
SENATE BILL 6121

State of Washington

60th Legislature

2007 Regular Session

By Senators Jacobsen and Kline

Read first time 02/23/2007. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to establishing a state report card for education;
2 amending RCW 28A.655.061, 28A.655.065, 28A.655.063, and 28A.155.045;
3 adding a new section to chapter 28A.655 RCW; and creating a new
4 section.

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

6 NEW SECTION. **Sec. 1.** The legislature finds that accountability
7 for meeting high standards of student achievement should be expected
8 from individual students, schools, school districts, and educators, as
9 well as state officials and the legislature. However, the legislature
10 further finds that the state and the overall system of public schools
11 should be expected to demonstrate that the necessary instruction,
12 support, and resources are being provided to students to enable them to
13 meet the higher standards before consequences are imposed on individual
14 students. Therefore the legislature intends to create the Washington
15 state report card for education based on statewide goals for improving
16 academic achievement, increasing high school graduation, reducing the
17 achievement gap, increasing per pupil funding, and reducing class size.
18 The Washington state report card for education will serve as a
19 mechanism to hold the state and the system of public schools

1 accountable for their performance on the statewide goals, each of which
2 must be reached before students are held individually accountable for
3 their performance on the Washington assessment of student learning.

4 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.655
5 RCW to read as follows:

6 (1) The Washington state report card for education is comprised of
7 the following statewide goals for the improvement of academic
8 achievement and state support of education for all students in public
9 schools:

10 (a) Seventy-five percent of students meet the state standards on
11 the reading, writing, mathematics, and science content areas of the
12 high school Washington assessment of student learning on the first
13 attempt;

14 (b) Eighty-five percent of students graduate from high school with
15 a high school diploma within four years of entering the ninth grade;

16 (c) Less than a ten percentage point gap exists between the percent
17 of all students and the percent of any subgroup of students who meet
18 the state standards on the reading, writing, mathematics, and science
19 content areas of the high school Washington assessment of student
20 learning on the first attempt. For the purposes of this section,
21 "subgroups of students" is defined as white, Asian/Pacific Islander,
22 American Indian, Hispanic, Black, and low income;

23 (d) The statewide average per pupil operating expenditure by
24 Washington state school districts for kindergarten through twelfth
25 grade education, from all revenue sources, exceeds the combined
26 weighted average per pupil operating expenditure for kindergarten
27 through twelfth grade education by school districts in the states of
28 California, Colorado, Connecticut, Maryland, Massachusetts, New Jersey,
29 Virginia, and Washington; and

30 (e) The formula adopted by the legislature for distribution of
31 basic education funds under RCW 28A.150.260 reflects the following
32 ratios at a minimum: (i) Seventy-eight certificated instructional
33 staff to one thousand annual average full-time equivalent students
34 enrolled in grades kindergarten through four; and (ii) forty-seven
35 certificated instructional staff to one thousand annual average full-
36 time equivalent students enrolled in grades five through twelve. The
37 legislature assumes that the staffing ratios in this section, adjusted

1 by assumed educational staff associates, specialist teachers, and daily
2 planning and preparation time, provide sufficient resources when
3 combined with student achievement funds under RCW 28A.505.220 to permit
4 a statewide average class size of fifteen students per core classroom
5 teacher in grades kindergarten through four and twenty-five students
6 per core classroom teacher in grades five through twelve.

7 (2) The state board of education shall submit a report to the
8 governor, the house of representatives, and the senate by December 1st
9 of each year indicating the performance on each of the goals of the
10 Washington state report card for education for the previous school
11 year.

12 (3) For the purposes of this section, "report card year" means the
13 school year in which the state board of education's report under this
14 section indicates that each of the goals of the Washington state report
15 card for education was met or exceeded for the previous school year.

16 (4) The graduating class of students whose first attempt at taking
17 the high school Washington assessment of student learning occurs in the
18 report card year shall be the first graduating class required to earn
19 a certificate of academic achievement under RCW 28A.655.061 or a
20 certificate of individual achievement under RCW 28A.155.045 for high
21 school graduation. Each graduating class thereafter must also meet the
22 requirements of RCW 28A.655.061 or 28A.155.045.

23 **Sec. 3.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
24 read as follows:

25 (1) The high school assessment system shall include but need not be
26 limited to the Washington assessment of student learning, opportunities
27 for a student to retake the content areas of the assessment in which
28 the student was not successful, and if approved by the legislature
29 pursuant to subsection ~~((10))~~ (9) of this section, one or more
30 objective alternative assessments for a student to demonstrate
31 achievement of state academic standards. The objective alternative
32 assessments for each content area shall be comparable in rigor to the
33 skills and knowledge that the student must demonstrate on the
34 Washington assessment of student learning for each content area.

35 (2) Subject to the conditions in this section and section 2 of this
36 act, a certificate of academic achievement shall be obtained by most
37 students at about the age of sixteen, and is evidence that the students

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

6 (3) Beginning with the graduating class (~~(of 2008)~~) identified in
7 section 2(4) of this act, with the exception of students satisfying the
8 provisions of RCW 28A.155.045, a student who meets the state standards
9 on the reading, writing, (~~(and)~~) mathematics, and science content areas
10 of the high school Washington assessment of student learning shall earn
11 a certificate of academic achievement. If a student does not
12 successfully meet the state standards in one or more content areas
13 required for the certificate of academic achievement, then the student
14 may retake the assessment in the content area up to four times at no
15 cost to the student. If the student successfully meets the state
16 standards on a retake of the assessment then the student shall earn a
17 certificate of academic achievement. Once objective alternative
18 assessments are authorized pursuant to subsection (~~((+10))~~) (9) of this
19 section, a student may use the objective alternative assessments to
20 demonstrate that the student successfully meets the state standards for
21 that content area if the student has retaken the Washington assessment
22 of student learning at least once. If the student successfully meets
23 the state standards on the objective alternative assessments then the
24 student shall earn a certificate of academic achievement.

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

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

35 (~~((+6))~~) (5) A student may retain and use the highest result from
36 each successfully completed content area of the high school assessment.

37 (~~((+7))~~) (6) Beginning in (~~((2006))~~) the report card year as defined

1 in section 2 of this act, school districts must make available to
2 students the following options:

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

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

13 ~~((+8))~~ (7) Students who achieve the standard in a content area of
14 the high school assessment but who wish to improve their results shall
15 pay for retaking the assessment, using a uniform cost determined by the
16 superintendent of public instruction.

17 ~~((+9) Subject to available funding, the superintendent shall pilot
18 opportunities for retaking the high school assessment beginning in the
19 2004-05 school year.))~~ (8) Beginning no later than ~~((September 2006))~~
20 the school year immediately following the report card year as defined
21 in section 2 of this act, opportunities to retake the assessment at
22 least twice a year shall be available to each school district.

23 ~~((+10))~~ (9)(a) The office of the superintendent of public
24 instruction shall develop options for implementing objective
25 alternative assessments, which may include an appeals process, for
26 students to demonstrate achievement of the state academic standards.
27 The objective alternative assessments shall be comparable in rigor to
28 the skills and knowledge that the student must demonstrate on the
29 Washington assessment of student learning and be objective in its
30 determination of student achievement of the state standards. Before
31 any objective alternative assessments in addition to those authorized
32 in RCW 28A.655.065 or (b) of this subsection are used by a student to
33 demonstrate that the student has met the state standards in a content
34 area required to obtain a certificate, the legislature shall formally
35 approve the use of any objective alternative assessments through the
36 omnibus appropriations act or by statute or concurrent resolution.

37 (b) A student's score on the mathematics portion of the preliminary
38 scholastic assessment test (PSAT), the scholastic assessment test

1 (SAT), or the American college test (ACT) may be used as an objective
2 alternative assessment under this section for demonstrating that a
3 student has met or exceeded the mathematics standards for the
4 certificate of academic achievement. The state board of education
5 shall identify the scores students must achieve on the mathematics
6 portion of the PSAT, SAT, or ACT to meet or exceed the state standard
7 for mathematics. The state board of education shall identify the first
8 scores by December 1, 2006, and thereafter may increase but not
9 decrease the scores required for students to meet or exceed the state
10 standard for mathematics.

11 ~~((+11+))~~ (10) By December 15, 2004, the house of representatives
12 and senate education committees shall obtain information and
13 conclusions from recognized, independent, national assessment experts
14 regarding the validity and reliability of the high school Washington
15 assessment of student learning for making individual student high
16 school graduation determinations.

17 ~~((+12+))~~ (11) To help assure continued progress in academic
18 achievement as a foundation for high school graduation and to assure
19 that students are on track for high school graduation, each school
20 district shall prepare plans for students as provided in this
21 subsection ~~((+12+))~~ (11).

22 (a) Student learning plans are required for all eighth through
23 twelfth grade students who were not successful on any or all of the
24 content areas of the Washington assessment for student learning during
25 the previous school year. The plan shall include the courses,
26 competencies, and other steps needed to be taken by the student to meet
27 state academic standards and stay on track for graduation. ~~((This
28 requirement shall be phased in as follows:~~

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

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

34 ~~(iii+))~~ (i) The parent or guardian shall be notified, preferably
35 through a parent conference, of the student's results on the Washington
36 assessment of student learning, actions the school intends to take to
37 improve the student's skills in any content area in which the student

1 was unsuccessful, strategies to help them improve their student's
2 skills, and the content of the student's plan.

3 ~~((iv))~~ (ii) Progress made on the student plan shall be reported
4 to the student's parents or guardian at least annually and adjustments
5 to the plan made as necessary.

6 ~~((Beginning with the 2005-06 school year and every year
7 thereafter,))~~ All fifth grade students who were not successful in one
8 or more of the content areas of the fourth grade Washington assessment
9 of student learning shall have a student learning plan.

10 (i) The parent or guardian of a student described in this
11 subsection ~~((12))~~ (11)(b) shall be notified, preferably through a
12 parent conference, of the student's results on the Washington
13 assessment of student learning, actions the school intends to take to
14 improve the student's skills in any content area in which the student
15 was unsuccessful, and provide strategies to help them improve their
16 student's skills.

17 (ii) Progress made on the student plan shall be reported to the
18 student's parents or guardian at least annually and adjustments to the
19 plan made as necessary.

20 **Sec. 4.** RCW 28A.655.065 and 2006 c 115 s 1 are each amended to
21 read as follows:

22 (1) The legislature has made a commitment to rigorous academic
23 standards for receipt of a high school diploma. The primary way that
24 students will demonstrate that they meet the standards in reading,
25 writing, mathematics, and science is through the Washington assessment
26 of student learning. Only objective assessments that are comparable in
27 rigor to the state assessment are authorized as an alternative
28 assessment. Before seeking an alternative assessment, the legislature
29 expects students to make a genuine effort to meet state standards,
30 through retaking the Washington assessment of student learning; regular
31 and consistent attendance at school; and participation in extended
32 learning and other assistance programs.

33 (2) Under RCW 28A.655.061, beginning in the ~~((2006-07))~~
34 immediately following the report card year as defined in section 2 of
35 this act, the superintendent of public instruction shall implement
36 objective alternative assessment methods as provided in this section
37 for students to demonstrate achievement of the state standards in

1 content areas in which the student has not yet met the standard on the
2 high school Washington assessment of student learning. A student may
3 access an alternative if the student meets applicable eligibility
4 criteria in RCW 28A.655.061 and other eligibility criteria established
5 by the superintendent of public instruction, including but not limited
6 to attendance criteria and participation in the remediation or
7 supplemental instruction contained in the student learning plan
8 developed under RCW 28A.655.061. A school district may waive
9 attendance and/or remediation criteria for special, unavoidable
10 circumstances.

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

14 (4) One alternative assessment method shall be a combination of the
15 applicant's grades in applicable courses and the applicant's highest
16 score on the high school Washington assessment of student learning, as
17 provided in this subsection. The superintendent of public instruction
18 shall determine which high school courses are applicable to the
19 alternative assessment method and shall issue guidelines to school
20 districts.

21 (a) Using guidelines prepared by the superintendent of public
22 instruction, a school district shall identify the group of students in
23 the same school as the applicant who took the same high school courses
24 as the applicant in the applicable content area. From the group of
25 students identified in this manner, the district shall select the
26 comparison cohort that shall be those students who met or slightly
27 exceeded the state standard on the Washington assessment of student
28 learning.

29 (b) The district shall compare the applicant's grades in high
30 school courses in the applicable content area to the grades of students
31 in the comparison cohort for the same high school courses. If the
32 applicant's grades are equal to or above the mean grades of the
33 comparison cohort, the applicant shall be deemed to have met the state
34 standard on the alternative assessment.

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

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

6 (a) The superintendent of public instruction shall develop
7 guidelines for the types and number of work samples in each content
8 area that may be submitted as a collection of evidence that the
9 applicant has met the state standard in that content area. Work
10 samples may be collected from academic, career and technical, or
11 remedial courses and may include performance tasks as well as written
12 products. The superintendent shall submit the guidelines for approval
13 by the state board of education.

14 (b) The superintendent shall develop protocols for submission of
15 the collection of work samples that include affidavits from the
16 applicant's teachers and school district that the samples are the work
17 of the applicant and a requirement that a portion of the samples be
18 prepared under the direct supervision of a classroom teacher. The
19 superintendent shall submit the protocols for approval by the state
20 board of education.

21 (c) The superintendent shall develop uniform scoring criteria for
22 evaluating the collection of work samples and submit the scoring
23 criteria for approval by the state board of education. Collections
24 shall be scored at the state level or regionally by a panel of
25 educators selected and trained by the superintendent to ensure
26 objectivity, reliability, and rigor in the evaluation. An educator may
27 not score work samples submitted by applicants from the educator's
28 school district. If the panel awards an applicant's collection of work
29 samples the minimum required score, the applicant shall be deemed to
30 have met the state standard on the alternative assessment.

31 (d) Using an open and public process that includes consultation
32 with district superintendents, school principals, and other educators,
33 the state board of education shall consider the guidelines, protocols,
34 scoring criteria, and other information regarding the collection of
35 work samples submitted by the superintendent of public instruction.
36 The collection of work samples may be implemented as an alternative
37 assessment after the state board of education has approved the
38 guidelines, protocols, and scoring criteria and determined that the

1 collection of work samples: (i) Will meet professionally accepted
2 standards for a valid and reliable measure of the grade level
3 expectations and the essential academic learning requirements; and (ii)
4 is comparable to or exceeds the rigor of the skills and knowledge that
5 a student must demonstrate on the Washington assessment of student
6 learning in the applicable content area. The state board shall make an
7 approval decision and determination no later than December 1, 2006, and
8 thereafter may increase the required rigor of the collection of work
9 samples.

10 (e) (~~By September of 2006~~) During the report card year, as
11 defined in section 2 of this act, the superintendent of public
12 instruction shall (~~develop~~) distribute informational materials for
13 parents, teachers, and students regarding the collection of work
14 samples and the status of its development as an alternative assessment
15 method. The materials shall provide specific guidance regarding the
16 type and number of work samples likely to be required, include examples
17 of work that meets the state learning standards, and describe the
18 scoring criteria and process for the collection. The materials shall
19 also encourage students (~~in the graduating class of 2008~~) to begin
20 creating a collection if they believe they may seek to use the
21 collection once it is implemented as an alternative assessment.

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

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

28 (ii) Focuses on the application of academic knowledge and skills
29 within the program;

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

32 (iv) Is related to the essential academic learning requirements and
33 state standards that students must meet to earn a certificate of
34 academic achievement or certificate of individual achievement, but also
35 represents the knowledge and skills that successful individuals in the
36 career and technical field of the approved program are expected to
37 possess.

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

5 (c) The superintendent shall consult with community and technical
6 colleges, employers, the workforce training and education coordinating
7 board, apprenticeship programs, and other regional and national experts
8 in career and technical education to create an appropriate collection
9 of work samples and other evidence of a career and technical student's
10 knowledge and skills on the state academic standards.

11 (7) The superintendent of public instruction shall study the
12 feasibility of using existing mathematics assessments in languages
13 other than English as an additional alternative assessment option. The
14 study shall include an estimation of the cost of translating the tenth
15 grade mathematics assessment into other languages and scoring the
16 assessments should they be implemented.

17 (8) By the end of the report card year, as defined in section 2 of
18 this act, the superintendent of public instruction shall implement:

19 (a) (~~By June 1, 2006,~~) A process for students to appeal the score
20 they received on the high school assessments; and

21 (b) (~~By January 1, 2007,~~) Guidelines and appeal processes for
22 waiving specific requirements in RCW 28A.655.061 pertaining to the
23 certificate of academic achievement and to the certificate of
24 individual achievement for students who: (i) Transfer to a Washington
25 public school in their junior or senior year with the intent of
26 obtaining a public high school diploma, or (ii) have special,
27 unavoidable circumstances.

28 (9) The superintendent of public instruction may adopt rules to
29 implement this section.

30 **Sec. 5.** RCW 28A.655.063 and 2006 c 115 s 5 are each amended to
31 read as follows:

32 Subject to the availability of funds appropriated for this purpose,
33 school districts shall reimburse students for the cost of taking the
34 tests in RCW 28A.655.061(~~(+10)~~) (9)(b) when the students take the
35 tests for the purpose of using the mathematics results as an objective
36 alternative assessment.

1 **Sec. 6.** 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~~) identified under
4 section 2 of this act, students served under this chapter, who are not
5 appropriately assessed by the high school Washington assessment system
6 as defined in RCW 28A.655.061, even with accommodations, may earn a
7 certificate of individual achievement. The certificate may be earned
8 using multiple ways to demonstrate skills and abilities commensurate
9 with their individual education programs. The determination of whether
10 the high school assessment system is appropriate shall be made by the
11 student's individual education program team. For these students, the
12 certificate of individual achievement is required for graduation from
13 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.

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