
SUBSTITUTE SENATE BILL 6023

State of Washington

60th Legislature

2007 Regular Session

By Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe and Rasmussen)

READ FIRST TIME 02/28/07.

1 AN ACT Relating to the Washington assessment of student learning;
2 amending RCW 28A.655.061, 28A.655.065, and 28A.155.045; adding new
3 sections to chapter 28A.655 RCW; providing an expiration date; and
4 declaring an emergency.

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

6 **Sec. 1.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
7 read as follows:

8 (1) The high school assessment system shall include but need not be
9 limited to the Washington assessment of student learning, opportunities
10 for a student to retake the content areas of the assessment in which
11 the student was not successful, and if approved by the legislature
12 pursuant to subsection (10) of this section, one or more objective
13 alternative assessments for a student to demonstrate achievement of
14 state academic standards. The objective alternative assessments for
15 each content area shall be comparable in rigor to the skills and
16 knowledge that the student must demonstrate on the Washington
17 assessment of student learning for each content area.

18 (2) Subject to the conditions in this section, a certificate of
19 academic achievement shall be obtained by most students at about the

1 age of sixteen, and is evidence that the students have successfully met
2 the state standard in the content areas included in the certificate.
3 With the exception of students satisfying the provisions of RCW
4 28A.155.045 or section 5 of this act, acquisition of the certificate is
5 required for graduation from a public high school but is not the only
6 requirement for graduation.

7 (3) Beginning with the graduating class of 2008, with the exception
8 of students satisfying the provisions of RCW 28A.155.045, a student who
9 meets the state standards on the reading(~~(r)~~) and writing(~~(r—and~~
10 ~~mathematics~~)) content areas of the high school Washington assessment of
11 student learning shall earn a certificate of academic achievement.
12 Beginning with the graduating class of 2010, a student who meets the
13 state standard in science, as provided in this section, shall earn a
14 certificate of academic achievement. If a student does not
15 successfully meet the state standards in one or more content areas
16 required for the certificate of academic achievement, then the student
17 may retake the assessment in the content area up to four times at no
18 cost to the student. If the student successfully meets the state
19 standards on a retake of the assessment then the student shall earn a
20 certificate of academic achievement. Once objective alternative
21 assessments are authorized pursuant to subsection (10) of this section,
22 a student may use the objective alternative assessments to demonstrate
23 that the student successfully meets the state standards for that
24 content area if the student has retaken the Washington assessment of
25 student learning at least once. If the student successfully meets the
26 state standards on the objective alternative assessments then the
27 student shall earn a certificate of academic achievement.

28 (4) Beginning with the graduating class of (~~(2010)~~) 2011, a student
29 must meet the state standards in science in addition to the other
30 content areas required under subsection (3) of this section on the
31 Washington assessment of student learning or the objective alternative
32 assessments in order to earn a certificate of academic achievement.

33 (5) The state board of education may not require the acquisition of
34 the certificate of academic achievement for students in home-based
35 instruction under chapter 28A.200 RCW, for students enrolled in private
36 schools under chapter 28A.195 RCW, or for students satisfying the
37 provisions of RCW 28A.155.045.

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

3 (7) Beginning in 2006, school districts must make available to
4 students the following options:

5 (a) To retake the Washington assessment of student learning up to
6 four times in the content areas in which the student did not meet the
7 state standards if the student is enrolled in a public school; or

8 (b) To retake the Washington assessment of student learning up to
9 four times in the content areas in which the student did not meet the
10 state standards if the student is enrolled in a high school completion
11 program at a community or technical college. The superintendent of
12 public instruction and the state board for community and technical
13 colleges shall jointly identify means by which students in these
14 programs can be assessed.

15 (8) Students who achieve the standard in a content area of the high
16 school assessment but who wish to improve their results shall pay for
17 retaking the assessment, using a uniform cost determined by the
18 superintendent of public instruction.

19 (9) Subject to available funding, the superintendent shall pilot
20 opportunities for retaking the high school assessment beginning in the
21 2004-05 school year. Beginning no later than September 2006,
22 opportunities to retake the assessment at least twice a year shall be
23 available to each school district.

24 (10)(a) The office of the superintendent of public instruction
25 shall develop options for implementing objective alternative
26 assessments, which may include an appeals process in addition to the
27 appeals process through the educational service districts established
28 in section 2 of this act, for students to demonstrate achievement of
29 the state academic standards. The objective alternative assessments
30 shall be comparable in rigor to the skills and knowledge that the
31 student must demonstrate on the Washington assessment of student
32 learning and be objective in its determination of student achievement
33 of the state standards. Before any objective alternative assessments
34 in addition to those authorized in RCW 28A.655.065 or (b) of this
35 subsection are used by a student to demonstrate that the student has
36 met the state standards in a content area required to obtain a
37 certificate, the legislature shall formally approve the use of any

1 objective alternative assessments through the omnibus appropriations
2 act or by statute or concurrent resolution.

3 (b) A student's score on the mathematics, reading or English, or
4 writing portion of the preliminary scholastic assessment test (PSAT),
5 the scholastic assessment test (SAT), or the American college test
6 (ACT) may be used as an objective alternative assessment under this
7 section for demonstrating that a student has met or exceeded the
8 ~~((mathematics))~~ state standards for the certificate of academic
9 achievement. The state board of education shall identify the scores
10 students must achieve on the ~~((mathematics))~~ relevant portion of the
11 PSAT, SAT, or ACT to meet or exceed the state standard ~~((for~~
12 ~~mathematics))~~ in the relevant content area on the Washington assessment
13 of student learning. The state board of education shall identify the
14 first reading, English, and writing scores by December 1, ~~((2006))~~
15 2007, and thereafter may increase but not decrease the scores required
16 for students to meet or exceed the state ~~((standard for mathematics))~~
17 standards.

18 (c) A student who scores at least a three on the grading scale of
19 one to five for selected advance placement examinations may use the
20 score as an objective alternative assessment under this section for
21 demonstrating that a student has met or exceeded state standards for
22 the certificate of academic achievement. A score of three on the
23 advance placement examinations in calculus or statistics may be used as
24 an alternative assessment for the mathematics portion of the Washington
25 assessment of student learning. A score of three on the advance
26 placement examinations in English language and composition or in
27 English literature and composition may be used as an alternative
28 assessment for the writing portion of the Washington assessment of
29 student learning. A score of three on the advance placement
30 examinations in macroeconomics, microeconomics, psychology, United
31 States history, world history, United States government and politics,
32 or comparative government and politics may be used as an alternative
33 assessment for the reading portion of the Washington assessment of
34 student learning.

35 (d) A student who passes certain international baccalaureate
36 diploma programme examinations may use the examination as an objective
37 alternative assessment under this section for demonstrating that a
38 student has met or exceeded state standards for the certificate of

1 academic achievement. The international baccalaureate diploma
2 programme examination in literature may be used as an alternative
3 assessment for the reading or writing portion of the Washington
4 assessment of student learning. The international baccalaureate
5 diploma programme examination in mathematics may be used as an
6 alternative assessment for the mathematics portion of the Washington
7 assessment of student learning.

8 (e) The state board of education shall review the list of board-
9 approved tenth grade level standardized student achievement tests
10 approved under RCW 28A.200.010, and designate three of the tests to
11 serve as an objective alternative assessment under this section for
12 demonstrating that a student has met or exceeded state standards for
13 the certificate of academic achievement. Upon the request of a student
14 who is seeking to use one of the designated tests as an objective
15 alternative, a school district shall obtain and administer the test to
16 the student. By September 1, 2007, the state board of education shall
17 determine the score that a student must obtain on each designated test
18 for the test for the student to obtain a certificate of academic
19 achievement.

20 (11) The superintendent of public instruction shall develop end-of-
21 course examinations for all content areas assessed on the Washington
22 assessment of student learning to serve as objective alternative
23 assessments under this section for demonstrating that a student has met
24 or exceeded state standards for the certificate of academic
25 achievement. The superintendent shall begin development of such
26 examinations with the content area of mathematics, including end-of-
27 course examinations in algebra I and II and geometry, and shall
28 implement the end-of-course examinations in mathematics in the 2008-09
29 school year.

30 (12) The superintendent shall notify the legislature of any
31 contemplated or finalized changes.

32 (13) By December 15, 2004, the house of representatives and senate
33 education committees shall obtain information and conclusions from
34 recognized, independent, national assessment experts regarding the
35 validity and reliability of the high school Washington assessment of
36 student learning for making individual student high school graduation
37 determinations.

1 ~~((12))~~ (14) To help assure continued progress in academic
2 achievement as a foundation for high school graduation and to assure
3 that students are on track for high school graduation, each school
4 district shall prepare student success plans for ~~((students as provided~~
5 ~~in this subsection (12)).~~

6 ~~(a) Student learning plans are required for~~) eighth through
7 twelfth grade students who were not successful on any or all of the
8 content areas of the Washington assessment for student learning during
9 the previous school year. The plan shall be a comprehensive
10 intervention plan to assist the student in continued academic progress
11 and shall include the courses, competencies, and other steps needed to
12 be taken by the student to meet state academic standards and stay on
13 track for graduation. ~~((This requirement shall be phased in as~~
14 ~~follows:~~

15 ~~(i) Beginning no later than the 2004-05 school year ninth grade~~
16 ~~students as described in this subsection (12)(a) shall have a plan.~~

17 ~~(ii) Beginning no later than the 2005-06 school year and every year~~
18 ~~thereafter eighth grade students as described in this subsection~~
19 ~~(12)(a) shall have a plan.~~

20 ~~(iii))~~

21 (a) The plan shall require the school district to offer and the
22 student to take a required class or academy in the content area in
23 which the student did not meet state standards on the Washington
24 assessment of student learning until the student does meet the state
25 standard. The plan may require the following:

26 (i) The school district to offer and the student to take before-or-
27 after school sessions, Saturday school, and/or summer school; and

28 (ii) A test preparation class to assist the student in preparation
29 for the assessment the student will be taking to earn the certificate
30 of achievement.

31 (b) The parent or guardian of each student with a student success
32 plan shall be notified, preferably through a parent conference, of the
33 student's results on the Washington assessment of student learning,
34 actions the school intends to take to improve the student's skills in
35 any content area in which the student was unsuccessful, strategies to
36 help them improve their student's skills, and the content of the
37 student's plan.

1 ~~((iv))~~ (c) The student success plan shall include semiannual
2 academic growth benchmarks for the student to meet. Progress made on
3 the ~~((student))~~ plan and any adjustments to be made to maintain or
4 increase the student's academic growth shall be reported to the
5 student's parents or guardian and the superintendent of public
6 instruction at least semiannually ~~((and adjustments to the plan made as~~
7 ~~necessary))~~.

8 ~~((b) Beginning with the 2005-06 school year and every year~~
9 ~~thereafter,))~~ (d) The school shall develop a more intensive plan for
10 any student who does not meet the semiannual benchmarks in consecutive
11 periods. The student, the student's parent or guardian, the student's
12 classroom teacher or teachers, the counselor, and the principal shall
13 meet to develop the plan.

14 (e) If ten percent of the students with a student success plan
15 within a school district do not meet the semiannual benchmarks
16 established in the plan as required by this section, then the
17 superintendent of public instruction shall develop a tiered
18 intervention plan for the school district that provides a graduated
19 series of increasingly intensive intervention strategies for the
20 district and the schools in which the benchmarks are not being met.

21 (15) All fifth and sixth grade students who were not successful in
22 one or more of the content areas of the ~~((fourth grade))~~ Washington
23 assessment of student learning shall have a student ~~((learning))~~
24 success plan.

25 ~~((i))~~ (a) The parent or guardian of a student described in this
26 subsection ~~((12)(b))~~ (15) shall be notified, preferably through a
27 parent conference, of the student's results on the Washington
28 assessment of student learning, actions the school intends to take to
29 improve the student's skills in any content area in which the student
30 was unsuccessful, and provide strategies to help them improve their
31 student's skills.

32 ~~((ii))~~ (b) Progress made on the student plan shall be reported to
33 the student's parents or guardian at least semiannually and adjustments
34 to the plan made as necessary.

35 **Sec. 2.** RCW 28A.655.065 and 2006 c 115 s 1 are each amended to
36 read as follows:

37 (1) The legislature has made a commitment to rigorous academic

1 standards for receipt of a high school diploma. The primary way that
2 students will demonstrate that they meet the standards in reading((~~τ~~))
3 and writing((~~τ~~, ~~mathematics~~, ~~and science~~)) is through the Washington
4 assessment of student learning. Once the end-of-course examinations
5 are developed for mathematics and science, as provided in RCW
6 28A.655.061, then these end-of-course examinations shall be the primary
7 way that students demonstrate they meet the standards in mathematics
8 and science. Only objective assessments that are comparable in rigor
9 to the state assessment are authorized as an alternative assessment.
10 Before seeking an alternative assessment, the legislature expects
11 students to make a genuine effort to meet state standards, through
12 retaking the Washington assessment of student learning; regular and
13 consistent attendance at school; and participation in extended learning
14 and other assistance programs.

15 (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,
16 the superintendent of public instruction shall implement objective
17 alternative assessment methods as provided in this section for students
18 to demonstrate achievement of the state standards in content areas in
19 which the student has not yet met the standard on the high school
20 Washington assessment of student learning. A student may access an
21 alternative if the student meets applicable eligibility criteria in RCW
22 28A.655.061 and other eligibility criteria established by the
23 superintendent of public instruction, including but not limited to
24 attendance criteria and participation in the remediation or
25 supplemental instruction contained in the student learning plan
26 developed under RCW 28A.655.061. A school district may waive
27 attendance and/or remediation criteria for special, unavoidable
28 circumstances.

29 (3) For the purposes of this section, "applicant" means a student
30 seeking to use one of the alternative assessment methods in this
31 section.

32 (4) One alternative assessment method shall be a combination of the
33 applicant's grades in applicable courses and the applicant's highest
34 score on the high school Washington assessment of student learning, as
35 provided in this subsection. The superintendent of public instruction
36 shall determine which high school courses are applicable to the
37 alternative assessment method and shall issue guidelines to school
38 districts.

1 (a) Using guidelines prepared by the superintendent of public
2 instruction, a school district shall identify the group of students in
3 the same school as the applicant who took the same high school courses
4 as the applicant in the applicable content area. From the group of
5 students identified in this manner, the district shall select the
6 comparison cohort that shall be those students who met or slightly
7 exceeded the state standard on the Washington assessment of student
8 learning.

9 (b) The district shall compare the applicant's grades in high
10 school courses in the applicable content area to the grades of students
11 in the comparison cohort for the same high school courses. If the
12 applicant's grades are equal to or above the mean grades of the
13 comparison cohort, the applicant shall be deemed to have met the state
14 standard on the alternative assessment.

15 (c) An applicant may not use the alternative assessment under this
16 subsection (4) if there are fewer than six students in the comparison
17 cohort.

18 (5) The superintendent of public instruction shall develop an
19 alternative assessment method that shall be an evaluation of a
20 collection of work samples prepared and submitted by the applicant, as
21 provided in this subsection and, for career and technical applicants,
22 the additional requirements of subsection (6) of this section.

23 (a) The superintendent of public instruction shall develop
24 guidelines for the types and number of work samples in each content
25 area that may be submitted as a collection of evidence that the
26 applicant has met the state standard in that content area. Work
27 samples may be collected from academic, career and technical, or
28 remedial courses and may include performance tasks as well as written
29 products. The superintendent shall submit the guidelines for approval
30 by the state board of education.

31 (b) The superintendent shall develop protocols for submission of
32 the collection of work samples that include affidavits from the
33 applicant's teachers and school district that the samples are the work
34 of the applicant and a requirement that a portion of the samples be
35 prepared under the direct supervision of a classroom teacher. The
36 superintendent shall submit the protocols for approval by the state
37 board of education.

1 (c) The superintendent shall develop uniform scoring criteria for
2 evaluating the collection of work samples and submit the scoring
3 criteria for approval by the state board of education. Collections
4 shall be scored at the state level or regionally by a panel of
5 educators selected and trained by the superintendent to ensure
6 objectivity, reliability, and rigor in the evaluation. An educator may
7 not score work samples submitted by applicants from the educator's
8 school district. If the panel awards an applicant's collection of work
9 samples the minimum required score, the applicant shall be deemed to
10 have met the state standard on the alternative assessment.

11 (d) Using an open and public process that includes consultation
12 with district superintendents, school principals, and other educators,
13 the state board of education shall consider the guidelines, protocols,
14 scoring criteria, and other information regarding the collection of
15 work samples submitted by the superintendent of public instruction.
16 The collection of work samples may be implemented as an alternative
17 assessment after the state board of education has approved the
18 guidelines, protocols, and scoring criteria and determined that the
19 collection of work samples: (i) Will meet professionally accepted
20 standards for a valid and reliable measure of the grade level
21 expectations and the essential academic learning requirements; and (ii)
22 is comparable to or exceeds the rigor of the skills and knowledge that
23 a student must demonstrate on the Washington assessment of student
24 learning in the applicable content area. The state board shall make an
25 approval decision and determination no later than December 1, 2006, and
26 thereafter may increase the required rigor of the collection of work
27 samples.

28 (e) By September of 2006, the superintendent of public instruction
29 shall develop informational materials for parents, teachers, and
30 students regarding the collection of work samples and the status of its
31 development as an alternative assessment method. The materials shall
32 provide specific guidance regarding the type and number of work samples
33 likely to be required, include examples of work that meets the state
34 learning standards, and describe the scoring criteria and process for
35 the collection. The materials shall also encourage students in the
36 graduating class of 2008 to begin creating a collection if they believe
37 they may seek to use the collection once it is implemented as an
38 alternative assessment.

1 (6)(a) For students enrolled in a career and technical education
2 program approved under RCW 28C.04.110, the superintendent of public
3 instruction shall develop additional guidelines for a collection of
4 work samples that evidences that the collection:

5 (i) Is relevant to the student's particular career and technical
6 program;

7 (ii) Focuses on the application of academic knowledge and skills
8 within the program;

9 (iii) Includes completed activities or projects where demonstration
10 of academic knowledge is inferred; and

11 (iv) Is related to the essential academic learning requirements and
12 state standards that students must meet to earn a certificate of
13 academic achievement or certificate of individual achievement, but also
14 represents the knowledge and skills that successful individuals in the
15 career and technical field of the approved program are expected to
16 possess.

17 (b) To meet the state standard on the alternative assessment under
18 this subsection (6), an applicant must also attain the state or
19 nationally recognized certificate or credential associated with the
20 approved career and technical program.

21 (c) The superintendent shall consult with community and technical
22 colleges, employers, the work force training and education coordinating
23 board, apprenticeship programs, and other regional and national experts
24 in career and technical education to create an appropriate collection
25 of work samples and other evidence of a career and technical student's
26 knowledge and skills on the state academic standards.

27 (7) The superintendent of public instruction shall study the
28 feasibility of using existing mathematics assessments in languages
29 other than English as an additional alternative assessment option. The
30 study shall include an estimation of the cost of translating the tenth
31 grade mathematics assessment into other languages and scoring the
32 assessments should they be implemented.

33 (8) The superintendent of public instruction shall implement:

34 (a) By June 1, 2006, a process for students to appeal the score
35 they received on the high school assessments; and

36 (b) By January 1, 2007, guidelines and appeal processes for waiving
37 specific requirements in RCW 28A.655.061 pertaining to the certificate
38 of academic achievement and to the certificate of individual

1 achievement for students who: (i) Transfer to a Washington public
2 school in their junior or senior year with the intent of obtaining a
3 public high school diploma, or (ii) have special, unavoidable
4 circumstances.

5 (9) Each educational service district shall establish an appeals
6 panel comprised of educators of the relevant content areas on the
7 Washington assessment of student learning to review and decide appeals
8 submitted by students who did not meet the state standard on the
9 Washington assessment of student learning or an objective alternative
10 assessment. The appeal shall not be an appeal established in
11 subsection (8) of this section, but an appeal by a student to
12 demonstrate that he or she has a level of understanding of a content
13 area assessed on the Washington assessment of student learning that is
14 sufficient to meet the state standard, but due to certain circumstances
15 was unable to demonstrate this level of understanding on the
16 assessment.

17 (10) The superintendent of public instruction may adopt rules to
18 implement this section.

19 NEW SECTION. Sec. 3. A new section is added to chapter 28A.655
20 RCW to read as follows:

21 (1) English language learners who score at the intermediate level
22 two or below on the Washington language proficiency test or the
23 equivalent level of the evaluation used by the superintendent of public
24 instruction to assess the English and academic proficiency of English
25 language learners under RCW 28A.180.090, shall not be required to take
26 the Washington assessment of student learning, except as required by
27 federal law.

28 (2) Each school district shall prepare a student success plan for
29 every student who meets the criteria provided in subsection (1) of this
30 section. The student success plan shall be a comprehensive
31 intervention plan and shall include the courses, competencies, and
32 other steps needed to be taken by the student, school, and school
33 district to assist the student in continued progress towards English
34 and academic proficiency, including obtaining a certificate of academic
35 achievement by the time the student is age twenty-one. The plan may
36 include before-or-after school sessions, Saturday school, and/or summer
37 school.

1 **Sec. 4.** RCW 28A.155.045 and 2004 c 19 s 104 are each amended to
2 read as follows:

3 Beginning with the graduating class of 2008, students served under
4 this chapter, who are not appropriately assessed by the high school
5 Washington assessment system as defined in RCW 28A.655.061, even with
6 accommodations, may earn a certificate of individual achievement. The
7 certificate may be earned using multiple ways to demonstrate skills and
8 abilities commensurate with their individual education programs. The
9 determination of whether the high school assessment system is
10 appropriate shall be made by the student's individual education program
11 team. Except as provided in section 5 of this act, for these students,
12 the certificate of individual achievement is required for graduation
13 from a public high school, but need not be the only requirement for
14 graduation. When measures other than the high school assessment system
15 as defined in RCW 28A.655.061 are used, the measures shall be in
16 agreement with the appropriate educational opportunity provided for the
17 student as required by this chapter. The superintendent of public
18 instruction shall develop the guidelines for determining which students
19 should not be required to participate in the high school assessment
20 system and which types of assessments are appropriate to use.

21 When measures other than the high school assessment system as
22 defined in RCW 28A.655.061 are used for high school graduation
23 purposes, the student's high school transcript shall note whether that
24 student has earned a certificate of individual achievement.

25 Nothing in this section shall be construed to deny a student the
26 right to participation in the high school assessment system as defined
27 in RCW 28A.655.061, and, upon successfully meeting the high school
28 standard, receipt of the certificate of academic achievement.

29 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.655
30 RCW to read as follows:

31 (1) For the graduating classes of 2008 and 2009, students may
32 graduate from high school without earning a certificate of academic
33 achievement or a certificate of individual achievement if they:

34 (a) Have not successfully met the mathematics standard on the high
35 school Washington assessment of student learning, an approved objective
36 alternative assessment in mathematics, or an alternate assessment
37 developed for eligible special education students;

1 (b) Have successfully met the state standard in the other content
2 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

3 (c) Have met all other state and school district graduation
4 requirements; and

5 (2) In addition to the requirements under subsection (1) of this
6 section, for the graduating classes of 2008 and 2009, students must:

7 (a) Continue to annually take high school mathematics courses
8 designed to increase the individual student's mathematics proficiency
9 toward meeting or exceeding the mathematics standards assessed on the
10 high school Washington assessment of student learning;

11 (b) Obtain at least the equivalent of a C grade in each of the
12 mathematics courses taken; and

13 (c) Continue to take the appropriate mathematics assessment until
14 graduation.

15 (3) This section expires July 1, 2010.

16 NEW SECTION. **Sec. 6.** This act is necessary for the immediate
17 preservation of the public peace, health, or safety, or support of the
18 state government and its existing public institutions, and takes effect
19 immediately.

--- END ---