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SENATE BILL 6122

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State of Washington                      64th Legislature      2015 1st Special Session

By Senators McAuliffe, Parlette, Fraser, Kohl-Welles, Frockt, McCoy, Chase, Keiser, Jayapal, Cleveland, and Hasegawa

Read first time 05/15/15. Referred to Committee on Early Learning & K-12 Education.

1            AN ACT Relating to reducing the number of statewide assessments,  
2 including the requirement of a certificate of academic achievement or  
3 certificate of individual achievement to graduate from high school;  
4 amending RCW 28A.155.170, 28A.180.100, 28A.195.010, 28A.200.010,  
5 28A.230.090, 28A.230.122, 28A.230.125, 28A.305.130, 28A.320.195,  
6 28A.415.360, 28A.600.310, 28A.655.061, 28A.655.068, 28A.655.070,  
7 28A.700.080, 28A.705.010, and 28B.15.520; adding a new section to  
8 chapter 28A.655 RCW; creating a new section; and repealing RCW  
9 28A.155.045, 28A.600.405, 28A.655.063, 28A.655.065, 28A.655.066,  
10 28A.655.071, and 28B.50.534.

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

12            NEW SECTION.    **Sec. 1.** The legislature finds that federal law or  
13 regulation requires all states to administer statewide reading/  
14 English language arts and mathematics assessments in grades three  
15 through eight and once in high school to determine whether all  
16 students are meeting the state's student academic standards in these  
17 content areas. The legislature further finds that federal law also  
18 requires states to administer statewide science assessments once at  
19 each level of elementary, middle, and high schools to determine  
20 whether all students are meeting the state's student academic  
21 standards in science. The legislature also finds that it is necessary

1 to eliminate the number of state required assessments to preserve  
2 instructional time for students and to create a school culture that  
3 promotes student creativity and a desire to learn. Therefore, the  
4 legislature intends to reduce the number of statewide assessments to  
5 only those assessments required to meet the federal mandates. The  
6 legislature further intends to eliminate the use of the statewide  
7 assessments as a requirement for high school graduation.

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

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

18 (2) Participation in a graduation ceremony and receipt of a  
19 certificate of attendance under this section does not preclude a  
20 student from continuing to receive special education and related  
21 services under an individualized education program beyond the  
22 graduation ceremony.

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

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

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

29 **Sec. 3.** RCW 28A.180.100 and 2004 c 19 s 105 are each amended to  
30 read as follows:

31 The office of the superintendent of public instruction and the  
32 state board for community and technical colleges shall jointly  
33 develop a program plan to provide a continuing education option for  
34 students who are eligible for the state transitional bilingual  
35 instruction program and who need more time to develop language  
36 proficiency but who are more age-appropriately suited for a  
37 postsecondary learning environment than for a high school. In  
38 developing the plan, the superintendent of public instruction shall

1 consider options to formally recognize the accomplishments of  
2 students in the state transitional bilingual instruction program who  
3 have completed the twelfth grade but have not earned a ((certificate  
4 of academic achievement. By December 1, 2004, the agencies shall  
5 report to the legislative education and fiscal committees with any  
6 recommendations for legislative action and any resources necessary to  
7 implement the plan)) high school diploma.

8 **Sec. 4.** RCW 28A.195.010 and 2009 c 548 s 303 are each amended to  
9 read as follows:

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

17 Principals of private schools or superintendents of private  
18 school districts shall file each year with the state superintendent  
19 of public instruction a statement certifying that the minimum  
20 requirements hereinafter set forth are being met, noting any  
21 deviations. After review of the statement, the state superintendent  
22 will notify schools or school districts of those deviations which  
23 must be corrected. In case of major deviations, the school or school  
24 district may request and the state board of education may grant  
25 provisional status for one year in order that the school or school  
26 district may take action to meet the requirements. The state board of  
27 education shall not require private school students to meet the  
28 student learning goals, ((obtain a certificate of academic  
29 achievement, or a certificate of individual achievement to graduate  
30 from high school,)) to ((master)) learn the essential academic  
31 learning requirements, or to be assessed pursuant to RCW  
32 ((28A.655.061)) 28A.655.070. However, private schools may choose, on  
33 a voluntary basis, to have their students ((master these)) learn the  
34 essential academic learning requirements((,)) or take the  
35 assessments((, and obtain a certificate of academic achievement or a  
36 certificate of individual achievement)). Minimum requirements shall  
37 be as follows:

38 (1) The minimum school year for instructional purposes shall  
39 consist of no less than one hundred eighty school days or the

1 equivalent in annual minimum instructional hour offerings, with a  
2 school-wide annual average total instructional hour offering of one  
3 thousand hours for students enrolled in grades one through twelve,  
4 and at least four hundred fifty hours for students enrolled in  
5 kindergarten.

6 (2) The school day shall be the same as defined in RCW  
7 28A.150.203.

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

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

13 (b) In exceptional cases, people of unusual competence but  
14 without certification may teach students so long as a certified  
15 person exercises general supervision. Annual written statements shall  
16 be submitted to the office of the superintendent of public  
17 instruction reporting and explaining such circumstances.

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

22 (a) The parent, guardian, or custodian be under the supervision  
23 of an employee of the approved private school who is certified under  
24 chapter 28A.410 RCW;

25 (b) The planning by the certified person and the parent,  
26 guardian, or person having legal custody include objectives  
27 consistent with this subsection and subsections (1), (2), (5), (6),  
28 and (7) of this section;

29 (c) The certified person spend a minimum average each month of  
30 one contact hour per week with each student under his or her  
31 supervision who is enrolled in the approved private school extension  
32 program;

33 (d) Each student's progress be evaluated by the certified person;  
34 and

35 (e) The certified employee shall not supervise more than thirty  
36 students enrolled in the approved private school's extension program.

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

39 (6) The physical facilities of the school or district shall be  
40 adequate to meet the program offered by the school or district:

1 PROVIDED, That each school building shall meet reasonable health and  
2 fire safety requirements. A residential dwelling of the parent,  
3 guardian, or custodian shall be deemed to be an adequate physical  
4 facility when a parent, guardian, or person having legal custody is  
5 instructing his or her child under subsection (4) of this section.

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

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

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

21 **Sec. 5.** RCW 28A.200.010 and 2004 c 19 s 107 are each amended to  
22 read as follows:

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

25 (a) File annually a signed declaration of intent that he or she  
26 is planning to cause his or her child to receive home-based  
27 instruction. The statement shall include the name and age of the  
28 child, shall specify whether a certificated person will be  
29 supervising the instruction, and shall be written in a format  
30 prescribed by the superintendent of public instruction. Each parent  
31 shall file the statement by September 15th of the school year or  
32 within two weeks of the beginning of any public school quarter,  
33 trimester, or semester with the superintendent of the public school  
34 district within which the parent resides or the district that accepts  
35 the transfer, and the student shall be deemed a transfer student of  
36 the nonresident district. Parents may apply for transfer under RCW  
37 28A.225.220;

38 (b) Ensure that test scores or annual academic progress  
39 assessments and immunization records, together with any other records

1 that are kept relating to the instructional and educational  
2 activities provided, are forwarded to any other public or private  
3 school to which the child transfers. At the time of a transfer to a  
4 public school, the superintendent of the local school district in  
5 which the child enrolls may require a standardized achievement test  
6 to be administered and shall have the authority to determine the  
7 appropriate grade and course level placement of the child after  
8 consultation with parents and review of the child's records; and

9 (c) Ensure that a standardized achievement test approved by the  
10 state board of education is administered annually to the child by a  
11 qualified individual or that an annual assessment of the student's  
12 academic progress is written by a certificated person who is  
13 currently working in the field of education. The state board of  
14 education shall not require these children to meet the student  
15 learning goals, (~~((master))~~) learn the essential academic learning  
16 requirements, (~~((to))~~) or take the statewide assessments(~~((, or to~~  
17 ~~obtain a certificate of academic achievement or a certificate of~~  
18 ~~individual achievement))~~) pursuant to RCW (~~((28A.655.061 and~~  
19 ~~28A.155.045))~~) 28A.655.070. The standardized test administered or the  
20 annual academic progress assessment written shall be made a part of  
21 the child's permanent records. If, as a result of the annual test or  
22 assessment, it is determined that the child is not making reasonable  
23 progress consistent with his or her age or stage of development, the  
24 parent shall make a good faith effort to remedy any deficiency.

25 (2) Failure of a parent to comply with the duties in this section  
26 shall be deemed a failure of such parent's child to attend school  
27 without valid justification under RCW 28A.225.020. Parents who do  
28 comply with the duties set forth in this section shall be presumed to  
29 be providing home-based instruction as set forth in RCW  
30 28A.225.010(4).

31 **Sec. 6.** RCW 28A.230.090 and 2014 c 217 s 202 are each amended to  
32 read as follows:

33 (1) The state board of education shall establish high school  
34 graduation requirements or equivalencies for students, except as  
35 provided in RCW 28A.230.122 and except those equivalencies  
36 established by local high schools or school districts under RCW  
37 28A.230.097. The purpose of a high school diploma is to declare that  
38 a student is ready for success in postsecondary education, gainful

1 employment, and citizenship, and is equipped with the skills to be a  
2 lifelong learner.

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

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

11 ~~(e))~~ Any decision on whether a student has met the state board's  
12 high school graduation requirements for a high school and beyond plan  
13 shall remain at the local level. Effective with the graduating class  
14 of 2015, the state board of education may not establish a requirement  
15 for students to complete a culminating project for graduation.

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

30 (ii) School districts may apply to the state board of education  
31 for a waiver to implement the career and college ready graduation  
32 requirement proposal beginning with the graduating class of 2020 or  
33 2021 instead of the graduating class of 2019. In the application, a  
34 school district must describe why the waiver is being requested, the  
35 specific impediments preventing timely implementation, and efforts  
36 that will be taken to achieve implementation with the graduating  
37 class proposed under the waiver. The state board of education shall  
38 grant a waiver under this subsection ~~(1)((d))~~ (c) to an applying  
39 school district at the next subsequent meeting of the board after  
40 receiving an application.

1 (2)(a) In recognition of the statutory authority of the state  
2 board of education to establish and enforce minimum high school  
3 graduation requirements, the state board shall periodically  
4 reevaluate the graduation requirements and shall report such findings  
5 to the legislature in a timely manner as determined by the state  
6 board.

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

17 (c) The state board shall forward any proposed changes to the  
18 high school graduation requirements to the education committees of  
19 the legislature for review and to the quality education council  
20 established under RCW 28A.290.010. The legislature shall have the  
21 opportunity to act during a regular legislative session before the  
22 changes are adopted through administrative rule by the state board.  
23 Changes that have a fiscal impact on school districts, as identified  
24 by a fiscal analysis prepared by the office of the superintendent of  
25 public instruction, shall take effect only if formally authorized and  
26 funded by the legislature through the omnibus appropriations act or  
27 other enacted legislation.

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

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

1 (a) The course was taken with high school students, if the  
2 academic level of the course exceeds the requirements for seventh and  
3 eighth grade classes, and the student has successfully passed by  
4 completing the same course requirements and examinations as the high  
5 school students enrolled in the class; or

6 (b) The academic level of the course exceeds the requirements for  
7 seventh and eighth grade classes and the course would qualify for  
8 high school credit, because the course is similar or equivalent to a  
9 course offered at a high school in the district as determined by the  
10 school district board of directors.

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

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

18 **Sec. 7.** RCW 28A.230.122 and 2011 c 203 s 1 are each amended to  
19 read as follows:

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

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

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

31 (2) School districts may require students under this section to  
32 complete local graduation requirements that are in addition to state  
33 minimum requirements before issuing a high school diploma under RCW  
34 28A.230.120. However, school districts are encouraged to waive local  
35 requirements as necessary to encourage students to pursue an  
36 international baccalaureate diploma.

37 (3) To receive a high school diploma under this section, a  
38 student must complete and pass all required international  
39 baccalaureate diploma programme courses as scored at the local level;

1 pass all internal assessments as scored at the local level;  
2 successfully complete all required projects and products as scored at  
3 the local level; and complete the final examinations administered by  
4 the international baccalaureate organization in each of the required  
5 subjects under the diploma programme.

6 **Sec. 8.** RCW 28A.230.125 and 2014 c 102 s 3 are each amended to  
7 read as follows:

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

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

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

22 **Sec. 9.** RCW 28A.305.130 and 2013 2nd sp.s. c 22 s 7 are each  
23 amended to read as follows:

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

34 (1) Hold regularly scheduled meetings at such time and place  
35 within the state as the board shall determine and may hold such  
36 special meetings as may be deemed necessary for the transaction of  
37 public business;

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

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

5 (4) For purposes of statewide accountability:

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

29 (b)(i) Identify the scores students must achieve in order to meet  
30 the standard on the statewide student assessments ~~((and, for high~~  
31 ~~school students, to obtain a certificate of academic achievement))~~.  
32 The board shall also determine student scores that identify levels of  
33 student performance below and beyond the standard. The board shall  
34 consider the incorporation of the standard error of measurement into  
35 the decision ~~((regarding the award of the certificates))~~. The board  
36 shall set such performance standards and levels in consultation with  
37 the superintendent of public instruction and after consideration of  
38 any recommendations that may be developed by any advisory committees  
39 that may be established for this purpose.

1           (ii) ~~((By the end of the 2014-15 school year, establish the~~  
2 ~~scores students must achieve to meet the standard and earn a~~  
3 ~~certificate of academic achievement on the tenth grade English~~  
4 ~~language arts assessment and the end-of-course mathematics~~  
5 ~~assessments developed in accordance with RCW 28A.655.070 to be used~~  
6 ~~as the state transitions to high school assessments developed with a~~  
7 ~~multistate consortium.~~

8           (iii) ~~By the end of the 2014-15 school year, establish the scores~~  
9 ~~students must achieve to meet the standard and earn a certificate of~~  
10 ~~academic achievement on the high school English language arts~~  
11 ~~assessment and the comprehensive mathematics assessment developed~~  
12 ~~with a multistate consortium in accordance with RCW 28A.655.070. To~~  
13 ~~determine the appropriate score, the state board shall review the~~  
14 ~~transition experience of Washington students to the consortium-~~  
15 ~~developed assessments, examine the student scores used in other~~  
16 ~~states that are administering the consortium-developed assessments,~~  
17 ~~and review the scores in other states that require passage of an~~  
18 ~~eleventh grade assessment as a high school graduation requirement.~~  
19 ~~The scores established by the state board of education for the~~  
20 ~~purposes of earning a certificate of academic achievement and~~  
21 ~~graduation from high school may be different from the scores used for~~  
22 ~~the purpose of determining a student's career and college readiness.~~

23           (iv) ~~The legislature shall be advised of the initial performance~~  
24 ~~standards for the high school statewide student assessment. Any~~  
25 ~~changes recommended by the board in the performance standards for the~~  
26 ~~high school assessment shall be presented to the education committees~~  
27 ~~of the house of representatives and the senate by November 30th of~~  
28 ~~the school year in which the changes will take place to permit the~~  
29 ~~legislature to take statutory action before the changes are~~  
30 ~~implemented if such action is deemed warranted by the legislature.)~~

31 The legislature shall be advised of the initial performance standards  
32 and any changes made to the ((~~elementary level performance standards~~  
33 ~~and the middle school level~~)) performance standards. The board must  
34 provide an explanation of and rationale for all initial performance  
35 standards and any changes, for all grade levels of the statewide  
36 student assessment. If the board changes the performance standards  
37 for any grade level or subject, the superintendent of public  
38 instruction must recalculate the results from the previous ten years  
39 of administering that assessment regarding students below, meeting,  
40 and beyond the state standard, to the extent that this data is

1 available, and post a comparison of the original and recalculated  
2 results on the superintendent's web site;

3 (c) Annually review the assessment reporting system to ensure  
4 fairness, accuracy, timeliness, and equity of opportunity, especially  
5 with regard to schools with special circumstances and unique  
6 populations of students, and a recommendation to the superintendent  
7 of public instruction of any improvements needed to the system; and

8 (d) Include in the biennial report required under RCW  
9 28A.305.035, information on the progress that has been made in  
10 achieving goals adopted by the board;

11 (5) Accredite, subject to such accreditation standards and  
12 procedures as may be established by the state board of education, all  
13 private schools that apply for accreditation, and approve, subject to  
14 the provisions of RCW 28A.195.010, private schools carrying out a  
15 program for any or all of the grades kindergarten through twelve.  
16 However, no private school may be approved that operates a  
17 kindergarten program only and no private school shall be placed upon  
18 the list of accredited schools so long as secret societies are  
19 knowingly allowed to exist among its students by school officials;

20 (6) Articulate with the institutions of higher education,  
21 workforce representatives, and early learning policymakers and  
22 providers to coordinate and unify the work of the public school  
23 system;

24 (7) Hire an executive director and an administrative assistant to  
25 reside in the office of the superintendent of public instruction for  
26 administrative purposes. Any other personnel of the board shall be  
27 appointed as provided by RCW 28A.300.020. The board may delegate to  
28 the executive director by resolution such duties as deemed necessary  
29 to efficiently carry on the business of the board including, but not  
30 limited to, the authority to employ necessary personnel and the  
31 authority to enter into, amend, and terminate contracts on behalf of  
32 the board. The executive director, administrative assistant, and all  
33 but one of the other personnel of the board are exempt from civil  
34 service, together with other staff as now or hereafter designated as  
35 exempt in accordance with chapter 41.06 RCW; and

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

38 **Sec. 10.** RCW 28A.320.195 and 2013 c 184 s 2 are each amended to  
39 read as follows:

1 (1) Each school district board of directors is encouraged to  
2 adopt an academic acceleration policy for high school students as  
3 provided under this section.

4 (2) Under an academic acceleration policy:

5 (a) The district automatically enrolls any student who meets the  
6 state standard on the high school statewide student assessment in the  
7 next most rigorous level of advanced courses offered by the high  
8 school. Students who successfully complete such an advanced course  
9 are then enrolled in the next most rigorous level of advanced course,  
10 with the objective that students will eventually be automatically  
11 enrolled in courses that offer the opportunity to earn dual credit  
12 for high school and college.

13 (b) The subject matter of the advanced courses in which the  
14 student is automatically enrolled depends on the content area or  
15 areas of the statewide student assessment where the student has met  
16 the state standard. Students who meet the state standard on (~~both~~  
17 ~~end-of-course~~) the high school statewide mathematics assessment(~~s~~)  
18 are considered to have met the state standard for high school  
19 mathematics. Students who meet the state standard in both reading and  
20 writing statewide assessments or on the English language arts  
21 statewide assessments are eligible for enrollment in advanced courses  
22 in English, social studies, humanities, and other related subjects.

23 (c) The district must notify students and parents or guardians  
24 regarding the academic acceleration policy and the advanced courses  
25 available to students.

26 (d) The district must provide a parent or guardian with an  
27 opportunity to opt out of the academic acceleration policy and enroll  
28 a student in an alternative course.

29 **Sec. 11.** RCW 28A.415.360 and 2009 c 548 s 403 are each amended  
30 to read as follows:

31 (1) Subject to funds appropriated for this purpose, targeted  
32 professional development programs, to be known as learning  
33 improvement days, are authorized to further the development of  
34 outstanding mathematics, science, and reading teaching and learning  
35 opportunities in the state of Washington. The intent of this section  
36 is to provide guidance for the learning improvement days in the  
37 omnibus appropriations act. The learning improvement days authorized  
38 in this section shall not be considered part of the definition of  
39 basic education.

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

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

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

8 (c) Increased use of curriculum materials with supporting  
9 diagnostic and supplemental materials that align with state  
10 standards;

11 ~~((Skillful guidance for students participating in alternative  
12 assessment activities;~~

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

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

17 ~~((g))~~ (f) Increased student success on state achievement  
18 measures; and

19 ~~((h))~~ (g) Increased student appreciation of the value and uses  
20 of mathematics, science, and reading knowledge and exploration of  
21 related careers.

22 (3) School districts receiving resources under this section shall  
23 submit reports to the superintendent of public instruction  
24 documenting how the use of the funds contributes to measurable  
25 improvement in the outcomes described under subsection (2) of this  
26 section; and how other professional development resources and  
27 programs authorized in statute or in the omnibus appropriations act  
28 contribute to the expected outcomes. The superintendent of public  
29 instruction and the office of financial management shall collaborate  
30 on required report content and format.

31 **Sec. 12.** RCW 28A.600.310 and 2012 c 229 s 702 are each amended  
32 to read as follows:

33 (1) Eleventh and twelfth grade students or students who have not  
34 yet received the credits required for the award of a high school  
35 diploma and are eligible to be in the eleventh or twelfth grades may  
36 apply to a participating institution of higher education to enroll in  
37 courses or programs offered by the institution of higher education. A  
38 student receiving home-based instruction enrolling in a public high  
39 school for the sole purpose of participating in courses or programs

1 offered by institutions of higher education shall not be counted by  
2 the school district in any required state or federal accountability  
3 reporting if the student's parents or guardians filed a declaration  
4 of intent to provide home-based instruction and the student received  
5 home-based instruction during the school year before the school year  
6 in which the student intends to participate in courses or programs  
7 offered by the institution of higher education. Students receiving  
8 home-based instruction under chapter 28A.200 RCW and students  
9 attending private schools approved under chapter 28A.195 RCW shall  
10 not be required to meet the student learning goals(~~(, obtain a~~  
11 ~~certificate of academic achievement or a certificate of individual~~  
12 ~~achievement to graduate from high school,~~) or to ((~~master~~)) learn  
13 the essential academic learning requirements. However, students are  
14 eligible to enroll in courses or programs in participating  
15 universities only if the board of directors of the student's school  
16 district has decided to participate in the program. Participating  
17 institutions of higher education, in consultation with school  
18 districts, may establish admission standards for these students. If  
19 the institution of higher education accepts a secondary school pupil  
20 for enrollment under this section, the institution of higher  
21 education shall send written notice to the pupil and the pupil's  
22 school district within ten days of acceptance. The notice shall  
23 indicate the course and hours of enrollment for that pupil.

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

26 (i) Running start students shall pay to the community or  
27 technical college all other mandatory fees as established by each  
28 community or technical college and, in addition, the state board for  
29 community and technical colleges may authorize a fee of up to ten  
30 percent of tuition and fees as defined in RCW 28B.15.020 and  
31 28B.15.041; and

32 (ii) All other institutions of higher education operating a  
33 running start program may charge running start students a fee of up  
34 to ten percent of tuition and fees as defined in RCW 28B.15.020 and  
35 28B.15.041 in addition to technology fees.

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

38 (3)(a) The institutions of higher education must make available  
39 fee waivers for low-income running start students. Each institution  
40 must establish a written policy for the determination of low-income

1 students before offering the fee waiver. A student shall be  
2 considered low income and eligible for a fee waiver upon proof that  
3 the student is currently qualified to receive free or reduced-price  
4 lunch. Acceptable documentation of low-income status may also  
5 include, but is not limited to, documentation that a student has been  
6 deemed eligible for free or reduced-price lunches in the last five  
7 years, or other criteria established in the institution's policy.

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

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

1 targets in accordance with terms and conditions specified in the  
2 omnibus appropriations act.

3 (5) The state board for community and technical colleges, in  
4 collaboration with the other institutions of higher education that  
5 participate in the running start program and the office of the  
6 superintendent of public instruction, shall identify, assess, and  
7 report on alternatives for providing ongoing and adequate financial  
8 support for the program. Such alternatives shall include but are not  
9 limited to student tuition, increased support from local school  
10 districts, and reallocation of existing state financial support among  
11 the community and technical college system to account for  
12 differential running start enrollment levels and impacts. The state  
13 board for community and technical colleges shall report the  
14 assessment of alternatives to the governor and to the appropriate  
15 fiscal and policy committees of the legislature by September 1, 2010.

16 **Sec. 13.** RCW 28A.655.061 and 2013 2nd sp.s. c 22 s 2 are each  
17 amended to read as follows:

18 (1) ~~((The high school assessment system shall include but need  
19 not be limited to the statewide student assessment, opportunities for  
20 a student to retake the content areas of the assessment in which the  
21 student was not successful, and, if approved by the legislature  
22 pursuant to subsection (10) of this section, one or more objective  
23 alternative assessments for a student to demonstrate achievement of  
24 state academic standards. The objective alternative assessments for  
25 each content area shall be comparable in rigor to the skills and  
26 knowledge that the student must demonstrate on the statewide student  
27 assessment for each content area.~~

28 ~~(2) Subject to the conditions in this section, a certificate of  
29 academic achievement shall be obtained and is evidence that the  
30 students have successfully met the state standard in the content  
31 areas included in the certificate. With the exception of students  
32 satisfying the provisions of RCW 28A.155.045 or 28A.655.0611,  
33 acquisition of the certificate is required for graduation from a  
34 public high school but is not the only requirement for graduation.~~

35 ~~(3)(a) Beginning with the graduating class of 2008 through the  
36 graduating class of 2015, with the exception of students satisfying  
37 the provisions of RCW 28A.155.045, a student who meets the state  
38 standards on the reading, writing, and mathematics high school  
39 statewide student assessment shall earn a certificate of academic~~

1 ~~achievement. The mathematics assessment shall be the end-of-course~~  
2 ~~assessment for the first year of high school mathematics that~~  
3 ~~assesses the standards common to algebra I and integrated mathematics~~  
4 ~~I or the end-of-course assessment for the second year of high school~~  
5 ~~mathematics that assesses standards common to geometry and integrated~~  
6 ~~mathematics II.~~

7 ~~(b) As the state transitions from reading and writing assessments~~  
8 ~~to an English language arts assessment and from end-of-course~~  
9 ~~assessments to a comprehensive assessment for high school~~  
10 ~~mathematics, a student in a graduating class of 2016 through 2018~~  
11 ~~shall earn a certificate of academic achievement if the student meets~~  
12 ~~the state standard as follows:~~

13 ~~(i) Students in the graduating class of 2016 may use the results~~  
14 ~~from:~~

15 ~~(A) The reading and writing assessment or the English language~~  
16 ~~arts assessment developed with the multistate consortium; and~~

17 ~~((B) The end-of-course assessment for the first year of high~~  
18 ~~school mathematics, the end-of-course assessment for the second year~~  
19 ~~of high school mathematics, or the comprehensive mathematics~~  
20 ~~assessment developed with the multistate consortium.))~~

21 ~~(ii) Students in the graduating classes of 2017 and 2018 may use~~  
22 ~~the results from:~~

23 ~~(A) The tenth grade English language arts assessment developed by~~  
24 ~~the superintendent of public instruction using resources from the~~  
25 ~~multistate consortium or the English language arts assessment~~  
26 ~~developed with the multistate consortium; and~~

27 ~~((B) The end-of-course assessment for the first year of high~~  
28 ~~school mathematics, the end-of-course assessment for the second year~~  
29 ~~of high school mathematics, or the comprehensive mathematics~~  
30 ~~assessment developed with the multistate consortium.))~~

31 ~~(c) Beginning with the graduating class of 2019, a student who~~  
32 ~~meets the state standards on the high school English language arts~~  
33 ~~assessment developed with the multistate consortium and the~~  
34 ~~comprehensive mathematics assessment developed with the multistate~~  
35 ~~consortium shall earn a certificate of academic achievement.~~

36 ~~(d) If a student does not successfully meet the state standards~~  
37 ~~in one or more content areas required for the certificate of academic~~  
38 ~~achievement, then the student may retake the assessment in the~~  
39 ~~content area at least twice a year at no cost to the student. If the~~  
40 ~~student successfully meets the state standards on a retake of the~~

1 ~~assessment then the student shall earn a certificate of academic~~  
2 ~~achievement. Once objective alternative assessments are authorized~~  
3 ~~pursuant to subsection (10) of this section, a student may use the~~  
4 ~~objective alternative assessments to demonstrate that the student~~  
5 ~~successfully meets the state standards for that content area if the~~  
6 ~~student has taken the statewide student assessment at least once. If~~  
7 ~~the student successfully meets the state standards on the objective~~  
8 ~~alternative assessments then the student shall earn a certificate of~~  
9 ~~academic achievement.~~

10 ~~(4) Beginning with the graduating class of 2015, a student must~~  
11 ~~meet the state standards in science in addition to the other content~~  
12 ~~areas required under subsection (3) of this section on the statewide~~  
13 ~~student assessment, a retake, or the objective alternative~~  
14 ~~assessments in order to earn a certificate of academic achievement.~~

15 ~~(5) The state board of education may not require the acquisition~~  
16 ~~of the certificate of academic achievement for students in home-based~~  
17 ~~instruction under chapter 28A.200 RCW, for students enrolled in~~  
18 ~~private schools under chapter 28A.195 RCW, or for students satisfying~~  
19 ~~the provisions of RCW 28A.155.045.~~

20 ~~(6) A student may retain and use the highest result from each~~  
21 ~~successfully completed content area of the high school assessment.~~

22 ~~(7) School districts must make available to students the~~  
23 ~~following options:~~

24 ~~(a) To retake the statewide student assessment at least twice a~~  
25 ~~year in the content areas in which the student did not meet the state~~  
26 ~~standards if the student is enrolled in a public school; or~~

27 ~~(b) To retake the statewide student assessment at least twice a~~  
28 ~~year in the content areas in which the student did not meet the state~~  
29 ~~standards if the student is enrolled in a high school completion~~  
30 ~~program at a community or technical college. The superintendent of~~  
31 ~~public instruction and the state board for community and technical~~  
32 ~~colleges shall jointly identify means by which students in these~~  
33 ~~programs can be assessed.~~

34 ~~(8)) Students who achieve the standard in a content area of the~~  
35 ~~state high school assessment developed under RCW 28A.655.070 but who~~  
36 ~~wish to improve their results shall pay for retaking the assessment,~~  
37 ~~using a uniform cost determined by the superintendent of public~~  
38 ~~instruction.~~

39 ~~((9) Opportunities to retake the assessment at least twice a~~  
40 ~~year shall be available to each school district.~~

1       ~~(10)(a) The office of the superintendent of public instruction~~  
2 ~~shall develop options for implementing objective alternative~~  
3 ~~assessments, which may include an appeals process for students'~~  
4 ~~scores, for students to demonstrate achievement of the state academic~~  
5 ~~standards. The objective alternative assessments shall be comparable~~  
6 ~~in rigor to the skills and knowledge that the student must~~  
7 ~~demonstrate on the statewide student assessment and be objective in~~  
8 ~~its determination of student achievement of the state standards.~~  
9 ~~Before any objective alternative assessments in addition to those~~  
10 ~~authorized in RCW 28A.655.065 or (b) of this subsection are used by a~~  
11 ~~student to demonstrate that the student has met the state standards~~  
12 ~~in a content area required to obtain a certificate, the legislature~~  
13 ~~shall formally approve the use of any objective alternative~~  
14 ~~assessments through the omnibus appropriations act or by statute or~~  
15 ~~concurrent resolution.~~

16       ~~(b)(i) A student's score on the mathematics, reading or English,~~  
17 ~~or writing portion of the SAT or the ACT may be used as an objective~~  
18 ~~alternative assessment under this section for demonstrating that a~~  
19 ~~student has met or exceeded the state standards for the certificate~~  
20 ~~of academic achievement. The state board of education shall identify~~  
21 ~~the scores students must achieve on the relevant portion of the SAT~~  
22 ~~or ACT to meet or exceed the state standard in the relevant content~~  
23 ~~area on the statewide student assessment. A student's score on the~~  
24 ~~science portion of the ACT or the science subject area tests of the~~  
25 ~~SAT may be used as an objective alternative assessment under this~~  
26 ~~section as soon as the state board of education determines that~~  
27 ~~sufficient data is available to identify reliable equivalent scores~~  
28 ~~for the science content area of the statewide student assessment.~~  
29 ~~After the first scores are established, the state board may increase~~  
30 ~~but not decrease the scores required for students to meet or exceed~~  
31 ~~the state standards.~~

32       ~~(ii) A student who scores at least a three on the grading scale~~  
33 ~~of one to five for selected AP examinations may use the score as an~~  
34 ~~objective alternative assessment under this section for demonstrating~~  
35 ~~that a student has met or exceeded state standards for the~~  
36 ~~certificate of academic achievement. A score of three on the AP~~  
37 ~~examinations in calculus or statistics may be used as an alternative~~  
38 ~~assessment for the mathematics portion of the statewide student~~  
39 ~~assessment. A score of three on the AP examinations in English~~  
40 ~~language and composition may be used as an alternative assessment for~~

1 ~~the writing portion of the statewide student assessment; and for the~~  
2 ~~English language arts portion of the assessment developed with the~~  
3 ~~multistate consortium, once established in the 2014-15 school year. A~~  
4 ~~score of three on the AP examinations in English literature and~~  
5 ~~composition, macroeconomics, microeconomics, psychology, United~~  
6 ~~States history, world history, United States government and politics,~~  
7 ~~or comparative government and politics may be used as an alternative~~  
8 ~~assessment for the reading portion of the statewide student~~  
9 ~~assessment; and for the English language arts portion of the~~  
10 ~~assessment developed with the multistate consortium, once established~~  
11 ~~in the 2014-15 school year. A score of three on the AP examination in~~  
12 ~~biology, physics, chemistry, or environmental science may be used as~~  
13 ~~an alternative assessment for the science portion of the statewide~~  
14 ~~student assessment.~~

15 ~~(iii) A student who scores at least a four on selected externally~~  
16 ~~administered international baccalaureate (IB) examinations may use~~  
17 ~~the score as an objective alternative assessment under this section~~  
18 ~~for demonstrating that the student has met or exceeded state~~  
19 ~~standards for the certificate of academic achievement. A score of~~  
20 ~~four on the higher level IB examinations for any of the IB English~~  
21 ~~language and literature courses or for any of the IB individuals and~~  
22 ~~societies courses may be used as an alternative assessment for the~~  
23 ~~reading, writing, or English language arts portions of the statewide~~  
24 ~~student assessment. A score of four on the higher level IB~~  
25 ~~examinations for any of the IB mathematics courses may be used as an~~  
26 ~~alternative assessment for the mathematics portion of the statewide~~  
27 ~~student assessment. A score of four on the higher level IB~~  
28 ~~examinations for IB biology, chemistry, or physics may be used as an~~  
29 ~~alternative assessment for the science portion of the statewide~~  
30 ~~student assessment.~~

31 ~~(11))~~ (2) To help assure continued progress in academic  
32 achievement as a foundation for high school graduation and to assure  
33 that students are on track for high school graduation, each school  
34 district shall prepare plans for and notify students and their  
35 parents or legal guardians as provided in this subsection. Student  
36 learning plans are required for eighth grade students who were not  
37 successful on any or all of the content areas of the state assessment  
38 during the previous school year or who may not be on track to  
39 graduate due to credit deficiencies or absences. The parent or legal  
40 guardian shall be notified about the information in the student

1 learning plan, preferably through a parent conference and at least  
2 annually. To the extent feasible, schools serving English language  
3 learner students and their parents shall translate the plan into the  
4 primary language of the family. The plan shall include the following  
5 information as applicable:

6 (a) The student's results on the state assessment;

7 (b) If the student is in the transitional bilingual program, the  
8 score on his or her Washington language proficiency test II;

9 (c) Any credit deficiencies;

10 (d) The student's attendance rates over the previous two years;

11 (e) The student's progress toward meeting state and local  
12 graduation requirements;

13 (f) The courses, competencies, and other steps needed to be taken  
14 by the student to meet state academic standards and stay on track for  
15 graduation;

16 (g) Remediation strategies and alternative education options  
17 available to students, including informing students of the option to  
18 continue to receive instructional services after grade twelve or  
19 until the age of twenty-one;

20 (h) ~~((The alternative assessment options available to students  
21 under this section and RCW 28A.655.065;~~

22 ~~(+i))~~ School district programs, high school courses, and career  
23 and technical education options available for students to meet  
24 graduation requirements; and

25 ~~((+j))~~ (i) Available programs offered through skill centers or  
26 community and technical colleges, including the college high school  
27 diploma options under RCW 28B.50.535.

28 **Sec. 14.** RCW 28A.655.068 and 2013 2nd sp.s. c 22 s 4 are each  
29 amended to read as follows:

30 (1) Beginning in the 2011-12 school year, the statewide high  
31 school assessment in science shall be an end-of-course assessment for  
32 biology that measures the state standards for life sciences, in  
33 addition to systems, inquiry, and application as they pertain to life  
34 sciences.

35 (2)(a) The superintendent of public instruction may develop or  
36 adopt science end-of-course assessments or a comprehensive science  
37 assessment that includes subjects in addition to biology for purposes  
38 of RCW ~~((28A.655.061))~~ 28A.655.070, when so directed by the  
39 legislature. The legislature intends to transition from a biology

1 end-of-course assessment to a more comprehensive science assessment  
2 in a manner consistent with the way in which the state transitioned  
3 to an English language arts assessment and a comprehensive  
4 mathematics assessment. (~~The legislature further intends that the~~  
5 ~~transition will include at least two years of using the student~~  
6 ~~assessment results from either the biology end-of-course assessment~~  
7 ~~or the more comprehensive assessment in order to provide students~~  
8 ~~with reasonable opportunities to demonstrate high school competencies~~  
9 ~~while being mindful of the increasing rigor of the new assessment.))~~

10 (b) The superintendent of public instruction shall develop or  
11 adopt a science assessment in accordance with RCW 28A.655.070(~~(+10)~~)  
12 that is not biased toward persons with different learning styles,  
13 racial or ethnic backgrounds, or on the basis of gender.

14 (~~(c) Before the next subsequent school year after the~~  
15 ~~legislature directs the superintendent to develop or adopt a new~~  
16 ~~science assessment, the superintendent of public instruction shall~~  
17 ~~review the objective alternative assessments for the science~~  
18 ~~assessment and make recommendations to the legislature regarding~~  
19 ~~additional objective alternatives, if any.~~

20 ~~(3) The superintendent of public instruction may participate with~~  
21 ~~consortia of multiple states as common student learning standards and~~  
22 ~~assessments in science are developed. The superintendent of public~~  
23 ~~instruction, in consultation with the state board of education, may~~  
24 ~~modify the essential academic learning requirements and statewide~~  
25 ~~student assessments in science, including the high school assessment,~~  
26 ~~according to the multistate common student learning standards and~~  
27 ~~assessments as long as the education committees of the legislature~~  
28 ~~have opportunities for review before the modifications are adopted,~~  
29 ~~as provided under RCW 28A.655.070.~~

30 ~~(4) The statewide high school assessment under this section shall~~  
31 ~~be used to demonstrate that a student meets the state standards in~~  
32 ~~the science content area of the statewide student assessment for~~  
33 ~~purposes of RCW 28A.655.061.))~~

34 **Sec. 15.** RCW 28A.655.070 and 2015 c 211 s 3 are each amended to  
35 read as follows:

36 (1) The superintendent of public instruction shall develop  
37 essential academic learning requirements that identify the knowledge  
38 and skills all public school students need to know and be able to do  
39 based on the student learning goals in RCW 28A.150.210, develop

1 student assessments, and implement the accountability recommendations  
2 and requests regarding assistance, rewards, and recognition of the  
3 state board of education.

4 (2) The superintendent of public instruction shall:

5 (a) Periodically revise the essential academic learning  
6 requirements, as needed, based on the student learning goals in RCW  
7 28A.150.210. Goals one and two shall be considered primary. To the  
8 maximum extent possible, the superintendent shall integrate goal four  
9 and the knowledge and skill areas in the other goals in the essential  
10 academic learning requirements; and

11 (b) Review and prioritize the essential academic learning  
12 requirements and identify, with clear and concise descriptions, the  
13 grade level content expectations to be assessed on the statewide  
14 student assessment and used for state or federal accountability  
15 purposes. The review, prioritization, and identification shall result  
16 in more focus and targeting with an emphasis on depth over breadth in  
17 the number of grade level content expectations assessed at each grade  
18 level. Grade level content expectations shall be articulated over the  
19 grades as a sequence of expectations and performances that are  
20 logical, build with increasing depth after foundational knowledge and  
21 skills are acquired, and reflect, where appropriate, the sequential  
22 nature of the discipline. The office of the superintendent of public  
23 instruction, within seven working days, shall post on its web site  
24 any grade level content expectations provided to an assessment vendor  
25 for use in constructing the statewide student assessments.

26 (3)(a) In consultation with the state board of education, the  
27 superintendent of public instruction shall maintain and continue to  
28 develop and revise a statewide academic assessment system in the  
29 content areas of ~~((reading, writing))~~ English language arts,  
30 mathematics, and science for use in the elementary, middle, and high  
31 school years designed to determine if each student has ~~((mastered))~~  
32 learned the essential academic learning requirements identified in  
33 subsection (1) of this section and for school and school district  
34 state and federal accountability purposes. School districts shall  
35 administer the assessments under guidelines adopted by the  
36 superintendent of public instruction. The academic assessment system  
37 may include a variety of assessment methods, including criterion-  
38 referenced and performance-based measures.

39 ~~((Effective with the 2009 administration of the Washington~~  
40 ~~assessment of student learning and continuing with the statewide~~

1 ~~student assessment, the superintendent shall redesign the assessment~~  
2 ~~in the content areas of reading, mathematics, and science in all~~  
3 ~~grades except high school by shortening test administration and~~  
4 ~~reducing the number of short answer and extended response questions.~~

5 ~~(c) By the 2014-15 school year, the superintendent of public~~  
6 ~~instruction, in consultation with the state board of education, shall~~  
7 ~~modify the statewide student assessment system to transition to~~  
8 ~~assessments developed with a multistate consortium, as provided in~~  
9 ~~this subsection:~~

10 ~~(i) The assessments developed with a multistate consortium to~~  
11 ~~assess student proficiency in English language arts and mathematics~~  
12 ~~shall be administered beginning in the 2014-15 school year. The~~  
13 ~~reading and writing assessments shall not be administered by the~~  
14 ~~superintendent of public instruction or schools after the 2013-14~~  
15 ~~school year.~~

16 ~~(ii)) The high school assessments in English language arts and~~  
17 ~~mathematics in ((c)(i)) (a) of this subsection ((shall)) may also~~  
18 ~~be used for ((the purposes of earning a certificate of academic~~  
19 ~~achievement for high school graduation under the timeline established~~  
20 ~~in RCW 28A.655.061 and for)) assessing student career and college~~  
21 ~~readiness.~~

22 ~~((iii) During the transition period specified in RCW~~  
23 ~~28A.655.061, the superintendent of public instruction shall use test~~  
24 ~~items and other resources from the consortium assessment to develop~~  
25 ~~and administer a tenth grade high school English language arts~~  
26 ~~assessment, an end-of-course mathematics assessment to assess the~~  
27 ~~standards common to algebra I and integrated mathematics I, and an~~  
28 ~~end-of-course mathematics assessment to assess the standards common~~  
29 ~~to geometry and integrated mathematics II.))~~

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

37 (5) The assessment system shall be designed so that the results  
38 under the assessment system are used by educators as tools to  
39 evaluate instructional practices, and to initiate appropriate  
40 educational support for students who have not ((mastered)) learned

1 the essential academic learning requirements at the appropriate  
2 periods in the student's educational development.

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

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

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

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

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

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

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

31 (11) The superintendent shall consider methods to address the  
32 unique needs of special education students when developing the  
33 assessments under this section.

34 (12) The superintendent shall consider methods to address the  
35 unique needs of highly capable students when developing the  
36 assessments under this section.

37 (13) The superintendent shall post on the superintendent's web  
38 site lists of resources and model assessments in social studies, the  
39 arts, and health and fitness.

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

4 **Sec. 16.** RCW 28A.700.080 and 2008 c 170 s 301 are each amended  
5 to read as follows:

6 (1) Subject to funds appropriated for this purpose, the office of  
7 the superintendent of public instruction shall develop and conduct an  
8 ongoing campaign for career and technical education to increase  
9 awareness among teachers, counselors, students, parents, principals,  
10 school administrators, and the general public about the opportunities  
11 offered by rigorous career and technical education programs. Messages  
12 in the campaign shall emphasize career and technical education as a  
13 high quality educational pathway for students, including for students  
14 who seek advanced education that includes a bachelor's degree or  
15 beyond. In particular, the office shall provide information about the  
16 following:

17 (a) The model career and technical education programs of study  
18 developed under RCW 28A.700.060;

19 (b) Career and technical education course equivalencies and dual  
20 credit for high school and college;

21 ~~(c) ((The career and technical education alternative assessment  
22 guidelines under RCW 28A.655.065;~~

23 ~~(d))~~ The availability of scholarships for postsecondary  
24 workforce education, including the Washington award for vocational  
25 excellence, and apprenticeships through the opportunity grant program  
26 under RCW 28B.50.271, grants under RCW 28A.700.090, and other  
27 programs; and

28 ~~((e))~~ (d) Education, apprenticeship, and career opportunities  
29 in emerging and high-demand programs.

30 (2) The office shall use multiple strategies in the campaign  
31 depending on available funds, including developing an interactive web  
32 site to encourage and facilitate career exploration; conducting  
33 training and orientation for guidance counselors and teachers; and  
34 developing and disseminating printed materials.

35 (3) The office shall seek advice, participation, and financial  
36 assistance from the workforce training and education coordinating  
37 board, higher education institutions, foundations, employers,  
38 apprenticeship and training councils, workforce development councils,  
39 and business and labor organizations for the campaign.



1 B. "Children of military families" means school-aged children,  
2 enrolled in kindergarten through twelfth grade, in the household of  
3 an active duty member.

4 C. "Compact commissioner" means the voting representative of each  
5 compacting state appointed pursuant to Article VIII of this compact.

6 D. "Deployment" means the period one month prior to the service  
7 members' departure from their home station on military orders through  
8 six months after return to their home station.

9 E. "Education records" or "educational records" means those  
10 official records, files, and data directly related to a student and  
11 maintained by the school or local education agency, including but not  
12 limited to, records encompassing all the material kept in the  
13 student's cumulative folder such as general identifying data, records  
14 of attendance and of academic work completed, records of achievement  
15 and results of evaluative tests, health data, disciplinary status,  
16 test protocols, and individualized education programs.

17 F. "Extracurricular activities" means a voluntary activity  
18 sponsored by the school or local education agency or an organization  
19 sanctioned by the local education agency. Extracurricular activities  
20 include, but are not limited to, preparation for and involvement in  
21 public performances, contests, athletic competitions, demonstrations,  
22 displays, and club activities.

23 G. "Interstate commission on educational opportunity for military  
24 children" means the commission that is created under Article IX of  
25 this compact, which is generally referred to as the interstate  
26 commission.

27 H. "Local education agency" means a public authority legally  
28 constituted by the state as an administrative agency to provide  
29 control of and direction for kindergarten through twelfth grade  
30 public educational institutions.

31 I. "Member state" means a state that has enacted this compact.

32 J. "Military installation" means a base, camp, post, station,  
33 yard, center, homeport facility for any ship, or other activity under  
34 the jurisdiction of the United States department of defense,  
35 including any leased facility, which is located within any of the  
36 several states, the District of Columbia, the Commonwealth of Puerto  
37 Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern  
38 Marianas Islands, and any other U.S. territory. Such term does not  
39 include any facility used primarily for civil works, rivers and  
40 harbors projects, or flood control projects.

1 K. "Nonmember state" means a state that has not enacted this  
2 compact.

3 L. "Receiving state" means the state to which a child of a  
4 military family is sent, brought, or caused to be sent or brought.

5 M. "Rule" means a written statement by the interstate commission  
6 promulgated pursuant to Article XII of this compact that is of  
7 general applicability, implements, interprets, or prescribes a policy  
8 or provision of the compact, or an organizational, procedural, or  
9 practice requirement of the interstate commission, and has the force  
10 and effect of statutory law in a member state, and includes the  
11 amendment, repeal, or suspension of an existing rule.

12 N. "Sending state" means the state from which a child of a  
13 military family is sent, brought, or caused to be sent or brought.

14 O. "State" means a state of the United States, the District of  
15 Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands,  
16 Guam, American Samoa, the Northern Marianas Islands, and any other  
17 U.S. territory.

18 P. "Student" means the child of a military family for whom the  
19 local education agency receives public funding and who is formally  
20 enrolled in kindergarten through twelfth grade.

21 Q. "Transition" means: (1) The formal and physical process of  
22 transferring from school to school; or (2) the period of time in  
23 which a student moves from one school in the sending state to another  
24 school in the receiving state.

25 R. "Uniformed services" means the army, navy, air force, marine  
26 corps, and coast guard, as well as the commissioned corps of the  
27 national oceanic and atmospheric administration, and public health  
28 services.

29 S. "Veteran" means a person who served in the uniformed services  
30 and who was discharged or released therefrom under conditions other  
31 than dishonorable.

32 ARTICLE III  
33 APPLICABILITY

34 A. Except as otherwise provided in section B of this article,  
35 this compact shall apply to the children of:

36 1. Active duty members of the uniformed services as defined in  
37 this compact, including members of the national guard and reserve on  
38 active duty orders pursuant to 10 U.S.C. Secs. 1209 and 1211;



1 fees, or fines at a private school, then the sending school shall  
2 send the information requested but may withhold the official  
3 transcript until the monetary obligation is met.

4 C. Immunizations - On or before the first day of attendance, the  
5 parent or guardian must meet the immunization documentation  
6 requirements of the Washington board of health. Compacting states  
7 shall give thirty days from the date of enrollment or within such  
8 time as is reasonably determined under the rules promulgated by the  
9 interstate commission, for students to obtain any immunizations  
10 required by the receiving state. For a series of immunizations,  
11 initial vaccinations must be obtained within thirty days or within  
12 such time as is reasonably determined under the rules promulgated by  
13 the interstate commission.

14 D. Kindergarten and first grade entrance age - Students shall be  
15 allowed to continue their enrollment at grade level in the receiving  
16 state commensurate with their grade level (including kindergarten)  
17 from a local education agency in the sending state at the time of  
18 transition, regardless of age. A student who has satisfactorily  
19 completed the prerequisite grade level in the local education agency  
20 in the sending state shall be eligible for enrollment in the next  
21 highest grade level in the receiving state, regardless of age. A  
22 student transferring after the start of the school year in the  
23 receiving state shall enter the school in the receiving state on his  
24 or her validated level from an accredited school in the sending  
25 state.

## 26 ARTICLE V

### 27 PLACEMENT AND ATTENDANCE

28 A. Course placement - When the student transfers before or during  
29 the school year, the receiving state school shall initially honor  
30 placement of the student in educational courses based on the  
31 student's enrollment in the sending state school and/or educational  
32 assessments conducted at the school in the sending state if the  
33 courses are offered and if space is available, as determined by the  
34 school district. Course placement includes but is not limited to  
35 honors, international baccalaureate, advanced placement, vocational,  
36 technical, and career pathways courses. Continuing the student's  
37 academic program from the previous school and promoting placement in  
38 academically and career challenging courses should be paramount when  
39 considering placement. This does not preclude the school in the

1 receiving state from performing subsequent evaluations to ensure  
2 appropriate placement and continued enrollment of the student in the  
3 courses.

4 B. Educational program placement - The receiving state school  
5 shall initially honor placement of the student in educational  
6 programs based on current educational assessments conducted at the  
7 school in the sending state or participation and placement in like  
8 programs in the sending state and if space is available, as  
9 determined by the school district. Such programs include, but are not  
10 limited to: (1) Gifted and talented programs; and (2) English as a  
11 second language (ESL). This does not preclude the school in the  
12 receiving state from performing subsequent evaluations to ensure  
13 appropriate placement of the student.

14 C. Special education services - (1) In compliance with the  
15 federal requirements of the Individuals with Disabilities Education  
16 Act (IDEA), 20 U.S.C. Sec. 1400 et seq., the receiving state shall  
17 initially provide comparable services to a student with disabilities  
18 based on his or her current Individualized Education Program (IEP);  
19 and (2) in compliance with the requirements of section 504 of the  
20 rehabilitation act, 29 U.S.C. Sec. 794, and with Title II of the  
21 Americans with disabilities act, 42 U.S.C. Secs. 12131-12165, the  
22 receiving state shall make reasonable accommodations and  
23 modifications to address the needs of incoming students with  
24 disabilities, subject to an existing 504 or Title II plan, to provide  
25 the student with equal access to education. This does not preclude  
26 the school in the receiving state from performing subsequent  
27 evaluations to ensure appropriate placement of the student.

28 D. Placement flexibility - Local education agency administrative  
29 officials shall have flexibility in waiving course and program  
30 prerequisites, or other preconditions for placement in courses and  
31 programs offered under the jurisdiction of the local education  
32 agency.

33 E. Absence as related to deployment activities - A student whose  
34 parent or legal guardian is an active duty member of the uniformed  
35 services, as defined by this compact, and has been called to duty  
36 for, is on leave from, or immediately returned from deployment to a  
37 combat zone or combat support posting, shall be granted additional  
38 excused absences at the discretion of the local education agency  
39 superintendent to visit with his or her parent or legal guardian  
40 relative to such leave or deployment of the parent or guardian.

1 ARTICLE VI

2 ELIGIBILITY

3 A. Eligibility for enrollment

4 1. Special power of attorney, relative to the guardianship of a  
5 child of a military family and executed under applicable law shall be  
6 sufficient for the purposes of enrollment and all other actions  
7 requiring parental participation and consent.

8 2. A local education agency shall be prohibited from charging  
9 local tuition to a transitioning military child placed in the care of  
10 a noncustodial parent or other person standing in loco parentis who  
11 lives in a jurisdiction other than that of the custodial parent.

12 3. A transitioning military child, placed in the care of a  
13 noncustodial parent or other person standing in loco parentis who  
14 lives in a jurisdiction other than that of the custodial parent, may  
15 continue to attend the school in which he or she was enrolled while  
16 residing with the custodial parent.

17 B. Eligibility for extracurricular participation - Under RCW  
18 28A.225.280, the Washington interscholastic activities association  
19 and local education agencies shall facilitate the opportunity for  
20 transitioning military children's inclusion in extracurricular  
21 activities, regardless of application deadlines, to the extent they  
22 are otherwise qualified and space is available, as determined by the  
23 school district.

24 ARTICLE VII

25 GRADUATION

26 In order to facilitate the on-time graduation of children of  
27 military families, states and local education agencies shall  
28 incorporate the following procedures:

29 A. Waiver requirements - Local education agency administrative  
30 officials shall waive specific courses required for graduation if  
31 similar coursework has been satisfactorily completed in another local  
32 education agency or shall provide reasonable justification for  
33 denial. Should a waiver not be granted to a student who would qualify  
34 to graduate from the sending school, the local education agency shall  
35 use best efforts to provide an alternative means of acquiring  
36 required coursework so that graduation may occur on time.

37 B. ~~((Exit exams — For students entering high school in eleventh  
38 or twelfth grade, states shall accept: (1) Exit or end-of-course~~

1 ~~exams required for graduation from the sending state; or (2) national~~  
2 ~~norm-referenced achievement tests; or (3) alternative testing, in~~  
3 ~~lieu of testing requirements for graduation in the receiving state.~~  
4 ~~In the event the above alternatives cannot be accommodated by the~~  
5 ~~receiving state for a student transferring in his or her senior year,~~  
6 ~~then the provisions of section C of this article shall apply.~~

7 C.) Transfers during senior year - Should a military student  
8 transferring at the beginning or during his or her senior year be  
9 ineligible to graduate from the receiving local education agency  
10 after all alternatives have been considered, the sending and  
11 receiving local education agencies shall ensure the receipt of a  
12 diploma from the sending local education agency, if the student meets  
13 the graduation requirements of the sending local education agency. In  
14 the event that one of the states in question is not a member of this  
15 compact, the member state shall use best efforts to facilitate the  
16 on-time graduation of the student in accordance with sections A and B  
17 of this article.

18 ARTICLE VIII

19 STATE COORDINATION

20 A. Each member state shall, through the creation of a state  
21 council or use of an existing body or board, provide for the  
22 coordination among its agencies of government, local education  
23 agencies, and military installations concerning the state's  
24 participation in, and compliance with, this compact and interstate  
25 commission activities. While each member state may determine the  
26 membership of its own state council, its membership must include at  
27 least: The state superintendent of public instruction, a  
28 superintendent of a school district with a high concentration of  
29 military children, a representative from a military installation, one  
30 representative each from the legislative and executive branches of  
31 government, and other offices and stakeholder groups the state  
32 council deems appropriate. A member state that does not have a school  
33 district deemed to contain a high concentration of military children  
34 may appoint a superintendent from another school district to  
35 represent local education agencies on the state council.

36 B. The state council of each member state shall appoint or  
37 designate a military family education liaison to assist military  
38 families and the state in facilitating the implementation of this  
39 compact.

1 C. The compact commissioner responsible for the administration  
2 and management of the state's participation in the compact shall be  
3 appointed by the governor or as otherwise determined by each member  
4 state. The governor is strongly encouraged to appoint a practicing  
5 K-12 educator as the compact commissioner.

6 D. The compact commissioner and the military family education  
7 liaison designated herein shall be ex officio members of the state  
8 council, unless either is already a full voting member of the state  
9 council.

10 ARTICLE IX

11 INTERSTATE COMMISSION ON EDUCATIONAL  
12 OPPORTUNITY FOR MILITARY CHILDREN

13 The member states hereby create the "interstate commission on  
14 educational opportunity for military children." The activities of the  
15 interstate commission are the formation of public policy and are a  
16 discretionary state function. The interstate commission shall:

17 A. Be a body corporate and joint agency of the member states and  
18 shall have all the responsibilities, powers, and duties set forth  
19 herein, and such additional powers as may be conferred upon it by a  
20 subsequent concurrent action of the respective legislatures of the  
21 member states in accordance with the terms of this compact;

22 B. Consist of one interstate commission voting representative  
23 from each member state who shall be that state's compact  
24 commissioner.

25 1. Each member state represented at a meeting of the interstate  
26 commission is entitled to one vote.

27 2. A majority of the total member states shall constitute a  
28 quorum for the transaction of business, unless a larger quorum is  
29 required by the bylaws of the interstate commission.

30 3. A representative shall not delegate a vote to another member  
31 state. In the event the compact commissioner is unable to attend a  
32 meeting of the interstate commission, the governor or state council  
33 may delegate voting authority to another person from their state for  
34 a specified meeting.

35 4. The bylaws may provide for meetings of the interstate  
36 commission to be conducted by telecommunication or electronic  
37 communication;

38 C. Consist of ex officio, nonvoting representatives who are  
39 members of interested organizations. Such ex officio members, as

1 defined in the bylaws, may include but not be limited to, members of  
2 the representative organizations of military family advocates, local  
3 education agency officials, parent and teacher groups, the U.S.  
4 department of defense, the education commission of the states, the  
5 interstate agreement on the qualification of educational personnel,  
6 and other interstate compacts affecting the education of children of  
7 military members;

8 D. Meet at least once each calendar year. The chairperson may  
9 call additional meetings and, upon the request of a simple majority  
10 of the member states, shall call additional meetings;

11 E. Establish an executive committee, whose members shall include  
12 the officers of the interstate commission and such other members of  
13 the interstate commission as determined by the bylaws. Members of the  
14 executive committee shall serve a one-year term. Members of the  
15 executive committee shall be entitled to one vote each. The executive  
16 committee shall have the power to act on behalf of the interstate  
17 commission, with the exception of rule making, during periods when  
18 the interstate commission is not in session. The executive committee  
19 shall oversee the day-to-day activities of the administration of the  
20 compact including enforcement and compliance with the provisions of  
21 the compact, its bylaws and rules, and other such duties as deemed  
22 necessary. The U.S. department of defense shall serve as an ex  
23 officio, nonvoting member of the executive committee;

24 F. Establish bylaws and rules that provide for conditions and  
25 procedures under which the interstate commission shall make its  
26 information and official records available to the public for  
27 inspection or copying. The interstate commission may exempt from  
28 disclosure information or official records to the extent they would  
29 adversely affect personal privacy rights or proprietary interests;

30 G. Give public notice of all meetings and all meetings shall be  
31 open to the public, except as set forth in the rules or as otherwise  
32 provided in the compact. The interstate commission and its committees  
33 may close a meeting, or portion thereof, where it determines by  
34 two-thirds vote that an open meeting would be likely to:

35 1. Relate solely to the interstate commission's internal  
36 personnel practices and procedures;

37 2. Disclose matters specifically exempted from disclosure by  
38 federal and state statute;

39 3. Disclose trade secrets or commercial or financial information  
40 which is privileged or confidential;

1 4. Involve accusing a person of a crime, or formally censuring a  
2 person;

3 5. Disclose information of a personal nature where disclosure  
4 would constitute a clearly unwarranted invasion of personal privacy;

5 6. Disclose investigative records compiled for law enforcement  
6 purposes; or

7 7. Specifically relate to the interstate commission's  
8 participation in a civil action or other legal proceeding;

9 H. Cause its legal counsel or designee to certify that a meeting  
10 may be closed and shall reference each relevant exemptible provision  
11 for any meeting, or portion of a meeting, which is closed pursuant to  
12 this provision. The interstate commission shall keep minutes which  
13 shall fully and clearly describe all matters discussed in a meeting  
14 and shall provide a full and accurate summary of actions taken, and  
15 the reasons therefor, including a description of the views expressed  
16 and the record of a roll call vote. All documents considered in  
17 connection with an action shall be identified in such minutes. All  
18 minutes and documents of a closed meeting shall remain under seal,  
19 subject to release by a majority vote of the interstate commission;

20 I. Collect standardized data concerning the educational  
21 transition of the children of military families under this compact as  
22 directed through its rules which shall specify the data to be  
23 collected, the means of collection, and data exchange and reporting  
24 requirements. Such methods of data collection, exchange, and  
25 reporting shall, in so far as is reasonably possible, conform to  
26 current technology and coordinate its information functions with the  
27 appropriate custodian of records as identified in the bylaws and  
28 rules;

29 J. Create a process that permits military officials, education  
30 officials, and parents to inform the interstate commission if and  
31 when there are alleged violations of the compact or its rules or when  
32 issues subject to the jurisdiction of the compact or its rules are  
33 not addressed by the state or local education agency. This section  
34 shall not be construed to create a private right of action against  
35 the interstate commission or any member state.

36 ARTICLE X

37 POWERS AND DUTIES OF THE INTERSTATE COMMISSION

38 The interstate commission shall have the following powers:

39 A. To provide for dispute resolution among member states;

1 B. To promulgate rules and take all necessary actions to effect  
2 the goals, purposes, and obligations as enumerated in this compact.  
3 The rules shall have the force and effect of statutory law and shall  
4 be binding in the compact states to the extent and in the manner  
5 provided in this compact;

6 C. To issue, upon request of a member state, advisory opinions  
7 concerning the meaning or interpretation of the interstate compact,  
8 its bylaws, rules, and actions;

9 D. To enforce compliance with the compact provisions, the rules  
10 promulgated by the interstate commission, and the bylaws, using all  
11 necessary and proper means, including but not limited to the use of  
12 judicial process;

13 E. To establish and maintain offices which shall be located  
14 within one or more of the member states;

15 F. To purchase and maintain insurance and bonds;

16 G. To borrow, accept, hire, or contract for services of  
17 personnel;

18 H. To establish and appoint committees including, but not limited  
19 to, an executive committee as required by Article IX, section E of  
20 this compact, which shall have the power to act on behalf of the  
21 interstate commission in carrying out its powers and duties  
22 hereunder;

23 I. To elect or appoint such officers, attorneys, employees,  
24 agents, or consultants, and to fix their compensation, define their  
25 duties, and determine their qualifications; and to establish the  
26 interstate commission's personnel policies and programs relating to  
27 conflicts of interest, rates of compensation, and qualifications of  
28 personnel;

29 J. To accept any and all donations and grants of money,  
30 equipment, supplies, materials, and services, and to receive,  
31 utilize, and dispose of it;

32 K. To lease, purchase, accept contributions or donations of, or  
33 otherwise to own, hold, improve, or use any property, real, personal,  
34 or mixed;

35 L. To sell, convey, mortgage, pledge, lease, exchange, abandon,  
36 or otherwise dispose of any property, real, personal, or mixed;

37 M. To establish a budget and make expenditures;

38 N. To adopt a seal and bylaws governing the management and  
39 operation of the interstate commission;

1 O. To report annually to the legislatures, governors, judiciary,  
2 and state councils of the member states concerning the activities of  
3 the interstate commission during the preceding year. Such reports  
4 shall also include any recommendations that may have been adopted by  
5 the interstate commission;

6 P. To coordinate education, training, and public awareness  
7 regarding the compact, its implementation, and operation for  
8 officials and parents involved in such activity;

9 Q. To establish uniform standards for the reporting, collecting,  
10 and exchanging of data;

11 R. To maintain corporate books and records in accordance with the  
12 bylaws;

13 S. To perform such functions as may be necessary or appropriate  
14 to achieve the purposes of this compact; and

15 T. To provide for the uniform collection and sharing of  
16 information between and among member states, schools, and military  
17 families under this compact.

18 ARTICLE XI

19 ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

20 A. The interstate commission shall, by a majority of the members  
21 present and voting, within twelve months after the first interstate  
22 commission meeting, adopt bylaws to govern its conduct as may be  
23 necessary or appropriate to carry out the purposes of the compact,  
24 including, but not limited to:

25 1. Establishing the fiscal year of the interstate commission;

26 2. Establishing an executive committee, and such other committees  
27 as may be necessary;

28 3. Providing for the establishment of committees and for  
29 governing any general or specific delegation of authority or function  
30 of the interstate commission;

31 4. Providing reasonable procedures for calling and conducting  
32 meetings of the interstate commission, and ensuring reasonable notice  
33 of each such meeting;

34 5. Establishing the titles and responsibilities of the officers  
35 and staff of the interstate commission;

36 6. Providing a mechanism for concluding the operations of the  
37 interstate commission and the return of surplus funds that may exist  
38 upon the termination of the compact after the payment and reserving  
39 of all of its debts and obligations; and

1           7. Providing "start up" rules for initial administration of the  
2 compact.

3           B. The interstate commission shall, by a majority of the members,  
4 elect annually from among its members a chairperson, a vice  
5 chairperson, and a treasurer, each of whom shall have such authority  
6 and duties as may be specified in the bylaws. The chairperson or, in  
7 the chairperson's absence or disability, the vice chairperson, shall  
8 preside at all meetings of the interstate commission. The officers so  
9 elected shall serve without compensation or remuneration from the  
10 interstate commission; provided that, subject to the availability of  
11 budgeted funds, the officers shall be reimbursed for ordinary and  
12 necessary costs and expenses incurred by them in the performance of  
13 their responsibilities as officers of the interstate commission.

14           C. Executive committee, officers, and personnel

15           1. The executive committee shall have such authority and duties  
16 as may be set forth in the bylaws, including but not limited to:

17           a. Managing the affairs of the interstate commission in a manner  
18 consistent with the bylaws and purposes of the interstate commission;

19           b. Overseeing an organizational structure within, and appropriate  
20 procedures for the interstate commission to provide for the creation  
21 of rules, operating procedures, and administrative and technical  
22 support functions; and

23           c. Planning, implementing, and coordinating communications and  
24 activities with other state, federal, and local government  
25 organizations in order to advance the goals of the interstate  
26 commission.

27           2. The executive committee may, subject to the approval of the  
28 interstate commission, appoint or retain an executive director for  
29 such period, upon such terms and conditions and for such  
30 compensation, as the interstate commission may deem appropriate. The  
31 executive director shall serve as secretary to the interstate  
32 commission, but shall not be a member of the interstate commission.  
33 The executive director shall hire and supervise such other persons as  
34 may be authorized by the interstate commission.

35           D. The interstate commission's executive director and its  
36 employees shall be immune from suit and liability, either personally  
37 or in their official capacity, for a claim for damage to or loss of  
38 property or personal injury or other civil liability caused or  
39 arising out of or relating to an actual or alleged act, error, or  
40 omission that occurred, or that such person had a reasonable basis

1 for believing occurred, within the scope of interstate commission  
2 employment, duties, or responsibilities; provided, that such person  
3 shall not be protected from suit or liability for damage, loss,  
4 injury, or liability caused by the intentional or willful and wanton  
5 misconduct of such person.

6 1. The liability of the interstate commission's executive  
7 director and employees or interstate commission representatives,  
8 acting within the scope of such person's employment or duties for  
9 acts, errors, or omissions occurring within such person's state may  
10 not exceed the limits of liability set forth under the Constitution  
11 and laws of that state for state officials, employees, and agents.  
12 The interstate commission is considered to be an instrumentality of  
13 the states for the purposes of any such action. Nothing in this  
14 subsection shall be construed to protect such person from suit or  
15 liability for damage, loss, injury, or liability caused by the  
16 intentional or willful and wanton misconduct of such person.

17 2. The interstate commission shall defend the executive director  
18 and its employees and, subject to the approval of the attorney  
19 general or other appropriate legal counsel of the member state  
20 represented by an interstate commission representative, shall defend  
21 such interstate commission representative in any civil action seeking  
22 to impose liability arising out of an actual or alleged act, error,  
23 or omission that occurred within the scope of interstate commission  
24 employment, duties, or responsibilities, or that the defendant had a  
25 reasonable basis for believing occurred within the scope of  
26 interstate commission employment, duties, or responsibilities,  
27 provided that the actual or alleged act, error, or omission did not  
28 result from intentional or willful and wanton misconduct on the part  
29 of such person.

30 3. To the extent not covered by the state involved, member state,  
31 or the interstate commission, the representatives or employees of the  
32 interstate commission shall be held harmless in the amount of a  
33 settlement or judgment, including attorneys' fees and costs, obtained  
34 against such persons arising out of an actual or alleged act, error,  
35 or omission that occurred within the scope of interstate commission  
36 employment, duties, or responsibilities, or that such persons had a  
37 reasonable basis for believing occurred within the scope of  
38 interstate commission employment, duties, or responsibilities,  
39 provided that the actual or alleged act, error, or omission did not

1 result from intentional or willful and wanton misconduct on the part  
2 of such persons.

3 ARTICLE XII

4 RULE-MAKING FUNCTIONS OF THE INTERSTATE COMMISSION

5 A. Rule-making authority - The interstate commission shall  
6 promulgate reasonable rules in order to effectively and efficiently  
7 achieve the purposes of this compact. Notwithstanding the foregoing,  
8 in the event the interstate commission exercises its rule-making  
9 authority in a manner that is beyond the scope of the purposes of  
10 this compact, or the powers granted hereunder, then such an action by  
11 the interstate commission shall be invalid and have no force or  
12 effect.

13 B. Rule-making procedure - Rules shall be made pursuant to a  
14 rule-making process that substantially conforms to the "model state  
15 administrative procedure act," of 1981, Uniform Laws Annotated, Vol.  
16 15, p.1 (2000) as amended, as may be appropriate to the operations of  
17 the interstate commission.

18 C. Not later than thirty days after a rule is promulgated, any  
19 person may file a petition for judicial review of the rule; provided,  
20 that the filing of such a petition shall not stay or otherwise  
21 prevent the rule from becoming effective unless the court finds that  
22 the petitioner has a substantial likelihood of success. The court  
23 shall give deference to the actions of the interstate commission  
24 consistent with applicable law and shall not find the rule to be  
25 unlawful if the rule represents a reasonable exercise of the  
26 interstate commission's authority.

27 D. If a majority of the legislatures of the compacting states  
28 rejects a rule by enactment of a statute or resolution in the same  
29 manner used to adopt the compact, then such rule shall have no  
30 further force and effect in any compacting state.

31 ARTICLE XIII

32 OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

33 A. Oversight

34 1. The executive, legislative, and judicial branches of state  
35 government in each member state shall enforce this compact and shall  
36 take all actions necessary and appropriate to effectuate the  
37 compact's purposes and intent. The provisions of this compact and the  
38 rules promulgated hereunder shall have standing as statutory law.

1           2. All courts shall take judicial notice of the compact and the  
2 rules in any judicial or administrative proceeding in a member state  
3 pertaining to the subject matter of this compact which may affect the  
4 powers, responsibilities, or actions of the interstate commission.

5           3. The interstate commission shall be entitled to receive all  
6 service of process in any such proceeding, and shall have standing to  
7 intervene in the proceeding for all purposes. Failure to provide  
8 service of process to the interstate commission shall render a  
9 judgment or order void as to the interstate commission, this compact,  
10 or promulgated rules.

11           B. Default, technical assistance, suspension, and termination -  
12 If the interstate commission determines that a member state has  
13 defaulted in the performance of its obligations or responsibilities  
14 under this compact, or the bylaws or promulgated rules, the  
15 interstate commission shall:

16           1. Provide written notice to the defaulting state and other  
17 member states of the nature of the default, the means of curing the  
18 default, and any action taken by the interstate commission. The  
19 interstate commission shall specify the conditions by which the  
20 defaulting state must cure its default;

21           2. Provide remedial training and specific technical assistance  
22 regarding the default;

23           3. If the defaulting state fails to cure the default, the  
24 defaulting state shall be terminated from the compact upon an  
25 affirmative vote of a majority of the member states and all rights,  
26 privileges, and benefits conferred by this compact shall be  
27 terminated from the effective date of termination. A cure of the  
28 default does not relieve the offending state of obligations or  
29 liabilities incurred during the period of the default;

30           4. Suspension or termination of membership in the compact shall  
31 be imposed only after all other means of securing compliance have  
32 been exhausted. Notice of intent to suspend or terminate shall be  
33 given by the interstate commission to the governor, the majority and  
34 minority leaders of the defaulting state's legislature, and each of  
35 the member states;

36           5. The state which has been suspended or terminated is  
37 responsible for all assessments, obligations, and liabilities  
38 incurred through the effective date of suspension or termination  
39 including obligations the performance of which extends beyond the  
40 effective date of suspension or termination;



1 A. The interstate commission shall pay, or provide for the  
2 payment of the reasonable expenses of its establishment,  
3 organization, and ongoing activities.

4 B. The interstate commission may levy on and collect an annual  
5 assessment from each member state to cover the cost of the operations  
6 and activities of the interstate commission and its staff which must  
7 be in a total amount sufficient to cover the interstate commission's  
8 annual budget as approved each year. The aggregate annual assessment  
9 amount shall be allocated based upon a formula to be determined by  
10 the interstate commission, which shall promulgate a rule binding upon  
11 all member states.

12 C. The interstate commission shall not incur obligations of any  
13 kind prior to securing the funds adequate to meet the same; nor shall  
14 the interstate commission pledge the credit of any of the member  
15 states, except by and with the authority of the member state.

16 D. The interstate commission shall keep accurate accounts of all  
17 receipts and disbursements. The receipts and disbursements of the  
18 interstate commission shall be subject to the audit and accounting  
19 procedures established under its bylaws. However, all receipts and  
20 disbursements of funds handled by the interstate commission shall be  
21 audited yearly by a certified or licensed public accountant and the  
22 report of the audit shall be included in and become part of the  
23 annual report of the interstate commission.

24 ARTICLE XV

25 MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

26 A. Any state is eligible to become a member state.

27 B. The compact shall become effective and binding upon  
28 legislative enactment of the compact into law by no less than ten of  
29 the states. The effective date shall be no earlier than December 1,  
30 2007.

31 Thereafter it shall become effective and binding as to any other  
32 member state upon enactment of the compact into law by that state.  
33 The governors of nonmember states or their designees shall be invited  
34 to participate in the activities of the interstate commission on a  
35 nonvoting basis prior to adoption of the compact by all states.

36 C. The interstate commission may propose amendments to the  
37 compact for enactment by the member states. No amendment shall become  
38 effective and binding upon the interstate commission and the member

1 states unless and until it is enacted into law by unanimous consent  
2 of the member states.

3 ARTICLE XVI

4 WITHDRAWAL AND DISSOLUTION

5 A. Withdrawal

6 1. Once effective, the compact shall continue in force and remain  
7 binding upon each and every member state; provided that a member  
8 state may withdraw from the compact by specifically repealing the  
9 statute, which enacted the compact into law.

10 2. Withdrawal from this compact shall be by the enactment of a  
11 statute repealing the same, but shall not take effect until one year  
12 after the effective date of such statute and until written notice of  
13 the withdrawal has been given by the withdrawing state to the  
14 governor of each other member jurisdiction.

15 3. The withdrawing state shall immediately notify the chairperson  
16 of the interstate commission in writing upon the introduction of  
17 legislation repealing this compact in the withdrawing state. The  
18 interstate commission shall notify the other member states of the  
19 withdrawing state's intent to withdraw within sixty days of its  
20 receipt thereof.

21 4. The withdrawing state is responsible for all assessments,  
22 obligations, and liabilities incurred through the effective date of  
23 withdrawal, including obligations, the performance of which extend  
24 beyond the effective date of withdrawal.

25 5. Reinstatement following withdrawal of a member state shall  
26 occur upon the withdrawing state reenacting the compact or upon such  
27 later date as determined by the interstate commission.

28 B. Dissolution of compact

29 1. This compact shall dissolve effective upon the date of the  
30 withdrawal or default of the member state which reduces the  
31 membership in the compact to one member state.

32 2. Upon the dissolution of this compact, the compact becomes null  
33 and void and shall be of no further force or effect, and the business  
34 and affairs of the interstate commission shall be concluded and  
35 surplus funds shall be distributed in accordance with the bylaws.

36 ARTICLE XVII

37 SEVERABILITY AND CONSTRUCTION

1 A. The provisions of this compact shall be severable, and if any  
2 phrase, clause, sentence, or provision is deemed unenforceable, the  
3 remaining provisions of the compact shall be enforceable.

4 B. The provisions of this compact shall be liberally construed to  
5 effectuate its purposes.

6 C. Nothing in this compact shall be construed to prohibit the  
7 applicability of other interstate compacts to which the states are  
8 members.

9 ARTICLE XVIII

10 BINDING EFFECT OF COMPACT AND OTHER LAWS

11 A. Other laws

12 1. Nothing herein prevents the enforcement of any other law of a  
13 member state that is not inconsistent with this compact.

14 2. All member states' laws conflicting with this compact are  
15 superseded to the extent of the conflict.

16 B. Binding effect of the compact

17 1. All lawful actions of the interstate commission, including all  
18 rules and bylaws promulgated by the interstate commission, are  
19 binding upon the member states.

20 2. All agreements between the interstate commission and the  
21 member states are binding in accordance with their terms.

22 3. In the event any provision of this compact exceeds the  
23 constitutional limits imposed on the legislature of any member state,  
24 such provision shall be ineffective to the extent of the conflict  
25 with the constitutional provision in question in that member state.

26 **Sec. 18.** RCW 28B.15.520 and 2015 c 55 s 217 are each amended to  
27 read as follows:

28 Subject to the limitations of RCW 28B.15.910, the governing  
29 boards of the community and technical colleges:

30 (1) May waive all or a portion of tuition fees and services and  
31 activities fees for students nineteen years of age or older who are  
32 eligible for resident tuition and fee rates as defined in RCW  
33 28B.15.012 through 28B.15.015, who enroll in a course of study or  
34 program which will enable them to finish their high school education  
35 and obtain a high school diploma or certificate(~~(, but who are not~~  
36 ~~eligible students as defined by RCW 28A.600.405));~~

37 (2)(a) Shall waive all of tuition fees and services and  
38 activities fees for:

1 (i) Children of any law enforcement officer as defined in chapter  
2 41.26 RCW, firefighter as defined in chapter 41.26 or 41.24 RCW, or  
3 Washington state patrol officer who lost his or her life or became  
4 totally disabled in the line of duty while employed by any public law  
5 enforcement agency or full time or volunteer fire department in this  
6 state: PROVIDED, That such persons may receive the waiver only if  
7 they begin their course of study at a community or technical college  
8 within ten years of their graduation from high school; and

9 (ii) Surviving spouses of any law enforcement officer as defined  
10 in chapter 41.26 RCW, firefighter as defined in chapter 41.26 or  
11 41.24 RCW, or Washington state patrol officer who lost his or her  
12 life or became totally disabled in the line of duty while employed by  
13 any public law enforcement agency or full time or volunteer fire  
14 department in this state.

15 (b) For the purposes of this section, "totally disabled" means a  
16 person who has become totally and permanently disabled for life by  
17 bodily injury or disease, and is thereby prevented from performing  
18 any occupation or gainful pursuit.

19 (c) The governing boards of the community and technical colleges  
20 shall report to the state board for community and technical colleges  
21 on the annual cost of tuition fees and services and activities fees  
22 waived for surviving spouses and children under (a) of this  
23 subsection. The state board for community and technical colleges  
24 shall consolidate the reports of the waived fees and annually report  
25 to the appropriate fiscal and policy committees of the legislature;  
26 and

27 (3) May waive all or a portion of the nonresident tuition fees  
28 differential for:

29 (a) Nonresident students enrolled in a community or technical  
30 college course of study or program which will enable them to finish  
31 their high school education and obtain a high school diploma or  
32 certificate (~~but who are not eligible students as defined by RCW~~  
33 ~~28A.600.405~~). The waiver shall be in effect only for those courses  
34 which lead to a high school diploma or certificate; and

35 (b) Up to forty percent of the students enrolled in the regional  
36 education program for deaf students, subject to federal funding of  
37 such program.

38 NEW SECTION. **Sec. 19.** The following acts or parts of acts are  
39 each repealed:

- 1 (1) RCW 28A.155.045 (Certificate of individual achievement) and  
2 2007 c 354 s 3 & 2004 c 19 s 104;
- 3 (2) RCW 28A.600.405 (Participation in high school completion  
4 pilot program—Eligible students—Funding allocations—Rules—  
5 Information for students and parents) and 2012 1st sp.s. c 10 s 4 &  
6 2007 c 355 s 4;
- 7 (3) RCW 28A.655.063 (Objective alternative assessments—  
8 Reimbursement of costs—Testing fee waivers) and 2007 c 354 s 7 & 2006  
9 c 115 s 5;
- 10 (4) RCW 28A.655.065 (Objective alternative assessment methods—  
11 Appeals from assessment scores—Waivers and appeals from assessment  
12 requirements—Rules) and 2009 c 556 s 19, 2008 c 170 s 205, 2007 c 354  
13 s 6, & 2006 c 115 s 1;
- 14 (5) RCW 28A.655.066 (Statewide end-of-course assessments for high  
15 school mathematics) and 2013 2nd sp.s. c 22 s 3, 2011 c 25 s 2, 2009  
16 c 310 s 3, & 2008 c 163 s 3;
- 17 (6) RCW 28A.655.071 (Revised essential academic learning  
18 requirements—Legislative review—Implementation) and 2010 c 235 s  
19 601; and
- 20 (7) RCW 28B.50.534 (High school completion pilot program) and  
21 2015 c 55 s 122 & 2007 c 355 s 3.

22 NEW SECTION. **Sec. 20.** A new section is added to chapter 28A.655  
23 RCW to read as follows:

24 The legislature shall make no future changes to the statutes  
25 addressing the statewide assessment system except and only if the  
26 following occurs:

27 (1) The United States congress changes the federal mandates  
28 regarding the assessments that each state must administer; and

29 (2) The office of the superintendent of public instruction  
30 provides written notice to the governor and the legislature that such  
31 federal changes have been enacted which necessitate a change to the  
32 state statutes governing the required state assessments.

--- END ---