STATE BOARD OF EDUCATION

HEARING TYPE: __X___ ACTION

DATE: MARCH 13, 2007

SUBJECT: **STATE BOARD OF EDUCATION**
AMENDMENTS TO CHAPTER 180-51 WAC

SERVICE UNIT: Edie Harding, Executive Director
State Board of Education

PRESENTER: Pat Eirish, Program Manager
State Board of Education

RECOMMENDATION:
The State Board of Education directed staff to prepare proposed amendments to Chapter 180-51 WAC for public hearing and adoption consideration on March 13, 2007. The adopted amendments shall become effective 31 days after the date of filing with the State Code Reviser pursuant to RCW 34.05.380.

BACKGROUND:
The State Board of Education, under the Joint Math Action Plan, voted to state explicitly that the two-credit mathematics graduation requirement means that high school students will earn those two credits, which are aligned with the ninth and tenth Grade Level Expectations (GLEs), to ensure they have a strong opportunity to learn the material before they take the secondary Washington Assessment of Student Learning (WASL). The ninth and tenth GLEs are the same.

While reviewing the rule, staff proposed making some clarification, for consistency, in reference to English, mathematics and science ninth and tenth GLEs rather than to "benchmarks." Social studies, health and fitness, and arts previously reflected "benchmarks." The rules will clarify that this now means the current EALRS at grade 10 and/or above until GLEs are available in those subject areas.

The amendments are intended to clarify what is currently in rule and not to make substantive changes at this time.

Attachments

AMENDATORY SECTION (Amending WSR 00-23-032, filed 11/8/00, effective 12/9/00)

WAC 180-51-003 Intent of graduation requirements. (1) The state board of education is responsible for establishing minimum high school graduation requirements that appropriately balance:

(a) Statewide public expectations for all graduating students;

(b) High, meaningful, and fair requirements every student can meet;

(c) The unique characteristics of and differing resources among ((~~the two hundred ninety-six~~)) all school districts and ((~~over three hundred~~)) high schools in Washington; and

(d) Recognition that some students' educational plans may not include college or may include application for admission to a postsecondary institution one year or more after being granted a high school diploma.

(2) In order to support the continuing refinement of the standards and performance-based system of education, encourage and facilitate local innovation, and realize the vision under WAC 180-51-001, it is the intent of the state board of education to enact changes that will:

(a) Align the statewide minimum high school graduation requirements with the goal of the basic education act under RCW 28A.150.210 and the mission of the common school system under WAC ((~~180-40-210~~)) 392-400-210;

(b) Allow districts the optional discretion to define and award high school credit based on demonstrated performance that is not tied to a state minimum number of hours of instruction or instructional activities;

(c) Assure that the essential academic learning requirements developed under RCW ((~~28A.655.060 (3)(a) and~~)) 28A.655.070(2) are taught in the high school curriculum;

(d) Assure that students are aware of the connection between their education and possible career opportunities as referenced in RCW 28A.150.210(4) and WAC ((~~180-57-090~~)) 392-415-090; and

(e) Assure that students are provided the opportunity to effectively prepare for the secondary Washington assessment of student learning and earn the certificate of ((~~mastery~~)) academic achievement required under RCW ((~~28A.655.060 (3)(c),~~)) 28A.655.061(2) recognizing that the certificate of ((~~mastery~~)) academic achievement, along with other state and local requirements, represents attainment of the knowledge and skills that are necessary for high school graduation.

(3) It is the state board's view that the creative development and application of integrated curriculum within existing resources will significantly facilitate the implementation of the graduation requirements under WAC 180-51-061. The board strongly encourages

districts to:

(a) Implement curriculum that includes courses that incorporate the best applied, theoretical, academic or vocational features as authorized under RCW 28A.230.010;

(b) Emphasize the integration of academic and vocational education in educational pathways as required under RCW 28A.655.060 (3)(c); and

(c) Consider using the model curriculum integrating vocational and academic education as it is developed by the superintendent of public instruction under RCW 28A.300.235.

AMENDATORY SECTION (Amending WSR 04-23-004, filed 11/4/04, effective 12/5/04)

WAC 180-51-061 Minimum requirements for high school graduation. (1) The statewide minimum subject areas and credits required for high school graduation, beginning July 1, 2004, for students who enter the ninth grade or begin the equivalent of a four-year high school program, shall ((~~be~~)) total 19 as listed below.

(a) Three **English** credits (reading, writing, and communications) that at minimum align with grade level expectations for ninth and tenth grade, plus content that is determined by the district. Assessment shall include the 10th grade Washington assessment of student learning beginning 2008.

(b) Two **mathematics** credits that at minimum align with mathematics grade level expectations for ninth and tenth grade, plus content that is determined by the district. Assessment shall include the 10th grade Washington assessment of student learning beginning 2008.

(c) Two **science** credits (physical, life, and earth) that at minimum align with grade level expectations for ninth and tenth grade, plus content that is determined by the district. At least one credit in laboratory science is required which shall be defined locally. Assessment shall include the 10th grade Washington assessment of student learning beginning 2010.

(d) Two and one-half **social studies** credits that at minimum align with the state's essential academic learning requirements in civics, economics, geography, history, and social studies skills at grade ten and/or above plus content that is determined by the district. The assessment of achieved competence in this subject area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in social studies at the high school level by 2008-09. In addition, districts shall require students to complete a classroom-based assessment in civics in the eleventh or twelfth grade also by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.095).

The social studies requirement shall consist of the following mandatory courses or equivalencies:

(i) One credit shall be required in United States history and government which shall include study of the Constitution of the United States. No other course content may be substituted as an equivalency for this requirement.

(ii) Under the provisions of RCW 28A.230.170 and 28A.230.090, one-half credit shall be required in Washington state history and government which shall include study of the Constitution of the state of Washington and is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state.

(A) For purposes of the Washington state history and government requirement only, the term "secondary student" shall mean a student who is in one of the grades seven through twelve. If a district offers this course in the seventh or eighth grade, it can still count towards the state history and government graduation requirement. However, the course should only count as a high school credit if the academic level of the course exceeds the requirements for seventh and eighth grade classes and the course would qualify for high school credit, because the course is similar or equivalent to a course offered at a high school in the district as determined by the school district board of directors. (RCW 28A.230.090(4).)

(B) The study of the United States and Washington state Constitutions shall not be waived, but may be fulfilled through an alternative learning experience approved by the local school principal under written district policy.

(C) Secondary school students who have completed and passed a state history and government course of study in another state may have the Washington state history and government requirement waived by their principal. The study of the United States and Washington state Constitutions required under RCW 28A.230.170 shall not be waived, but may be fulfilled through an alternative learning experience approved by the school principal under a written district policy.

(D) After completion of the tenth grade and prior to commencement of the eleventh grade, eleventh and twelfth grade students who transfer from another state, and who have or will have earned two credits in social studies at graduation, may have the Washington state history requirement waived by their principal if without such a waiver they will not be able to graduate with their class.

(iii) One credit shall be required in contemporary world history, geography, and problems. Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.

(e) Two **health and fitness** credits that at minimum align with current essential academic learning requirements at grade ten and/or above plus content that is determined by the local school district. The assessment of achieved competence in this subject

area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in health and fitness at the high school level by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.095).

(i) The fitness portion of the requirement shall be met by course work in fitness education. The content of fitness courses shall be determined locally under WAC 180-51-025. Suggested fitness course outlines shall be developed by the office of the superintendent of public instruction. Students may be excused from the physical portion of the fitness requirement under RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts, including demonstration of the knowledge portion of the fitness requirement.

(ii) "Directed athletics" shall be interpreted to include community-based organized athletics.

(f) One **arts** credit that at minimum is aligned with current essential academic learning requirements at grade ten and/or above plus content that is determined by the local school district. The assessment of achieved competence in this subject area is to be determined by the local district although state law requires districts to have "assessments or other strategies" in arts at the high school level by 2008-09. The state superintendent's office has developed classroom-based assessment models for districts to use (RCW 28A.230.095). The essential content in this subject area may be satisfied in the visual or performing arts.

(g) One credit in **occupational education.** "Occupational education" means credits resulting from a series of learning experiences designed to assist the student to acquire and demonstrate competency of skills under student learning goal four and which skills are required for success in current and emerging occupations. At a minimum, these competencies shall align with the definition of an exploratory course as proposed or adopted in the career and technical education program standards of the office of the superintendent of public instruction. The assessment of achieved competence in this subject area is determined at the local district level.

(h) Five and one-half electives: Study in a world language other than English or study in a world culture may satisfy any or all of the required electives. The assessment of achieved competence in these subject areas is determined at the local district level.

(i) Each student shall complete a culminating project for graduation. The project shall consist of the student demonstrating both their learning competencies and preparations related to learning goals three and four. Each district shall define the process to implement this graduation requirement, including assessment criteria, in written district policy.

(j) Each student shall attain a certificate of academic achievement or certificate of individual achievement. The 10th grade Washington assessment of student learning and Washington

alternate assessment system shall determine attainment.

(2) State board of education approved private schools under RCW 28A.305.130((~~(6)~~)) (5) may, but are not required to, align their curriculums with the state learning goals under RCW 28A.150.210 or the essential academic learning requirements under RCW ((~~28A.665.060~~)) 28A.655.070.

((~~Subject Area~~	~~Essential Content~~	~~Minimum State Credits~~[1]	~~Assessment Includes~~
~~English~~ ~~• Reading~~ ~~• Writing~~ ~~• Communications~~ ~~(Student Learning Goal 1)~~	~~The Essential Academic Learning Requirements through benchmark three; plus content that is determined by the district to be beyond benchmark three level content~~	~~3~~	~~Secondary WASL (beginning 2008)~~
~~Mathematics~~ ~~(Student Learning Goal 2)~~	~~The Essential Academic Learning Requirements through benchmark three; plus content that is determined by the district to be beyond benchmark three level content~~	~~2~~	~~Secondary WASL (beginning 2008)~~
~~Science~~ ~~• Physical~~ ~~• Life~~ ~~• Earth~~ ~~(Student Learning Goal 2)~~	~~The Essential Academic Learning Requirements through benchmark three; plus content that is determined by the district to be beyond benchmark three level content~~ ~~At least one credit in laboratory science, which shall be defined locally~~	~~2~~	~~Secondary WASL (beginning 2010)~~
~~Social Studies~~ ~~• Civics~~ ~~• History~~ ~~• Geography~~ ~~(Student Learning Goal 2)~~	~~The Essential Academic Learning Requirements through benchmark three; plus content that is determined by the district to be beyond benchmark three level content~~ ~~U.S. history and government, Washington state history and government, and including study of the U.S. and Washington state Constitutions~~[2] ~~Contemporary world history, geography, and problems~~[3]	~~2.5~~	~~The assessment of achieved competence in this subject area remains at the local level~~[4]

((~~Subject Area~~	~~Essential Content~~	~~Minimum State Credits~~[7]	~~Assessment Includes~~
~~Health and Fitness~~[3] ~~(Student Learning Goal 2)~~	~~The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content~~	~~2~~	~~The assessment of achieved competence in this subject area remains at the local level~~[4]
~~Arts~~ ~~(Student Learning Goal 2)~~	~~The Essential Academic Learning Requirements through benchmark three, plus content that is determined by the district to be beyond benchmark three level content~~ ~~May be satisfied in the visual or performing arts~~	~~1~~	~~The assessment of achieved competence in this subject area remains at the local level~~[4]
~~Occupational Education~~	~~"Occupational education" means credits resulting from a series of learning experiences designed to assist the student to acquire and demonstrate competency of skills under student learning goal four and which skills are required for success in current and emerging occupations. At a minimum, these competencies shall align with the definition of an exploratory course as proposed or adopted in the career and technical education program standards of the superintendent of public instruction.~~	~~1~~	~~The assessment of achieved competence in this subject area remains at the local level~~[4]
~~Electives~~[(6)]	~~See footnote # (6)~~	~~5.5~~	~~The assessment of achieved competence in this subject area remains at the local level~~[4]
~~TOTAL~~		~~19~~	
~~Culminating Project~~[7]	~~See footnote # 7~~		~~The assessment of achieved competence in this subject area remains at the local level~~[4]
~~High School and Beyond Plan~~[8]	~~See footnote # 8~~		~~The assessment of achieved competence in this subject area remains at the local level~~[4]

((~~Subject Area~~	~~Essential Content~~	~~Minimum State Credits~~[1]	~~Assessment Includes~~
~~Certificate of Academic Achievement or Certificate of Individual Achievement~~			~~Secondary WASL, Washington Alternate Assessment System (WAAS) (See RCW 28A.655.061)~~

[1] ~~See WAC 180-51-050 for definition of high school credit.~~

[2] ~~The study of Washington state history and government is encouraged to include information on the culture, history, and government of the American Indian people who were the first inhabitants of the state. The study of the U.S. and Washington state Constitutions shall not be waived, but may be fulfilled through an alternative learning experience approved by the school principal pursuant to written district policy. Secondary school students who have completed and passed a state history and government course of study in another state may have the Washington state history and government requirement waived by their principal. For purposes of the Washington state history and government requirement only, the term "secondary school students" shall mean a student who is in one of the grades seven through twelve.~~

[3] ~~Courses in economics, sociology, civics, political science, international relations, or related courses with emphasis on current problems may be accepted as equivalencies.~~

[4] ~~Locally determined assessment means whatever assessment or assessments, if any, the district determines are necessary.~~

[5] ~~The fitness portion of the requirement shall be met by course work in fitness education. The content of fitness courses shall be determined locally pursuant to WAC 180-51-025. Suggested fitness course outlines shall be developed by the office of the superintendent of public instruction. Students may be excused from the physical portion of the fitness requirement pursuant to RCW 28A.230.050. Such excused students shall be required to substitute equivalency credits in accordance with policies of boards of directors of districts, including demonstration of the knowledge portion of the fitness requirement. "Directed athletics" shall be interpreted to include community-based organized athletics.~~

[6] ~~Study in a world language other than English or study in a world culture may satisfy any or all of the required electives.~~

[7] ~~Each student shall complete a culminating project for graduation. The project consists of the student demonstrating both their learning competencies and preparation related to learning goals three and four. Each district shall define the process to implement this graduation requirement, including assessment criteria, in written district policy.~~

[8] ~~Each student shall have an education plan for their high school experience, including what they expect to do the year following graduation.))~~

AMENDATORY SECTION (Amending WSR 00-19-108, filed 9/20/00, effective 10/21/00)

WAC 180-51-115 Procedures for granting high school graduation credits for students with special educational needs. (1) No student shall be denied the opportunity to earn a high school diploma solely because of limitations on the student's ability. The board of directors of districts granting high school diplomas shall adopt written policies, including procedures, for meeting the unique limitations of each student. Such procedures may provide for:

(a) The extension of time the student remains in school up to and including the school year in which such student reaches twenty-one years of age;

(b) A special education program in accordance with chapter 28A.155 RCW if the student is eligible; and

(c) Special accommodations for individual students, or in lieu thereof, exemption from any requirement in this chapter, if such requirement impedes the student's progress toward graduation and there is a direct relationship between the failure to meet the requirement and the student's limitation.

(2) Unless otherwise prohibited by federal or state special education laws, such procedures may not provide for exemption from the certificate of ((~~mastery~~)) <u>academic achievement</u> graduation requirement under RCW 28A.655.060 (3)(c).

STATE BOARD OF EDUCATION

HEARING TYPE: __X__ NO ACTION

DATE: MARCH 13, 2007

SUBJECT: **STATE BOARD OF EDUCATION**
RULE CHANGES PURSUANT TO E2SHB 3098

SERVICE UNIT: Edie Harding, Executive Director
State Board of Education

PRESENTER: Pat Eirish, Program Manager
State Board of Education

RECOMMENDATION:

The State Board of Education directed staff to prepare proposed amendments and repealers to chapters and sections of the WACs listed below for public hearing and adoption consideration on March 13, 2007. The repealers and amendments shall become effective 31 days after the date of filing with the State Code Reviser pursuant to RCW 34.05.380.

BACKGROUND:

Due to 2006 legislation, E2SHB 3098, the following Washington Administrative Code (WAC) changes are required. At this time, only technical amendments are included as needed.

Repeal:

Chapter 180-37 WAC (entire chapter) **Pupils – Non-Public Agencies**
(Authority given to Office of Superintendent of Public Instruction)

Chapter 180-44-050 WAC **Teachers' Responsibilities**
(Authority given to school districts)

Chapters and/or Sections Retained that Require Technical Amendments:

WAC 180-22-100 **Educational Service Districts**

This technical amendment in section 100 is required to eliminate the ESD elections reference. OSPI had transferred Chapter 180-22 WAC in its entirety. Sections 100, 140, and 150 are now transferred back into Chapter 180-22 WAC.

WAC 180-51-095 **Temporary Exemption from Course and Credit Requirements**

This is a new section added to Chapter 180-51 WAC to keep the exemption to the definition of an annualized high school credit for **private** schools.

WAC 180-105-020 **Reading and Mathematics**

WAC 180-105-060 **High School Graduation**

Chapter 180-105 WAC was previously transferred to the SBE from the Academic Achievement and Accountability Commission. These technical amendments are required to reflect current WAC references.

Attachments

REPEALER

The following section of the Washington Administrative Code is repealed:

WAC 180-44-050	Regulatory provisions relating to RCW 28A.305.130(6) and 28A.600.010--School day as related to the teacher.

AMENDATORY SECTION (Amending WSR 06-19-033, filed 9/13/06, effective 9/13/06)

WAC 180-22-100 Purpose and authority. (1) The purpose of this chapter is to establish the procedures for making changes in the number and boundaries of educational service districts((~~, and the procedures for electing the members of the boards of directors of the educational service districts~~)).

(2) The authority for this chapter is RCW 28A.310.020 ((~~and 28A.310.080~~)).

NEW SECTION

WAC 180-51-095 Temporary exemption from course and credit requirements. Annual exemptions to the definition of an annualized high school credit may be granted upon the request of an approved private school which offers evidence that delineates content, time, or competency assessments which are substantially equivalent to the definition stated in WAC 180-51-050. The waiver process shall be administered by the superintendent of public instruction.

AMENDATORY SECTION (Amending WSR 05-15-036, filed 7/11/05, effective 7/11/05)

WAC 180-105-020 Reading and mathematics. (1) Each school district board of directors shall by December 15, 2003:

(a) Adopt district-wide performance improvement goals using the federal requirements to determine the increase in the percentage of students who meet or exceed the standard on the Washington assessment of student learning for reading and mathematics in grades four, seven, and ten; and

(b) Direct each school in the district that administers the Washington assessment of student learning for grade four, seven, or ten to adopt performance improvement goals using the federal requirements to determine the increase in the percentage of students meeting the standard for its fourth, seventh, or tenth grade students in reading and mathematics.

(2) School districts and schools shall establish separate district-wide and school reading and mathematics improvement goals using the federal requirements to determine the increase in requirements under subsection (1) of this section for each of the following groups of students:

(a) All students;

(b) Students of each major racial and ethnic group;

(c) Economically disadvantaged students;

(d) Students with disabilities; and

(e) Students with limited English proficiency.

(3) School districts and schools are not required to publish numerical improvement goals in a grade level for reading and mathematics for 2004 or in any year thereafter for any student group identified in subsection (2) of this section in which there were fewer than ten students eligible to be assessed on the Washington assessment of student learning in the prior year. However, this subsection shall not be construed to affect WAC 180-16-220 (2)(b) or any other requirements for school and school district improvement plans.

(4) Annual performance improvement goals for both school districts and schools shall be determined:

(a) By using the starting point and annual goals established using the federal requirements for determining starting points in the 2003 Washington State No Child Left Behind (NCLB) Accountability Plan.

(b) If the performance improvement goals established by using the federal requirements to determine the increase for assessments administered in the spring of 2003 and each year thereafter through and including assessments administered in the spring of 2013 are not met, but the other indicator is met [the other indicator for high schools is the graduation goal (WAC ((~~3-20-300~~)) 180-105-

040(4)) and the other indicator for elementary and middle schools is the unexcused absences goal (Washington State Accountability System under NCLB 2001)] then a substitute calculation may be made. That substitute calculation representing satisfactory progress shall not be less than the sum of:

(i) The percentage of students meeting standard on the assessments administered in the spring of the preceding year for the relevant student group, grade level and subject; and

(ii) The percentage of students who did not meet standard on the assessments administered in the spring of the preceding year for the relevant student group, grade level and subject, multiplied by ten percent.

(c) The performance improvement goals for assessments administered in the spring of 2014 shall be that all students eligible to be assessed meet standard on the Washington assessment of student learning.

(5) School districts and schools shall be deemed to have met the performance improvement goals established pursuant to this chapter if the school district or school achieves the minimum improvement goal required under subsection (4) of this section, even if the school district or school does not achieve the performance improvement goals established by using the federal requirements to determine the increase.

(6) No performance improvement goal for a group in a subject and grade established pursuant to this section shall be used for state or federal accountability purposes if fewer than thirty students in the group for a subject and grade are eligible to be assessed on the Washington assessment of student learning.

AMENDATORY SECTION (Amending WSR 05-15-036, filed 7/11/05, effective 7/11/05)

WAC 180-105-060 High school graduation. (1) Each school district board of directors shall by December 15, 2005, revise district-wide graduation rate goals for 2006 and each year thereafter and shall direct each high school in the district to revise graduation rate goals for 2006 and each year thereafter, subject to approval by the board.

(2) The minimum graduation rate goals through 2013 shall be as follows for each of the nine groups of students listed in WAC ((~~3-20-200(2)~~)) 180-105-040(4):

(a) Sixty-six percent in 2005, one percentage point above the previous year's goal from 2006 through 2009, and three percentage points above the previous year's goal in 2010 through 2013; or

(b) For any student group whose graduation rate falls below sixty-six percent in 2005, the minimum goal for 2005 is two percentage points above that group's graduation rate in 2004, an additional two percentage points per year above the previous year's goal in 2006 through 2009, and an additional four percentage points per year above the previous year's goal in 2010 through 2013, until the rate for that group meets or exceeds the goal described in (a) of this subsection.

(3) Graduation rate goals in 2014 and each year thereafter for each group of students listed in WAC ((~~3-20-200(2)~~)) 180-105-040(4) shall be not less than eighty-five percent.

(4) School district boards of directors are authorized to adopt district-wide graduation rate goals and to approve high school graduation rate goals that exceed the minimum level required under this section. However, district-wide and high school graduation rate goals that exceed the minimum level required under this section shall not be used for federal or state accountability purposes.