

VETO MESSAGE ON ESSB 6023

May 8, 2007

To the Honorable President and Members,
The Senate of the State of Washington

Ladies and Gentlemen:

I am returning, without my approval as to Sections 9, 10, 11 and 13, Engrossed Substitute Senate Bill 6023 entitled:

"AN ACT Relating to the Washington assessment of student learning."

Sections 1 through 7 of this bill provide for the adjustment of high school assessment provisions related to state high school graduation requirements. These include specific changes related to mathematics and science, as well as the addition of several alternative assessments and modification of two other alternative assessments. Section 8 expands the provision of diagnostic assessments to assist students in developing the skills required to be demonstrated on state assessments. Section 12 creates an advisory committee to identify curricula that will assist in preparing students for the state assessment system.

Section 9 of this bill directs the State Board of Education, in consultation with the Superintendent of Public Instruction, to study, examine and recommend changes to the high school assessments in mathematics and science, focusing on replacement of the current assessments with specifically identified end-of-course assessments. The study's recommendation topics and timelines are structured to point to implementing end-of-course assessments as the predetermined outcome. For this reason, I am vetoing Section 9.

However, I am well aware of the strong legislative interest in this subject, specifically related to mathematics and science assessments. I have asked the State Board of Education to conduct a broad, objective study of end-of-course assessments. In the course of this study they will examine the various end-of-course assessment systems used by other states; their purposes; the subjects assessed and how they align with state standards, curriculum, and instruction; whether the exams are used singly or in combination with other assessments for graduation decision purposes; how the exams integrate with an entire assessment system (all grades and subjects); implementation issues; costs and lessons learned. Additionally, OSPI will ask potential test vendors to provide information regarding cost and technical aspects of implementing end-of-course assessments and that information

will be shared with the State Board. The State Board of Education will provide recommendations based upon their study and present the study information and recommendations by January 15, 2008.

Section 10 of this bill provides for the implementation of appeals panels in each education service district for students who have not been successful in meeting state standards through the high school assessment system. The appeals criteria specified in the legislation does not relate to the student's knowledge and skill of the state standards. Therefore, I do not support this activity. Additionally, I am concerned that such a system will not yield consistent results from appeals board to appeals board.

Section 11 of this bill sets forth the threshold for student English skills required for participation in the state assessment system, with the exception that meeting standards through the state assessment system remains a requirement for high school graduation. However, in practice, the provision of excusing students from the assessments has no effect since the federal statute sets requirements for student participation for federal accountability purposes. When the federal statutes are changed, state participation requirements will be adjusted. While this provision is well-meaning, having it in statute will be confusing to students and parents.

Section 13 of this bill is an emergency clause. I am vetoing Section 13, as the issues in this legislation do not rise to the level of an emergency that requires the immediate revision of state laws.

For these reasons, I have vetoed Sections 9, 10, 11 and 13 of Engrossed Substitute Senate Bill 6023.

With the exception of Sections 9, 10, 11 and 13, Engrossed Substitute Senate Bill 6023 is approved.

Respectfully submitted,
Christine O. Gregoire
Governor