
SENATE BILL 5505

State of Washington

68th Legislature

2023 Regular Session

By Senators Hawkins and Wellman

1 AN ACT Relating to addressing learning loss by expanding the
2 school year; amending RCW 28A.150.220, 28A.150.222, 28A.150.290,
3 28A.300.109, 28A.310.240, 28A.330.100, 28A.400.300, 28A.410.080, and
4 28A.715.800; creating a new section; and providing an effective date.

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

6 NEW SECTION. **Sec. 1.** The COVID-19 pandemic has created a unique
7 set of challenges and circumstances that have tested the K-12
8 education system. Due to reduced instructional time, educational
9 inequities, and the inability to access technology and educational
10 services, many students have suffered learning loss and a disruption
11 to their educational experience. As a result, the legislature finds
12 that an expanded school calendar will help students address learning
13 loss.

14 **Sec. 2.** RCW 28A.150.220 and 2017 3rd sp.s. c 13 s 506 are each
15 amended to read as follows:

16 (1) In order for students to have the opportunity to develop the
17 basic education knowledge and skills under RCW 28A.150.210, school
18 districts must provide instruction of sufficient quantity and quality
19 and give students the opportunity to complete graduation requirements
20 that are intended to prepare them for postsecondary education,

1 gainful employment, and citizenship. The program established under
2 this section shall be the minimum instructional program of basic
3 education offered by school districts.

4 (2) Each school district shall make available to students the
5 following minimum instructional offering each school year:

6 (a) ~~((For students enrolled in grades one through twelve, at
7 least a district-wide annual average of one thousand hours, which
8 shall be increased beginning in the 2015-16 school year to at))~~ At
9 least ~~((one thousand eighty))~~ 1,110 instructional hours for students
10 enrolled in grades nine through ~~((twelve))~~ 12 and at least ~~((one
11 thousand))~~ 1,028 instructional hours for students in grades one
12 through eight, all of which may be calculated by a school district
13 using a district-wide annual average of instructional hours over
14 grades one through ~~((twelve))~~ 12; and

15 (b) For students enrolled in kindergarten, at least ~~((four
16 hundred fifty instructional hours, which shall be increased to at
17 least one thousand))~~ 1,028 instructional hours ~~((according to the
18 implementation schedule under RCW 28A.150.315))~~.

19 (3) The instructional program of basic education provided by each
20 school district shall include:

21 (a) Instruction in the ~~((essential—academic—learning
22 requirements))~~ state learning standards under RCW 28A.655.070;

23 (b) Instruction that provides students the opportunity to
24 complete ~~((twenty-four))~~ 24 credits for high school graduation,
25 beginning with the graduating class of 2019 or as otherwise provided
26 in RCW 28A.230.090. Course distribution requirements may be
27 established by the state board of education under RCW 28A.230.090;

28 (c) If the ~~((essential—academic—learning—requirements))~~ state
29 learning standards include a requirement of languages other than
30 English, the requirement may be met by students receiving instruction
31 in one or more American Indian languages;

32 (d) Supplemental instruction and services for students who are
33 not meeting academic standards through the learning assistance
34 program under RCW 28A.165.005 through 28A.165.065;

35 (e) Supplemental instruction and services for eligible and
36 enrolled students and exited students whose primary language is other
37 than English through the transitional bilingual instruction program
38 under RCW 28A.180.010 through 28A.180.080;

1 (f) The opportunity for an appropriate education at public
2 expense as defined by RCW 28A.155.020 for all eligible students with
3 disabilities as defined in RCW 28A.155.020; and

4 (g) Programs for highly capable students under RCW 28A.185.010
5 through 28A.185.030.

6 (4) Nothing contained in this section shall be construed to
7 require individual students to attend school for any particular
8 number of hours per day or to take any particular courses.

9 (5)(a) Each school district's kindergarten through ~~((twelfth))~~
10 12th grade basic educational program shall be accessible to all
11 students who are five years of age, as provided by RCW 28A.225.160,
12 and less than ~~((twenty-one))~~ 21 years of age and shall consist of a
13 minimum of ~~((one hundred eighty))~~ 185 school days per school year in
14 such grades as are conducted by a school district ~~((, and one hundred
15 eighty half-days of instruction, or equivalent, in kindergarten, to
16 be increased to a minimum of one hundred eighty school days per
17 school year according to the implementation schedule under RCW
18 28A.150.315))~~).

19 (b) Schools administering the Washington kindergarten inventory
20 of developing skills may use up to three school days at the beginning
21 of the school year to meet with parents and families as required in
22 the parent involvement component of the inventory.

23 (c) In the case of students who are graduating from high school,
24 a school district may schedule the last five school days of the ~~((one
25 hundred eighty))~~ 185-day school year for noninstructional purposes
26 including, but not limited to, the observance of graduation and early
27 release from school upon the request of a student. All such students
28 may be claimed as a full-time equivalent student to the extent they
29 could otherwise have been so claimed for the purposes of RCW
30 28A.150.250 and 28A.150.260. Any hours scheduled by a school district
31 for noninstructional purposes during the last five school days for
32 such students shall count toward the instructional hours requirement
33 in subsection (2)(a) of this section.

34 (6) Subject to RCW 28A.150.276, nothing in this section precludes
35 a school district from enriching the instructional program of basic
36 education, such as offering additional instruction or providing
37 additional services, programs, or activities that the school district
38 determines to be appropriate for the education of the school
39 district's students.

1 (7) The state board of education shall adopt rules to implement
2 and ensure compliance with the program requirements imposed by this
3 section, RCW 28A.150.250 and 28A.150.260, and such related
4 supplemental program approval requirements as the state board may
5 establish.

6 **Sec. 3.** RCW 28A.150.222 and 2019 c 274 s 1 are each amended to
7 read as follows:

8 (1) In addition to waivers authorized under RCW 28A.300.750, the
9 superintendent of public instruction, in accordance with the criteria
10 in subsection (2) of this section and criteria adopted by the state
11 board of education under subsection (3) of this section, may grant
12 waivers of the requirement for a (~~one hundred eighty-day~~) 185-day
13 school year under RCW 28A.150.220 to school districts that propose to
14 operate one or more schools on a flexible calendar for purposes of
15 economy and efficiency as provided in this section. The requirement
16 under RCW 28A.150.220 that school districts offer minimum
17 instructional hours may not be waived.

18 (2) A school district seeking a waiver under this section must
19 submit an application to the superintendent of public instruction
20 that includes:

21 (a) A proposed calendar for the school day and school year that
22 demonstrates how the instructional hour requirement will be
23 maintained;

24 (b) An explanation and estimate of the economies and efficiencies
25 to be gained from compressing the instructional hours into fewer than
26 (~~one hundred eighty~~) 185 days;

27 (c) An explanation of how monetary savings from the proposal will
28 be redirected to support student learning;

29 (d) A summary of comments received at one or more public hearings
30 on the proposal and how concerns will be addressed;

31 (e) An explanation of the impact on students who rely upon free
32 and reduced-price school child nutrition services and the impact on
33 the ability of the child nutrition program to operate an economically
34 independent program;

35 (f) An explanation of the impact on employees in education
36 support positions and the ability to recruit and retain employees in
37 education support positions;

38 (g) An explanation of the impact on students whose parents work
39 during the missed school day; and

1 (h) Other information that the superintendent of public
2 instruction may request to assure that the proposed flexible calendar
3 will not adversely affect student learning.

4 (3) The state board of education shall adopt rules establishing
5 the criteria to evaluate waiver requests under this section. A waiver
6 may be effective for up to three years and may be renewed for
7 subsequent periods of three or fewer years. After each school year in
8 which a waiver has been granted under this section, the
9 superintendent of public instruction must analyze empirical evidence
10 to determine whether the reduction is affecting student learning. If
11 the superintendent of public instruction determines that student
12 learning is adversely affected, the school district must discontinue
13 the flexible calendar as soon as possible but not later than the
14 beginning of the next school year after the superintendent of public
15 instruction's determination.

16 (4) The superintendent of public instruction may grant waivers
17 authorized under this section to (~~ten~~) 10 or fewer school districts
18 with student populations of less than (~~five hundred~~) 500 students.
19 Of the (~~ten~~) 10 waivers that may be granted, two must be reserved
20 for districts with student populations of less than (~~one hundred~~
21 ~~fifty~~) 150 students.

22 **Sec. 4.** RCW 28A.150.290 and 1992 c 141 s 504 are each amended to
23 read as follows:

24 (1) The superintendent of public instruction shall have the power
25 and duty to make such rules and regulations as are necessary for the
26 proper administration of this chapter and RCW 28A.160.150 through
27 (~~28A.160.220,~~) 28A.160.210, 28A.300.035, 28A.300.170, and
28 28A.500.010 not inconsistent with the provisions thereof, and in
29 addition to require such reports as may be necessary to carry out his
30 or her duties under this chapter and RCW 28A.160.150 through
31 (~~28A.160.220,~~) 28A.160.210, 28A.300.035, 28A.300.170, and
32 28A.500.010.

33 (2) The superintendent of public instruction shall have the
34 authority to make rules and regulations which establish the terms and
35 conditions for allowing school districts to receive state basic
36 education moneys as provided in RCW 28A.150.250 when said districts
37 are unable to fulfill for one or more schools as officially scheduled
38 the requirement of a full school year of (~~one hundred eighty~~) 185
39 days or the annual average total instructional hour offering imposed

1 by RCW 28A.150.220 and 28A.150.260 due to one or more of the
2 following conditions:

3 (a) An unforeseen natural event, including, but not necessarily
4 limited to, a fire, flood, explosion, storm, earthquake, epidemic, or
5 volcanic eruption that has the direct or indirect effect of rendering
6 one or more school district facilities unsafe, unhealthy,
7 inaccessible, or inoperable; and

8 (b) An unforeseen mechanical failure or an unforeseen action or
9 inaction by one or more persons, including negligence and threats,
10 that (i) is beyond the control of both a school district board of
11 directors and its employees and (ii) has the direct or indirect
12 effect of rendering one or more school district facilities unsafe,
13 unhealthy, inaccessible, or inoperable. Such actions, inactions or
14 mechanical failures may include, but are not necessarily limited to,
15 arson, vandalism, riots, insurrections, bomb threats, bombings,
16 delays in the scheduled completion of construction projects, and the
17 discontinuance or disruption of utilities such as heating, lighting
18 and water: PROVIDED, That an unforeseen action or inaction shall not
19 include any labor dispute between a school district board of
20 directors and any employee of the school district.

21 A condition is foreseeable for the purposes of this subsection to
22 the extent a reasonably prudent person would have anticipated prior
23 to August first of the preceding school year that the condition
24 probably would occur during the ensuing school year because of the
25 occurrence of an event or a circumstance which existed during such
26 preceding school year or a prior school year. A board of directors of
27 a school district is deemed for the purposes of this subsection to
28 have knowledge of events and circumstances which are a matter of
29 common knowledge within the school district and of those events and
30 circumstances which can be discovered upon prudent inquiry or
31 inspection.

32 (3) The superintendent of public instruction shall make every
33 effort to reduce the amount of paperwork required in administration
34 of this chapter and RCW 28A.160.150 through ~~((28A.160.220,))~~
35 28A.160.210, 28A.300.035, 28A.300.170, and 28A.500.010; to simplify
36 the application, monitoring and evaluation processes used; to
37 eliminate all duplicative requests for information from local school
38 districts; and to make every effort to integrate and standardize
39 information requests for other state education acts and federal aid
40 to education acts administered by the superintendent of public

1 instruction so as to reduce paperwork requirements and duplicative
2 information requests.

3 **Sec. 5.** RCW 28A.300.109 and 2018 c 290 s 2 are each amended to
4 read as follows:

5 (1) The superintendent of public instruction shall, upon receipt
6 of an application from a school that is the subject of a state-tribal
7 education compact and that is participating in the pilot project
8 established in RCW 28A.715.800:

9 (a) Grant a waiver from the requirements for a (~~one-hundred~~
10 ~~eighty-day~~) 185-day school year under RCW 28A.150.220; and

11 (b) Authorize the school to consider student participation in
12 cultural, fisheries, or agricultural programs as instructional days
13 for the purposes of RCW 28A.150.220(5).

14 (2) This section expires September 1, 2023.

15 **Sec. 6.** RCW 28A.310.240 and 2009 c 47 s 1 are each amended to
16 read as follows:

17 (1) Every educational service district board shall adopt written
18 policies granting leaves to persons under contracts of employment
19 with the district in positions requiring either certification or
20 classified qualifications, including but not limited to leaves for
21 attendance at official or private institutes and conferences and
22 sabbatical leaves for employees in positions requiring certification
23 qualification, and leaves for illness, injury, bereavement, and
24 emergencies for both certificated and classified employees, with such
25 compensation as the board prescribes. The board shall adopt written
26 policies granting annual leave with compensation for illness, injury,
27 and emergencies as follows:

28 (a) For persons under contract with the district for a full
29 fiscal year, at least (~~ten~~) 10 days;

30 (b) For persons under contract with the district as part-time
31 employees, at least that portion of (~~ten~~) 10 days as the total
32 number of days contracted for bears to (~~one-hundred-eighty~~) 185
33 days;

34 (c) For certificated and classified employees, annual leave with
35 compensation for illness, injury, and emergencies shall be granted
36 and accrue at a rate not to exceed twelve days per fiscal year.
37 Provisions of any contract in force on July 23, 1989, which conflict
38 with requirements of this subsection shall continue in effect until

1 contract expiration; after expiration, any new contract executed
2 between the parties shall be consistent with this subsection;

3 (d) Compensation for leave for illness or injury actually taken
4 shall be the same as the compensation the person would have received
5 had the person not taken the leave provided in this section;

6 (e) Leave provided in this section not taken shall accumulate
7 from fiscal year to fiscal year up to a maximum of (~~one hundred~~
8 ~~eighty~~) 185 days for the purposes of RCW 28A.310.490, and for leave
9 purposes up to a maximum of the number of contract days agreed to in
10 a given contract, but not greater than one fiscal year. Such
11 accumulated time may be taken at any time during the fiscal year, or
12 up to (~~twelve~~) 12 days per year may be used for the purpose of
13 payments for unused sick leave; and

14 (f) Accumulated leave under this section shall be transferred to
15 educational service districts, school districts, the office of the
16 superintendent of public instruction, the state school for the blind,
17 the (~~school for the deaf~~) Washington center for deaf and hard of
18 hearing youth, institutions of higher education, and community and
19 technical colleges, and from any such district, school, or office to
20 another such district, school, office, institution of higher
21 education, or community or technical college. An intervening
22 customary summer break in employment or the performance of employment
23 duties shall not preclude such a transfer.

24 (2) Leave accumulated by a person in a district prior to leaving
25 the district may, under rules of the board, be granted to the person
26 when the person returns to the employment of the district.

27 (3) Leave for illness or injury accumulated before July 23, 1989,
28 under the administrative practices of an educational service
29 district, and such leave transferred before July 23, 1989, to or from
30 an educational service district, school district, or the office of
31 the superintendent of public instruction under the administrative
32 practices of the district or office, is declared valid and shall be
33 added to such leave for illness or injury accumulated after July 23,
34 1989.

35 **Sec. 7.** RCW 28A.330.100 and 2006 c 263 s 417 are each amended to
36 read as follows:

37 Every board of directors of a school district of the first class,
38 in addition to the general powers for directors enumerated in this
39 title, shall have the power:

1 (1) To employ for a term of not exceeding three years a
2 superintendent of schools of the district, and for cause to dismiss
3 him or her, and to fix his or her duties and compensation;

4 (2) To employ, and for cause dismiss one or more assistant
5 superintendents and to define their duties and fix their
6 compensation;

7 (3) To employ a business manager, attorneys, architects,
8 inspectors of construction, superintendents of buildings and a
9 superintendent of supplies, all of whom shall serve at the board's
10 pleasure, and to prescribe their duties and fix their compensation;

11 (4) To employ, and for cause dismiss, supervisors of instruction
12 and to define their duties and fix their compensation;

13 (5) To prescribe a course of study and a program of exercises
14 which shall be consistent with the course of study prepared by the
15 superintendent of public instruction for the use of the common
16 schools of this state;

17 (6) To, in addition to the minimum requirements imposed by this
18 title establish and maintain such grades and departments, including
19 night, high, kindergarten, vocational training and, except as
20 otherwise provided by law, industrial schools, and schools and
21 departments for the education and training of any class or classes of
22 youth with disabilities, as in the judgment of the board, best shall
23 promote the interests of education in the district;

24 (7) To determine the length of time over and above (~~one hundred~~
25 ~~eighty~~) 185 days that school shall be maintained(~~(: PROVIDED, That~~
26 ~~for purposes of apportionment no district shall be credited with more~~
27 ~~than one hundred and eighty-three days' attendance in any school~~
28 ~~year;)~~), and to fix the time for annual opening and closing of
29 schools and for the daily dismissal of pupils before the regular time
30 for closing schools;

31 (8) To maintain a shop and repair department, and to employ, and
32 for cause dismiss, a foreman and the necessary help for the
33 maintenance and conduct thereof;

34 (9) To provide free textbooks and supplies for all children
35 attending school;

36 (10) To require of the officers or employees of the district to
37 give a bond for the honest performance of their duties in such penal
38 sum as may be fixed by the board with good and sufficient surety, and
39 to cause the premium for all bonds required of all such officers or
40 employees to be paid by the district: PROVIDED, That the board may,

1 by written policy, allow that such bonds may include a deductible
2 proviso not to exceed two percent of the officer's or employee's
3 annual salary;

4 (11) To prohibit all secret fraternities and sororities among the
5 students in any of the schools of the said districts; and

6 (12) To appoint a practicing physician, resident of the school
7 district, who shall be known as the school district medical
8 inspector, and whose duty it shall be to decide for the board of
9 directors all questions of sanitation and health affecting the safety
10 and welfare of the public schools of the district who shall serve at
11 the board's pleasure: PROVIDED, That children shall not be required
12 to submit to vaccination against the will of their parents or
13 guardian.

14 **Sec. 8.** RCW 28A.400.300 and 2019 c 266 s 19 are each amended to
15 read as follows:

16 (1) Every board of directors, unless otherwise specially provided
17 by law, shall:

18 (a) Except as provided in subsection (3) of this section, employ
19 for not more than one year, and for sufficient cause discharge all
20 certificated and classified employees;

21 (b) Adopt written policies granting leaves to persons under
22 contracts of employment with the school district(s) in positions
23 requiring either certification or classified qualifications,
24 including but not limited to leaves for attendance at official or
25 private institutes and conferences and sabbatical leaves for
26 employees in positions requiring certification qualification, and
27 leaves for illness, injury, bereavement and, emergencies for both
28 certificated and classified employees, and with such compensation as
29 the board of directors prescribe. However, the board of directors
30 shall adopt written policies granting to such persons annual leave
31 with compensation for illness, injury and emergencies as follows:

32 (i) For such persons under contract with the school district for
33 a full year, at least (~~ten~~) 10 days;

34 (ii) For such persons under contract with the school district as
35 part time employees, at least that portion of (~~ten~~) 10 days as the
36 total number of days contracted for bears to (~~one hundred eighty~~)
37 185 days;

38 (iii) For certificated and classified employees, annual leave
39 with compensation for illness, injury, and emergencies shall be

1 granted and accrue at a rate not to exceed (~~twelve~~) 12 days per
2 year; provisions of any contract in force on June 12, 1980, which
3 conflict with requirements of this subsection shall continue in
4 effect until contract expiration; after expiration, any new contract
5 executed between the parties shall be consistent with this
6 subsection;

7 (iv) Compensation for leave for illness or injury actually taken
8 shall be the same as the compensation such person would have received
9 had such person not taken the leave provided in this proviso;

10 (v) Leave provided in this proviso not taken shall accumulate
11 from year to year up to a maximum of (~~one hundred eighty~~) 185 days
12 for the purposes of RCW 28A.400.210 and 28A.400.220, and for leave
13 purposes up to a maximum of the number of contract days agreed to in
14 a given contract, but not greater than one year. Such accumulated
15 time may be taken at any time during the school year or up to
16 (~~twelve~~) 12 days per year may be used for the purpose of payments
17 for unused sick leave;

18 (vi) Sick leave heretofore accumulated under section 1, chapter
19 195, Laws of 1959 (former RCW 28.58.430) and sick leave accumulated
20 under administrative practice of school districts prior to the
21 effective date of section 1, chapter 195, Laws of 1959 (former RCW
22 28.58.430) is hereby declared valid, and shall be added to leave for
23 illness or injury accumulated under this proviso;

24 (vii) Any leave for injury or illness accumulated up to a maximum
25 of (~~forty-five~~) 45 days shall be creditable as service rendered for
26 the purpose of determining the time at which an employee is eligible
27 to retire, if such leave is taken it may not be compensated under the
28 provisions of RCW 28A.400.210 and 28A.310.490;

29 (viii) Accumulated leave under this proviso shall be transferred
30 to and from one district to another, the office of superintendent of
31 public instruction, offices of educational service district
32 superintendents and boards, the state school for the blind, the
33 Washington center for deaf and hard of hearing youth, institutions of
34 higher education, and community and technical colleges, to and from
35 such districts, schools, offices, institutions of higher education,
36 and community and technical colleges;

37 (ix) Leave accumulated by a person in a district prior to leaving
38 said district may, under rules of the board, be granted to such
39 person when the person returns to the employment of the district.

1 (2) When any certificated or classified employee leaves one
2 school district within the state and commences employment with
3 another school district within the state, the employee shall retain
4 the same seniority, leave benefits and other benefits that the
5 employee had in his or her previous position. However, classified
6 employees who transfer between districts after July 28, 1985, shall
7 not retain any seniority rights other than longevity when leaving one
8 school district and beginning employment with another. If the school
9 district to which the person transfers has a different system for
10 computing seniority, leave benefits, and other benefits, then the
11 employee shall be granted the same seniority, leave benefits and
12 other benefits as a person in that district who has similar
13 occupational status and total years of service.

14 (3) Notwithstanding subsection (1)(a) of this section, discharges
15 of certificated and classified employees in school districts that are
16 dissolved due to financial insolvency shall be conducted in
17 accordance with RCW 28A.315.229.

18 **Sec. 9.** RCW 28A.410.080 and 1969 ex.s. c 223 s 28A.01.025 are
19 each amended to read as follows:

20 The school year for all matters pertaining to teacher
21 certification or for computing experience in teaching shall consist
22 of not fewer than (~~one hundred eighty~~) 185 school days.

23 **Sec. 10.** RCW 28A.715.800 and 2018 c 290 s 1 are each amended to
24 read as follows:

25 (1) The office of the superintendent of public instruction shall
26 establish a pilot project for one or more schools that are the
27 subject of a state-tribal education compact, schools also known as
28 "tribal compact schools," to implement modifications to requirements
29 governing school attendance, school year length, and assessments.
30 Tribal compact schools that apply to the office of the superintendent
31 of public instruction to participate in the pilot project must be
32 included in the pilot project.

33 (2) The purpose of the pilot project is to grant participating
34 schools flexibility regarding:

35 (a) Accommodating cultural, fisheries, and agricultural events
36 and practices; and

37 (b) Replacing, to the maximum extent permitted by state and
38 federal law, statewide student assessments with locally developed

1 assessments that are culturally relevant, based on community
2 standards, and aligned with the Washington state learning standards.

3 (3) Schools participating in the pilot project may:

4 (a) Request a waiver, in accordance with RCW 28A.300.109, to the
5 requirement for a (~~one hundred eighty~~) 185-day school year
6 established in RCW 28A.150.220. The waiver requested in accordance
7 with this subsection (3)(a) may be for allowing additional
8 instructional days, including an allowance for year-round
9 instruction;

10 (b) Develop curricula that links student learning with engagement
11 in cultural, fisheries, and agricultural programs, and aligns with
12 the Washington state learning standards;

13 (c) Request authorization to consider student participation in
14 cultural, fisheries, or agricultural programs as instructional days
15 for the purposes of RCW 28A.150.220(5);

16 (d) Replace, to the maximum extent permitted by state and federal
17 law, statewide student assessments with locally developed assessments
18 that are culturally relevant, based on community standards, and
19 aligned with the Washington state learning standards; and

20 (e) Consider and implement, to the maximum extent permitted by
21 state and federal law, other modifications to requirements as
22 determined by each participating school.

23 (4) The office of native education within the office of the
24 superintendent of public instruction must collaborate with each
25 tribal compact school participating in the pilot project, including
26 providing technical support and assistance, and review any terms of
27 the compact that relate to the school's implementation of the pilot
28 project.

29 (5) The office of the superintendent of public instruction, in
30 establishing the pilot project required by this section, shall
31 explore and pursue options for granting flexibility to participating
32 schools from state and federal requirements, including requirements
33 related to assessments, to further the purpose of the pilot project
34 as expressed in subsection (2) of this section.

35 (6) If requested by a tribal compact school participating or
36 intending to participate in the pilot project, the superintendent of
37 public instruction shall convene a government-to-government meeting
38 with the tribal compact school for the purpose of revising the
39 compact to reflect the terms of the pilot project. The superintendent

1 of public instruction may also convene a government-to-government
2 meeting on his or her own accord.

3 (7) Nothing contained in this section is intended or may be
4 construed to limit the amount of funding allocated to tribal compact
5 schools participating in the pilot project.

6 (8)(a) Each tribal compact school participating in the pilot
7 project shall submit a report every two years to the appropriate
8 committees of the house of representatives and senate and the office
9 of the superintendent of public instruction, with the first report
10 submitted no later than August 1, 2021.

11 (b) Reports submitted in accordance with this subsection (8) must
12 include:

13 (i) Information about student performance on assessments required
14 for state and federal accountability purposes and locally developed
15 assessments under subsection (3)(d) of this section, including
16 differences in student performance between the statewide and locally
17 developed assessments; and

18 (ii) Recommendations for lessening or removing barriers that may
19 affect either student performance on assessments, the effective
20 administration of assessments, or both.

21 (c) The final report of each participating school must include a
22 recommendation of whether the pilot project should be modified,
23 continued, expanded, or discontinued.

24 (d) Reports submitted to the house of representatives and the
25 senate in accordance with this subsection (8) must comply with RCW
26 43.01.036.

27 (9) The pilot project expires August 1, 2023.

28 (10) This section expires September 1, 2023.

29 NEW SECTION. **Sec. 11.** This act takes effect August 1, 2023.

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