

33 (d) Include in the biennial report required under RCW  
34 28A.305.035, information on the progress that has been made in  
35 achieving goals adopted by the board;

36 (5) Accredite, subject to such accreditation standards and  
37 procedures as may be established by the state board of education, all  
38 private schools that apply for accreditation, and approve, subject to  
39 the provisions of RCW 28A.195.010, private schools carrying out a  
40 program for any or all of the grades kindergarten through twelve.

1 However, no private school may be approved that operates a  
2 kindergarten program only and no private school shall be placed upon  
3 the list of accredited schools so long as secret societies are  
4 knowingly allowed to exist among its students by school officials;

5 (6) Articulate with the institutions of higher education,  
6 workforce representatives, and early learning policymakers and  
7 providers to coordinate and unify the work of the public school  
8 system;

9 (7) Hire an executive director and an administrative assistant to  
10 reside in the office of the superintendent of public instruction for  
11 administrative purposes. Any other personnel of the board shall be  
12 appointed as provided by RCW 28A.300.020. The board may delegate to  
13 the executive director by resolution such duties as deemed necessary  
14 to efficiently carry on the business of the board including, but not  
15 limited to, the authority to employ necessary personnel and the  
16 authority to enter into, amend, and terminate contracts on behalf of  
17 the board. The executive director, administrative assistant, and all  
18 but one of the other personnel of the board are exempt from civil  
19 service, together with other staff as now or hereafter designated as  
20 exempt in accordance with chapter 41.06 RCW; and

21 (8) Adopt a seal that shall be kept in the office of the  
22 superintendent of public instruction.

23 **Sec. 205.** RCW 28A.320.208 and 2013 2nd sp.s. c 22 s 8 are each  
24 amended to read as follows:

25 (1) At the beginning of each school year, school districts must  
26 notify parents and guardians of enrolled students from eighth through  
27 twelfth grade about each student assessment required by the state,  
28 the minimum state-level graduation requirements, and any additional  
29 school district graduation requirements. The information may be  
30 provided when the student is enrolled, contained in the student or  
31 parent handbook, or posted on the school district's web site. The  
32 notification must include the following:

33 (a) When each assessment will be administered;

34 (b) ~~((Which assessments will be required for graduation and what  
35 options students have to meet graduation requirements if they do not  
36 pass a given assessment;~~

37 ~~(e))~~ Whether the results of the assessment will be used for  
38 program placement or grade-level advancement;

1           ~~((d))~~ (c) When the assessment results will be released to  
2 parents or guardians and whether there will be an opportunity for  
3 parents and teachers to discuss strategic adjustments; and

4           ~~((e))~~ (d) Whether the assessment is required by the school  
5 district, state, federal government, or more than one of these  
6 entities.

7           (2) The office of the superintendent of public instruction shall  
8 provide information to the school districts to enable the districts  
9 to provide the information to the parents and guardians in accordance  
10 with subsection (1) of this section.

11   **PART III**  
12   **ADDITIONAL AND REPEALED PROVISIONS**

13           **Sec. 301.** RCW 28A.415.360 and 2009 c 548 s 403 are each amended  
14 to read as follows:

15           (1) Subject to funds appropriated for this purpose, targeted  
16 professional development programs, to be known as learning  
17 improvement days, are authorized to further the development of  
18 outstanding mathematics, science, and reading teaching and learning  
19 opportunities in the state of Washington. The intent of this section  
20 is to provide guidance for the learning improvement days in the  
21 omnibus appropriations act. The learning improvement days authorized  
22 in this section shall not be considered part of the definition of  
23 basic education.

24           (2) A school district is eligible to receive funding for learning  
25 improvement days that are limited to specific activities related to  
26 student learning that contribute to the following outcomes:

27           (a) Provision of meaningful, targeted professional development  
28 for all teachers in mathematics, science, or reading;

29           (b) Increased knowledge and instructional skill for mathematics,  
30 science, or reading teachers;

31           (c) Increased use of curriculum materials with supporting  
32 diagnostic and supplemental materials that align with state  
33 standards;

34           ~~(d) ((Skillful guidance for students participating in alternative  
35 assessment activities;~~

36           ~~(e))~~ Increased rigor of course offerings especially in  
37 mathematics, science, and reading;

1       (~~(f)~~) (e) Increased student opportunities for focused, applied  
2 mathematics and science classes;

3       (~~(g)~~) (f) Increased student success on state achievement  
4 measures; and

5       (~~(h)~~) (g) Increased student appreciation of the value and uses  
6 of mathematics, science, and reading knowledge and exploration of  
7 related careers.

8       (3) School districts receiving resources under this section shall  
9 submit reports to the superintendent of public instruction  
10 documenting how the use of the funds contributes to measurable  
11 improvement in the outcomes described under subsection (2) of this  
12 section; and how other professional development resources and  
13 programs authorized in statute or in the omnibus appropriations act  
14 contribute to the expected outcomes. The superintendent of public  
15 instruction and the office of financial management shall collaborate  
16 on required report content and format.

17       **Sec. 302.** RCW 28A.600.310 and 2015 c 202 s 4 are each amended to  
18 read as follows:

19       (1)(a) Eleventh and twelfth grade students or students who have  
20 not yet received the credits required for the award of a high school  
21 diploma and are eligible to be in the eleventh or twelfth grades may  
22 apply to a participating institution of higher education to enroll in  
23 courses or programs offered by the institution of higher education.

24       (b) The course sections and programs offered as running start  
25 courses must also be open for registration to matriculated students  
26 at the participating institution of higher education and may not be a  
27 course consisting solely of high school students offered at a high  
28 school campus.

29       (c) A student receiving home-based instruction enrolling in a  
30 public high school for the sole purpose of participating in courses  
31 or programs offered by institutions of higher education shall not be  
32 counted by the school district in any required state or federal  
33 accountability reporting if the student's parents or guardians filed  
34 a declaration of intent to provide home-based instruction and the  
35 student received home-based instruction during the school year before  
36 the school year in which the student intends to participate in  
37 courses or programs offered by the institution of higher education.  
38 Students receiving home-based instruction under chapter 28A.200 RCW  
39 and students attending private schools approved under chapter 28A.195

1 RCW shall not be required to meet the student learning goals(~~(7~~  
2 ~~obtain a certificate of academic achievement or a certificate of~~  
3 ~~individual achievement to graduate from high school,~~) or to master  
4 the essential academic learning requirements. However, students are  
5 eligible to enroll in courses or programs in participating  
6 universities only if the board of directors of the student's school  
7 district has decided to participate in the program. Participating  
8 institutions of higher education, in consultation with school  
9 districts, may establish admission standards for these students. If  
10 the institution of higher education accepts a secondary school pupil  
11 for enrollment under this section, the institution of higher  
12 education shall send written notice to the pupil and the pupil's  
13 school district within ten days of acceptance. The notice shall  
14 indicate the course and hours of enrollment for that pupil.

15 (2) (a) In lieu of tuition and fees, as defined in RCW 28B.15.020  
16 and 28B.15.041:

17 (i) Running start students shall pay to the community or  
18 technical college all other mandatory fees as established by each  
19 community or technical college and, in addition, the state board for  
20 community and technical colleges may authorize a fee of up to ten  
21 percent of tuition and fees as defined in RCW 28B.15.020 and  
22 28B.15.041; and

23 (ii) All other institutions of higher education operating a  
24 running start program may charge running start students a fee of up  
25 to ten percent of tuition and fees as defined in RCW 28B.15.020 and  
26 28B.15.041 in addition to technology fees.

27 (b) The fees charged under this subsection (2) shall be prorated  
28 based on credit load.

29 (c) Students may pay fees under this subsection with advanced  
30 college tuition payment program tuition units at a rate set by the  
31 advanced college tuition payment program governing body under chapter  
32 28B.95 RCW.

33 (3) (a) The institutions of higher education must make available  
34 fee waivers for low-income running start students. Each institution  
35 must establish a written policy for the determination of low-income  
36 students before offering the fee waiver. A student shall be  
37 considered low income and eligible for a fee waiver upon proof that  
38 the student is currently qualified to receive free or reduced-price  
39 lunch. Acceptable documentation of low-income status may also  
40 include, but is not limited to, documentation that a student has been

1 deemed eligible for free or reduced-price lunches in the last five  
2 years, or other criteria established in the institution's policy.

3 (b) Institutions of higher education, in collaboration with  
4 relevant student associations, shall aim to have students who can  
5 benefit from fee waivers take advantage of these waivers.  
6 Institutions shall make every effort to communicate to students and  
7 their families the benefits of the waivers and provide assistance to  
8 students and their families on how to apply. Information about  
9 waivers shall, to the greatest extent possible, be incorporated into  
10 financial aid counseling, admission information, and individual  
11 billing statements. Institutions also shall, to the greatest extent  
12 possible, use all means of communication, including but not limited  
13 to web sites, online catalogues, admission and registration forms,  
14 mass email messaging, social media, and outside marketing to ensure  
15 that information about waivers is visible, compelling, and reaches  
16 the maximum number of students and families that can benefit.

17 (4) The pupil's school district shall transmit to the institution  
18 of higher education an amount per each full-time equivalent college  
19 student at statewide uniform rates for vocational and nonvocational  
20 students. The superintendent of public instruction shall separately  
21 calculate and allocate moneys appropriated for basic education under  
22 RCW 28A.150.260 to school districts for purposes of making such  
23 payments and for granting school districts seven percent thereof to  
24 offset program related costs. The calculations and allocations shall  
25 be based upon the estimated statewide annual average per full-time  
26 equivalent high school student allocations under RCW 28A.150.260,  
27 excluding small high school enhancements, and applicable rules  
28 adopted under chapter 34.05 RCW. The superintendent of public  
29 instruction, participating institutions of higher education, and the  
30 state board for community and technical colleges shall consult on the  
31 calculation and distribution of the funds. The funds received by the  
32 institution of higher education from the school district shall not be  
33 deemed tuition or operating fees and may be retained by the  
34 institution of higher education. A student enrolled under this  
35 subsection shall be counted for the purpose of meeting enrollment  
36 targets in accordance with terms and conditions specified in the  
37 omnibus appropriations act.

38 NEW SECTION. **Sec. 303.** A new section is added to chapter  
39 28A.655 RCW to read as follows:

1 To help assure continued progress in academic achievement as a  
2 foundation for high school graduation and to assure that students are  
3 on track for high school graduation, each school district shall  
4 prepare plans for and notify students and their parents or legal  
5 guardians as provided in this section. Student learning plans are  
6 required for eighth grade students who were not successful on any or  
7 all of the content areas of the state assessment during the previous  
8 school year or who may not be on track to graduate due to credit  
9 deficiencies or absences. The parent or legal guardian must be  
10 notified about the information in the student learning plan,  
11 preferably through a parent conference and at least annually. To the  
12 extent feasible, schools serving English language learner students  
13 and their parents must translate the plan into the primary language  
14 of the family. The plan must include the following information as  
15 applicable:

- 16 (1) The student's results on the state assessment;
- 17 (2) If the student is in the transitional bilingual instruction  
18 program, the score on his or her Washington language proficiency test  
19 II;
- 20 (3) Any credit deficiencies;
- 21 (4) The student's attendance rates over the previous two years;
- 22 (5) The student's progress toward meeting state and local  
23 graduation requirements;
- 24 (6) The courses, competencies, and other steps needed to be taken  
25 by the student to meet state academic standards and stay on track for  
26 graduation;
- 27 (7) Remediation strategies and alternative education options  
28 available to students, including informing students of the option to  
29 continue to receive instructional services after grade twelve or  
30 until the age of twenty-one;
- 31 (8) School district programs, high school courses, and career and  
32 technical education options available for students to meet graduation  
33 requirements; and
- 34 (9) Available programs offered through skill centers or community  
35 and technical colleges, including the college high school diploma  
36 options under RCW 28B.50.535.

37 NEW SECTION. **Sec. 304.** The following acts or parts of acts are  
38 each repealed:



1 (1) RCW 28A.600.405 (Participation in high school completion  
2 pilot program—Eligible students—Funding allocations—Rules—  
3 Information for students and parents) and 2012 1st sp.s. c 10 s 4 &  
4 2007 c 355 s 4;

5 (2) RCW 28A.655.061 (High school assessment system—Certificate of  
6 academic achievement—Exception—Options to retake high school  
7 assessment—Objective alternative assessments—Locally determined  
8 courses—High school transition courses—Interventions and academic  
9 supports—Student learning plans) and 2017 3rd sp.s. c 31 s 1, 2017  
10 3rd sp.s. c 31 s 5, 2015 3rd sp.s. c 42 s 2, 2013 2nd sp.s. c 22 s 2,  
11 2011 1st sp.s. c 22 s 2, 2010 c 244 s 1, 2009 c 524 s 5, & 2008 c 321  
12 s 2;

13 (3) RCW 28A.655.063 (Objective alternative assessments—  
14 Reimbursement of costs—Testing fee waivers) and 2007 c 354 s 7 & 2006  
15 c 115 s 5;

16 (4) RCW 28A.655.065 (Objective alternative assessment methods—  
17 Appeals from assessment scores—Waivers and appeals from assessment  
18 requirements—Rules) and 2017 3rd sp.s. c 31 s 2, 2009 c 556 s 19,  
19 2008 c 170 s 205, 2007 c 354 s 6, & 2006 c 115 s 1;

20 (5) RCW 28A.655.066 (Statewide end-of-course assessments for high  
21 school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009  
22 c 310 s 3, & 2008 c 163 s 3; and

23 (6) RCW 28A.655.068 (Statewide high school assessment in science)  
24 and 2017 3rd sp.s. c 31 s 6, 2013 2nd sp.s. c 22 s 4, & 2011 1st  
25 sp.s. c 22 s 3.

26 NEW SECTION. **Sec. 305.** This act applies beginning with the  
27 graduating class of 2015.

28 NEW SECTION. **Sec. 306.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of  
30 the state government and its existing public institutions, and takes  
31 effect immediately.

--- END ---