

**2ESHB 2195 - H AMD 736**

By Representative McDermott

ADOPTED AS AMENDED 01/23/2004

1 Strike everything after the enacting clause and insert the  
2 following:

3 "PART 1

4 **CERTIFICATE OF ACADEMIC ACHIEVEMENT**

5 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655  
6 RCW to read as follows:

7 CERTIFICATE REQUIREMENTS. (1) The high school assessment system  
8 shall include but need not be limited to the Washington assessment of  
9 student learning, opportunities for a student to retake the content  
10 areas of the assessment in which the student was not successful, and  
11 one or more alternative means for a student to demonstrate achievement  
12 of state academic standards. The alternative means for each content  
13 area shall be comparable in rigor to the Washington assessment of  
14 student learning for each content area.

15 (2) Subject to the conditions in this section, beginning with the  
16 graduating class of 2008, successful completion of the reading,  
17 writing, and mathematics content areas of the high school Washington  
18 assessment of student learning, or of an approved alternative means in  
19 those content areas as provided in subsection (10) of this section,  
20 shall lead to a certificate of academic achievement. The certificate  
21 of academic achievement shall be obtained by most students at about the  
22 age of sixteen, and is evidence that the students have successfully met  
23 the state standard in the content areas included in the certificate.  
24 The certificate of academic achievement is required for graduation from  
25 a public high school but is not the only requirement for graduation.

26 (3) Beginning with the graduating class of 2010, successful  
27 completion of the reading, writing, mathematics, and science content  
28 areas of the high school Washington assessment of student learning, or

1 of an approved alternative means in those content areas, is required  
2 for graduation from a public high school in the state of Washington and  
3 shall lead to a certificate of academic achievement.

4 (4) The state board of education may not require the acquisition of  
5 the certificate of academic achievement for students in home-based  
6 instruction under chapter 28A.200 RCW, for students enrolled in private  
7 schools under chapter 28A.195 RCW, or for students satisfying the  
8 provisions of section 104 of this act.

9 (5) A student may retain and use the highest result from each  
10 successfully completed content area of the high school assessment.

11 (6) Beginning with the graduating class of 2005, the highest scale  
12 score and level achieved in each content area on the high school  
13 Washington assessment of student learning shall be displayed on a  
14 student's transcript. In addition, beginning with the graduating class  
15 of 2008, each student shall receive a scholar's designation on his or  
16 her transcript for each content area in which the student achieves  
17 level four.

18 (7) Beginning with the graduating class of 2008, if a student takes  
19 the high school assessment but is not successful in one or more content  
20 areas required for the certificate of academic achievement, the student  
21 may retake the assessment in that content area one or more times at no  
22 cost to the student. School districts must make available to students  
23 the following options:

24 (a) To retake the assessment in that content area at least twice a  
25 year if the student is enrolled in a public school;

26 (b) To retake the assessment in that content area if the student is  
27 enrolled in a high school completion program at a community or  
28 technical college. The superintendent of public instruction and the  
29 state board for community and technical colleges shall jointly identify  
30 means by which students in these programs can be assessed; or

31 (c) To use an alternative means developed and approved by the  
32 superintendent of public instruction and authorized pursuant to  
33 subsection (10) of this section to demonstrate achievement of the  
34 standards for that content area if the student has retaken the  
35 assessment in that content area at least once.

36 (8) Students who achieve the standard in a content area of the high

1 school assessment of student learning but who wish to improve their  
2 results shall pay for retaking the assessment, using a uniform cost  
3 determined by the superintendent of public instruction.

4 (9) Subject to available funding, the superintendent shall pilot  
5 opportunities for retaking the high school assessment beginning in the  
6 2005-06 school year. Beginning no later than September 2006,  
7 opportunities to retake the assessment at least twice a year shall be  
8 available to each school district.

9 (10) Beginning no later than spring 2007, subject to formal  
10 legislative approval of the alternative means, alternative means shall  
11 be in place to demonstrate achievement of the state standards in a  
12 content area in which the student was unsuccessful on the Washington  
13 assessment of student learning. Through the omnibus appropriations  
14 act, or by statute or concurrent resolution, the legislature shall  
15 formally approve the use of any alternative means, including appeals,  
16 before its implementation as part of the high school assessment system.

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

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

28 (i) Beginning no later than the 2005-06 school year ninth grade  
29 students as described in (a) of this subsection shall have a plan.

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

33 (iii) The parent or guardian shall be notified, preferably through  
34 a parent conference, of the student's results on the Washington  
35 assessment of student learning, actions the school intends to take to  
36 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) Progress made on the student plan shall be reported to the  
4 student's parents or guardian at least annually and adjustments to the  
5 plan made as necessary.

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

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

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

19 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE CUT  
20 SCORES REQUIRED TO ACHIEVE THE CERTIFICATE, ALTERNATIVE MEANS, AND  
21 ISSUES RELATED TO VALIDITY AND RELIABILITY. (1) Before the results of  
22 the 2004 high school assessment of student learning are reported to  
23 school districts, the academic achievement and accountability  
24 commission shall review and adjust, if necessary, the performance  
25 standards needed to meet the high school standards and obtain a  
26 certificate of academic achievement as provided in section 101 of this  
27 act. The commission shall include in its review consideration of  
28 various conjunctive and compensatory score models, including the use of  
29 the standard error of measurement, into the decision regarding the  
30 award of the certificate of academic achievement. To assist in its  
31 deliberations, the commission shall seek advice from a committee that  
32 includes parents, practicing classroom teachers and principals,  
33 administrators, staff, and other interested parties.

34 (2) The office of the superintendent of public instruction shall  
35 develop options for implementing alternative means for students to  
36 demonstrate achievement of the state academic standards, one of which

1 shall be an appeals option. The alternative means shall be comparable  
2 in rigor to the Washington assessment of student learning and be  
3 objective in its determination of student competency.

4 (a) By July 1, 2004, the office of the superintendent of public  
5 instruction shall report its recommendations for alternative means,  
6 including the use of appeals, to the governor, the state board of  
7 education, and the house of representatives and senate education  
8 committees.

9 (b) In its deliberations, the office of the superintendent of  
10 public instruction shall consult with parents, administrators,  
11 practicing classroom teachers including teachers in career and  
12 technical education, practicing principals, appropriate agencies,  
13 professional organizations, assessment experts, and other interested  
14 parties.

15 (c) Through the omnibus appropriations act, or by statute or  
16 concurrent resolution, the legislature shall formally approve the use  
17 of any alternative means, including any appeals process, before its  
18 implementation as a part of the high school assessment system.

19 (3) By November 30, 2004, the superintendent of public instruction  
20 and the state board of education shall provide to the house of  
21 representatives and senate education committees all available pertinent  
22 studies, information, and independent third-party analyses on the  
23 validity and reliability of the high school assessment system,  
24 especially as it pertains to the use of the system for individual  
25 student decisions.

26 **Sec. 103.** RCW 28A.230.090 and 1997 c 222 s 2 are each amended to  
27 read as follows:

28 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION HIGH  
29 SCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF  
30 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall  
31 establish high school graduation requirements or equivalencies for  
32 students.

33 (a) Any course in Washington state history and government used to  
34 fulfill high school graduation requirements is encouraged to include  
35 information on the culture, history, and government of the American  
36 Indian peoples who were the first inhabitants of the state.

1       (b) The certificate of academic achievement requirements under  
2 section 101 of this act are required for graduation from a public high  
3 school but are not the only requirements for graduation.

4       (c) Any decision on whether a student has met the state board's  
5 high school graduation requirements for a high school and beyond plan  
6 shall remain at the local level.

7       (2) In recognition of the statutory authority of the state board of  
8 education to establish and enforce minimum high school graduation  
9 requirements, the state board shall periodically reevaluate the  
10 graduation requirements and shall report such findings to the  
11 legislature in a timely manner as determined by the state board.

12       (3) Pursuant to any requirement for instruction in languages other  
13 than English established by the state board of education or a local  
14 school district, or both, for purposes of high school graduation,  
15 students who receive instruction in American sign language or one or  
16 more American Indian languages shall be considered to have satisfied  
17 the state or local school district graduation requirement for  
18 instruction in one or more languages other than English.

19       (4) If requested by the student and his or her family, a student  
20 who has completed high school courses before attending high school  
21 shall be given high school credit which shall be applied to fulfilling  
22 high school graduation requirements if:

23       (a) The course was taken with high school students, if the academic  
24 level of the course exceeds the requirements for seventh and eighth  
25 grade classes, and the student has successfully passed by completing  
26 the same course requirements and examinations as the high school  
27 students enrolled in the class; or

28       (b) The academic level of the course exceeds the requirements for  
29 seventh and eighth grade classes and the course would qualify for high  
30 school credit, because the course is similar or equivalent to a course  
31 offered at a high school in the district as determined by the school  
32 district board of directors.

33       (5) Students who have taken and successfully completed high school  
34 courses under the circumstances in subsection (4) of this section shall  
35 not be required to take an additional competency examination or perform  
36 any other additional assignment to receive credit. (~~Subsection (4) of~~

1 ~~this section shall also apply to students enrolled in high school on~~  
2 ~~April 11, 1990, who took the courses before attending high school.))~~

3 (6) At the college or university level, five quarter or three  
4 semester hours equals one high school credit.

5 NEW SECTION. **Sec. 104.** A new section is added to chapter 28A.155  
6 RCW to read as follows:

7 ALTERNATE ASSESSMENTS. School districts may use assessments other  
8 than the high school Washington assessment of student learning to  
9 describe the academic standards attained by students served under this  
10 chapter for the purposes of high school graduation for students who  
11 cannot participate in the assessments, even with accommodations. When  
12 assessments other than the high school Washington assessment of student  
13 learning are used, the assessments shall be in agreement with the  
14 appropriate educational opportunity provided for the student as  
15 required by this chapter.

16 When assessments other than the high school Washington assessment  
17 of student learning are used for high school graduation purposes, the  
18 student's high school diploma shall state that the student has  
19 completed required high school assessments appropriate for the student.

20 Nothing in this section shall be construed to deny a student the  
21 right to participation in the program of assessment known as the high  
22 school Washington assessment of student learning, and, upon  
23 successfully meeting the high school standard, receipt of the  
24 certificate of academic achievement.

25 **Sec. 105.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended  
26 to read as follows:

27 CERTIFICATE OF ACADEMIC ACHIEVEMENT - PRIVATE SCHOOL STUDENTS  
28 EXEMPTED. The legislature hereby recognizes that private schools  
29 should be subject only to those minimum state controls necessary to  
30 insure the health and safety of all the students in the state and to  
31 insure a sufficient basic education to meet usual graduation  
32 requirements. The state, any agency or official thereof, shall not  
33 restrict or dictate any specific educational or other programs for  
34 private schools except as hereinafter in this section provided.

1 Principals of private schools or superintendents of private school  
2 districts shall file each year with the state superintendent of public  
3 instruction a statement certifying that the minimum requirements  
4 hereinafter set forth are being met, noting any deviations. After  
5 review of the statement, the state superintendent will notify schools  
6 or school districts of those deviations which must be corrected. In  
7 case of major deviations, the school or school district may request and  
8 the state board of education may grant provisional status for one year  
9 in order that the school or school district may take action to meet the  
10 requirements. Minimum requirements shall be as follows:

11 (1) The minimum school year for instructional purposes shall  
12 consist of no less than one hundred eighty school days or the  
13 equivalent in annual minimum program hour offerings as prescribed in  
14 RCW 28A.150.220.

15 (2) The school day shall be the same as that required in RCW  
16 28A.150.030 and 28A.150.220, except that the percentages of total  
17 program hour offerings as prescribed in RCW 28A.150.220 for basic  
18 skills, work skills, and optional subjects and activities shall not  
19 apply to private schools or private sectarian schools.

20 (3) All classroom teachers shall hold appropriate Washington state  
21 certification except as follows:

22 (a) Teachers for religious courses or courses for which no  
23 counterpart exists in public schools shall not be required to obtain a  
24 state certificate to teach those courses.

25 (b) In exceptional cases, people of unusual competence but without  
26 certification may teach students so long as a certified person  
27 exercises general supervision. Annual written statements shall be  
28 submitted to the office of the superintendent of public instruction  
29 reporting and explaining such circumstances.

30 (4) An approved private school may operate an extension program for  
31 parents, guardians, or persons having legal custody of a child to teach  
32 children in their custody. The extension program shall require at a  
33 minimum that:

34 (a) The parent, guardian, or custodian be under the supervision of  
35 an employee of the approved private school who is certified under  
36 chapter 28A.410 RCW;



1 (b) The planning by the certified person and the parent, guardian,  
2 or person having legal custody include objectives consistent with this  
3 subsection and subsections (1), (2), (5), (6), and (7) of this section;

4 (c) The certified person spend a minimum average each month of one  
5 contact hour per week with each student under his or her supervision  
6 who is enrolled in the approved private school extension program;

7 (d) Each student's progress be evaluated by the certified person;  
8 and

9 (e) The certified employee shall not supervise more than thirty  
10 students enrolled in the approved private school's extension program.

11 (5) Appropriate measures shall be taken to safeguard all permanent  
12 records against loss or damage.

13 (6) The physical facilities of the school or district shall be  
14 adequate to meet the program offered by the school or district:  
15 PROVIDED, That each school building shall meet reasonable health and  
16 fire safety requirements. However, the state board shall not require  
17 private school students to meet the student learning goals, obtain a  
18 certificate of (~~mastery~~) academic achievement to graduate from high  
19 school, to master the essential academic learning requirements, or to  
20 be assessed pursuant to (~~RCW 28A.630.885~~) section 101 of this act.  
21 However, private schools may choose, on a voluntary basis, to have  
22 their students master these essential academic learning requirements,  
23 take these assessments, and obtain certificates of (~~mastery~~) academic  
24 achievement. A residential dwelling of the parent, guardian, or  
25 custodian shall be deemed to be an adequate physical facility when a  
26 parent, guardian, or person having legal custody is instructing his or  
27 her child under subsection (4) of this section.

28 (7) Private school curriculum shall include instruction of the  
29 basic skills of occupational education, science, mathematics, language,  
30 social studies, history, health, reading, writing, spelling, and the  
31 development of appreciation of art and music, all in sufficient units  
32 for meeting state board of education graduation requirements.

33 (8) Each school or school district shall be required to maintain  
34 up-to-date policy statements related to the administration and  
35 operation of the school or school district.

36 All decisions of policy, philosophy, selection of books, teaching  
37 material, curriculum, except as in subsection (7) (~~above~~) of this

1 section provided, school rules and administration, or other matters not  
2 specifically referred to in this section, shall be the responsibility  
3 of the administration and administrators of the particular private  
4 school involved.

5 **Sec. 106.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to  
6 read as follows:

7 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STUDENTS IN HOME-BASED  
8 INSTRUCTION EXEMPTED. (1) Each parent whose child is receiving home-  
9 based instruction under RCW 28A.225.010(4) shall have the duty to:

10 ~~((1))~~ (a) File annually a signed declaration of intent that he or  
11 she is planning to cause his or her child to receive home-based  
12 instruction. The statement shall include the name and age of the  
13 child, shall specify whether a certificated person will be supervising  
14 the instruction, and shall be written in a format prescribed by the  
15 superintendent of public instruction. Each parent shall file the  
16 statement by September 15<sup>th</sup> of the school year or within two weeks of  
17 the beginning of any public school quarter, trimester, or semester with  
18 the superintendent of the public school district within which the  
19 parent resides or the district that accepts the transfer, and the  
20 student shall be deemed a transfer student of the nonresident district.  
21 Parents may apply for transfer under RCW 28A.225.220;

22 ~~((2))~~ (b) Ensure that test scores or annual academic progress  
23 assessments and immunization records, together with any other records  
24 that are kept relating to the instructional and educational activities  
25 provided, are forwarded to any other public or private school to which  
26 the child transfers. At the time of a transfer to a public school, the  
27 superintendent of the local school district in which the child enrolls  
28 may require a standardized achievement test to be administered and  
29 shall have the authority to determine the appropriate grade and course  
30 level placement of the child after consultation with parents and review  
31 of the child's records; and

32 ~~((3))~~ (c) Ensure that a standardized achievement test approved by  
33 the state board of education is administered annually to the child by  
34 a qualified individual or that an annual assessment of the student's  
35 academic progress is written by a certificated person who is currently  
36 working in the field of education. The state board of education shall

1 not require these children to meet the student learning goals, master  
2 the essential academic learning requirements, to take the assessments,  
3 or to obtain a certificate of (~~mastery~~) academic achievement pursuant  
4 to (~~RCW 28A.630.885~~) section 101 of this act. The standardized test  
5 administered or the annual academic progress assessment written shall  
6 be made a part of the child's permanent records. If, as a result of  
7 the annual test or assessment, it is determined that the child is not  
8 making reasonable progress consistent with his or her age or stage of  
9 development, the parent shall make a good faith effort to remedy any  
10 deficiency.

11 (2) Failure of a parent to comply with the duties in this section  
12 shall be deemed a failure of such parent's child to attend school  
13 without valid justification under RCW 28A.225.020. Parents who do  
14 comply with the duties set forth in this section shall be presumed to  
15 be providing home-based instruction as set forth in RCW 28A.225.010(4).

16 **Sec. 107.** RCW 28A.230.120 and 2003 c 234 s 1 are each amended to  
17 read as follows:

18 HIGH SCHOOL DIPLOMAS--ISSUANCE--OPTION TO RECEIVE FINAL  
19 TRANSCRIPTS--NOTICE. (1) School districts shall issue diplomas to  
20 students signifying graduation from high school upon the students'  
21 satisfactory completion of all local and state graduation requirements.  
22 Diplomas shall include one of the following statements: (a)  
23 "Certificate of Academic Achievement earned," or (b) "completed  
24 required high school assessments appropriate for the student."  
25 Districts shall grant students the option of receiving a final  
26 transcript in addition to the regular diploma.

27 (2) School districts or schools of attendance shall establish  
28 policies and procedures to notify senior students of the transcript  
29 option and shall direct students to indicate their decisions in a  
30 timely manner. School districts shall make appropriate provisions to  
31 assure that students who choose to receive a copy of their final  
32 transcript shall receive such transcript after graduation.

33 (3)(a) A school district may issue a high school diploma to a  
34 person who:

35 (i) Is an honorably discharged member of the armed forces of the  
36 United States;

1 (ii) Was scheduled to graduate from high school in the years 1940  
2 through 1955; and

3 (iii) Left high school before graduation to serve in World War II  
4 or the Korean conflict.

5 (b) A school district may issue a diploma to or on behalf of a  
6 person otherwise eligible under (a) of this subsection notwithstanding  
7 the fact that the person holds a high school equivalency certification  
8 or is deceased.

9 (c) The superintendent of public instruction shall adopt a form for  
10 a diploma application to be used by a veteran or a person acting on  
11 behalf of a deceased veteran under this subsection (3). The  
12 superintendent of public instruction shall specify what constitutes  
13 acceptable evidence of eligibility for a diploma.

14 **Sec. 108.** RCW 28A.305.220 and 1984 c 178 s 1 are each amended to  
15 read as follows:

16 DEVELOPMENT OF STANDARDIZED HIGH SCHOOL TRANSCRIPTS--SCHOOL  
17 DISTRICTS TO INFORM STUDENTS OF IMPORTANCE. (1) The state board of  
18 education shall develop for use by all public school districts a  
19 standardized high school transcript. The state board of education  
20 shall establish clear definitions for the terms "credits" and "hours"  
21 so that school programs operating on the quarter, semester, or  
22 trimester system can be compared.

23 (2) The standardized high school transcript shall include the  
24 highest scale score and level achieved in each content area on the high  
25 school Washington assessment of student learning or other high school  
26 assessment successfully completed by the student as provided by section  
27 104 of this act. Additionally, the transcript shall record all scholar  
28 designations as provided by section 101 of this act.

29 (3) Transcripts are important documents to students who will apply  
30 for admission to postsecondary institutions of higher education.  
31 Transcripts are also important to students who will seek employment  
32 upon or prior to graduation from high school. It is recognized that  
33 student transcripts may be the only record available to employers in  
34 their decision-making processes regarding prospective employees. The  
35 superintendent of public instruction shall require school districts to  
36 inform annually all high school students that prospective employers may

1 request to see transcripts and that the prospective employee's decision  
2 to release transcripts can be an important part of the process of  
3 applying for employment.

4 NEW SECTION. **Sec. 109.** The superintendent of public instruction  
5 shall study the effect of the certificate of academic achievement  
6 requirement on dropout rates and report the findings to the legislature  
7 and the academic achievement and accountability commission by October  
8 1, 2010. The superintendent of public instruction shall include any  
9 related recommendations for decreasing the dropout rate in the report.

10 **PART 2**

11 **ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS**

12 NEW SECTION. **Sec. 201.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS  
13 AND ASSESSMENTS - REPORT REQUIRED ON ASSESSMENTS AND OTHER OPTIONS FOR  
14 MEETING THE ESSENTIAL ACADEMIC LEARNING REQUIREMENTS IN SOCIAL STUDIES,  
15 THE ARTS, AND HEALTH AND FITNESS. By September 1, 2004, the  
16 superintendent of public instruction, after consultation with parents,  
17 practicing classroom teachers and principals, education organizations,  
18 and other interested parties, shall report to the governor, the state  
19 board of education, and the house of representatives and senate  
20 education committees with assessment options and other strategies to  
21 assure continued support and attention to the essential academic  
22 learning requirements in social studies, the arts, and health and  
23 fitness in elementary, middle, and high schools. The options shall  
24 include a recommended timeline to implement those recommendations the  
25 legislature adopts. The options may include recommendations on the  
26 design, administration, scoring, and reporting of classroom or  
27 performance-based assessments for these content areas. The options may  
28 also include local and state reporting requirements in these content  
29 areas.

30 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS  
31 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING  
32 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND  
33 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE

1 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the  
2 superintendent of public instruction shall report to the governor, the  
3 state board of education, and the house of representatives and senate  
4 education committees on the results of independent research on the  
5 alignment and technical review of the reading, writing, and science  
6 content areas of the Washington assessment of student learning for  
7 elementary and middle grades and for high school. The review shall be  
8 comparable to the research conducted on the mathematics assessments and  
9 shall be reported in accordance with the following timelines:

10 (a) In the content areas of reading and writing by November 1,  
11 2005; and

12 (b) In the content area of science by November 1, 2006.

13 (2) The superintendent of public instruction shall report to the  
14 governor, the state board of education, and the house of  
15 representatives and senate education committees on the review,  
16 prioritization, and identification of the essential academic learning  
17 requirements and grade level content expectations in accordance with  
18 the following timelines:

19 (a) In the content areas of reading, writing, math, and science by  
20 November 1, 2004;

21 (b) In the content area of social studies by November 1, 2005;

22 (c) In the content area of the arts by November 1, 2006; and

23 (d) In the content area of health and fitness by November 1, 2007.

24 (3) By November 30, 2004, the superintendent of public instruction  
25 shall report to the governor, the state board of education, and the  
26 house of representatives and senate education committees on the  
27 feasibility of returning the results of the Washington assessment of  
28 student learning, including individual student performance information,  
29 to schools, teachers, and parents in the same school year in which the  
30 assessment is administered.

31 NEW SECTION. **Sec. 203.** A new section is added to chapter 28A.230  
32 RCW to read as follows:

33 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the  
34 end of the 2008-09 school year, school districts shall have in place in  
35 elementary schools, middle schools, and high schools assessments or

1 other strategies to assure that students have an opportunity to learn  
2 the essential academic learning requirements in social studies, the  
3 arts, and health and fitness.

4 **Sec. 204.** RCW 28A.655.070 and 1999 c 388 s 501 are each amended to  
5 read as follows:

6 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES  
7 OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) The superintendent of  
8 public instruction shall develop essential academic learning  
9 requirements that identify the knowledge and skills all public school  
10 students need to know and be able to do based on the student learning  
11 goals in RCW 28A.150.210, develop student assessments, and implement  
12 the accountability recommendations and requests regarding assistance,  
13 rewards, and recognition of the academic achievement and accountability  
14 commission.

15 (2) The superintendent of public instruction shall:

16 (a) Periodically revise the essential academic learning  
17 requirements, as needed, based on the student learning goals in RCW  
18 28A.150.210. Goals one and two shall be considered primary. To the  
19 maximum extent possible, the superintendent shall integrate goal four  
20 and the knowledge and skill areas in the other goals in the essential  
21 academic learning requirements; and

22 (b) Review and prioritize the essential academic learning  
23 requirements and identify, with clear and concise descriptions, the  
24 grade level content expectations to be assessed on the Washington  
25 assessment of student learning and used for state or federal  
26 accountability purposes. The review, prioritization, and  
27 identification shall result in more focus and targeting with an  
28 emphasis on depth over breadth in the number of grade level content  
29 expectations assessed at each grade level. Grade level content  
30 expectations shall be articulated over the grades as a sequence of  
31 expectations and performances that are logical, build with increasing  
32 depth after foundational knowledge and skills are acquired, and  
33 reflect, where appropriate, the sequential nature of the discipline.  
34 The office of the superintendent of public instruction, within seven  
35 working days, shall post on its web site any grade level content

1 expectations provided to an assessment vendor for use in constructing  
2 the Washington assessment of student learning.

3 (3) In consultation with the academic achievement and  
4 accountability commission, the superintendent of public instruction  
5 shall maintain and continue to develop and revise a statewide academic  
6 assessment system in the content areas of reading, writing,  
7 mathematics, and science for use in the elementary, middle, and high  
8 school years designed to determine if each student has mastered the  
9 essential academic learning requirements identified in subsection (1)  
10 of this section. School districts shall administer the assessments  
11 under guidelines adopted by the superintendent of public instruction.

12 The academic assessment system shall include a variety of assessment  
13 methods, including criterion-referenced and performance-based measures.

14 (4) If the superintendent proposes any modification to the  
15 essential academic learning requirements or the statewide assessments,  
16 then the superintendent shall, upon request, provide opportunities for  
17 the education committees of the house of representatives and the senate  
18 to review the assessments and proposed modifications to the essential  
19 academic learning requirements before the modifications are adopted.

20 (5)(a) The assessment system shall be designed so that the results  
21 under the assessment system are used by educators as tools to evaluate  
22 instructional practices, and to initiate appropriate educational  
23 support for students who have not mastered the essential academic  
24 learning requirements at the appropriate periods in the student's  
25 educational development.

26 ~~((+5))~~ (b) Assessments measuring the essential academic learning  
27 requirements in the content area of science shall be available for  
28 mandatory use in middle schools and high schools by the 2003-04 school  
29 year and for mandatory use in elementary schools by the 2004-05 school  
30 year unless the legislature takes action to delay or prevent  
31 implementation of the assessment.

32 (6) By September 2006, the results for reading and mathematics  
33 shall be reported in a format that will allow parents and teachers to  
34 determine the academic gain a student has acquired in those content  
35 areas from one school year to the next.

36 (7) To assist parents and teachers in their efforts to provide  
37 educational support to individual students, the superintendent of



1 public instruction shall provide as much individual student performance  
2 information as possible within the constraints of the assessment  
3 system's item bank. The superintendent shall also provide to school  
4 districts information on classroom-based and other assessments that may  
5 provide additional achievement information for individual students.

6 (8) To the maximum extent possible, the superintendent shall  
7 integrate knowledge and skill areas in development of the assessments.

8 ((+6+)) (9) Assessments for goals three and four of RCW 28A.150.210  
9 shall be integrated in the essential academic learning requirements and  
10 assessments for goals one and two.

11 ((+7+)) (10) The superintendent shall develop assessments that are  
12 directly related to the essential academic learning requirements, and  
13 are not biased toward persons with different learning styles, racial or  
14 ethnic backgrounds, or on the basis of gender.

15 ((+8+)) (11) The superintendent shall consider methods to address  
16 the unique needs of special education students when developing the  
17 assessments under this section.

18 ((+9+)) (12) The superintendent shall consider methods to address  
19 the unique needs of highly capable students when developing the  
20 assessments under this section.

21 (13) The superintendent shall post on the superintendent's web site  
22 lists of resources and model assessments in social studies, the arts,  
23 and health and fitness.

24 **Sec. 205.** RCW 28A.655.030 and 2002 c 37 s 1 are each amended to  
25 read as follows:

26 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES  
27 OF THE ACADEMIC ACHIEVEMENT AND ACCOUNTABILITY COMMISSION. The powers  
28 and duties of the academic achievement and accountability commission  
29 shall include, but are not limited to the following:

30 (1) For purposes of statewide accountability, the commission shall:

31 (a) Adopt and revise performance improvement goals in reading,  
32 writing, science, and mathematics by subject and grade level as the  
33 commission deems appropriate to improve student learning, once  
34 assessments in these subjects are required statewide. The goals shall  
35 be consistent with student privacy protection provisions of RCW  
36 28A.655.090(7) and shall not conflict with requirements contained in

1 Title I of the federal elementary and secondary education act of 1965,  
2 as amended. The goals may be established for all students,  
3 economically disadvantaged students, limited English proficient  
4 students, students with disabilities, and students from  
5 disproportionately academically underachieving racial and ethnic  
6 backgrounds. The commission may establish school and school district  
7 goals addressing high school graduation rates and dropout reduction  
8 goals for students in grades seven through twelve. (~~The goals shall  
9 be in addition to any goals adopted in RCW 28A.655.050. The commission  
10 may also revise any goal adopted in RCW 28A.655.050.~~) The commission  
11 shall adopt the goals by rule. However, before each goal is  
12 implemented, the commission shall present the goal to the education  
13 committees of the house of representatives and the senate for the  
14 committees' review and comment in a time frame that will permit the  
15 legislature to take statutory action on the goal if such action is  
16 deemed warranted by the legislature;

17 (b) Identify the scores students must achieve in order to meet the  
18 standard on the Washington assessment of student learning and, for high  
19 school students, obtain a certificate of academic achievement. The  
20 commission shall also determine student scores that identify levels of  
21 student performance below and beyond the standard. The commission  
22 shall consider the incorporation of the standard error of measurement  
23 into the decision regarding the award of the certificate of academic  
24 achievement. The commission shall set such performance standards and  
25 levels in consultation with the superintendent of public instruction  
26 and after consideration of any recommendations that may be developed by  
27 any advisory committees that may be established for this purpose.  
28 Beginning in 2005, if the commission makes any adjustment of the  
29 student performance standards, then the commission shall present the  
30 recommended performance standard to the education committees of the  
31 house of representatives and the senate by November 30th of the year  
32 before the school year in which the changes will take place to permit  
33 the legislature to take statutory action before the changes are  
34 implemented if such action is deemed warranted by the legislature. Any  
35 new or revised performance standard the commission plans to use for  
36 2004 assessments shall be presented to the legislature by January 1,  
37 2004;

1 (c) Adopt objective, systematic criteria to identify successful  
2 schools and school districts and recommend to the superintendent of  
3 public instruction schools and districts to be recognized for two types  
4 of accomplishments, student achievement and improvements in student  
5 achievement. Recognition for improvements in student achievement shall  
6 include consideration of one or more of the following accomplishments:

7 (i) An increase in the percent of students meeting standards. The  
8 level of achievement required for recognition may be based on the  
9 achievement goals established by the legislature (~~under RCW~~  
10 ~~28A.655.050~~) and by the commission under (a) of this subsection;

11 (ii) Positive progress on an improvement index that measures  
12 improvement in all levels of the assessment; and

13 (iii) Improvements despite challenges such as high levels of  
14 mobility, poverty, English as a second language learners, and large  
15 numbers of students in special populations as measured by either the  
16 percent of students meeting the standard, or the improvement index.

17 When determining the baseline year or years for recognizing  
18 individual schools, the commission may use the assessment results from  
19 the initial years the assessments were administered, if doing so with  
20 individual schools would be appropriate;

21 (d) Adopt objective, systematic criteria to identify schools and  
22 school districts in need of assistance and those in which significant  
23 numbers of students persistently fail to meet state standards. In its  
24 deliberations, the commission shall consider the use of all statewide  
25 mandated criterion-referenced and norm-referenced standardized tests;

26 (e) Identify schools and school districts in which state  
27 intervention measures will be needed and a range of appropriate  
28 intervention strategies, beginning no earlier than June 30, 2001, and  
29 after the legislature has authorized a set of intervention strategies.  
30 Beginning no earlier than June 30, 2001, and after the legislature has  
31 authorized a set of intervention strategies, at the request of the  
32 commission, the superintendent shall intervene in the school or school  
33 district and take corrective actions. This chapter does not provide  
34 additional authority for the commission or the superintendent of public  
35 instruction to intervene in a school or school district;

36 (f) Identify performance incentive systems that have improved or  
37 have the potential to improve student achievement;

1 (g) Annually review the assessment reporting system to ensure  
2 fairness, accuracy, timeliness, and equity of opportunity, especially  
3 with regard to schools with special circumstances and unique  
4 populations of students, and a recommendation to the superintendent of  
5 public instruction of any improvements needed to the system;

6 (h) Annually report by December 1st to the legislature, the  
7 governor, the superintendent of public instruction, and the state board  
8 of education on the progress, findings, and recommendations of the  
9 commission. The report may include recommendations of actions to help  
10 improve student achievement;

11 (i) By December 1, 2000, and by December 1st annually thereafter,  
12 report to the education committees of the house of representatives and  
13 the senate on the progress that has been made in achieving (~~the~~  
14 ~~reading goal under RCW 28A.655.050 and any additional~~) goals adopted  
15 by the commission;

16 (j) Coordinate its activities with the state board of education and  
17 the office of the superintendent of public instruction;

18 (k) Seek advice from the public and all interested educational  
19 organizations in the conduct of its work; and

20 (l) Establish advisory committees, which may include persons who  
21 are not members of the commission;

22 (2) Holding meetings and public hearings, which may include  
23 regional meetings and hearings;

24 (3) Hiring necessary staff and determining the staff's duties and  
25 compensation. However, the office of the superintendent of public  
26 instruction shall provide staff support to the commission until the  
27 commission has hired its own staff, and shall provide most of the  
28 technical assistance and logistical support needed by the commission  
29 thereafter. The office of the superintendent of public instruction  
30 shall be the fiscal agent for the commission. The commission may  
31 direct the office of the superintendent of public instruction to enter  
32 into subcontracts, within the commission's resources, with school  
33 districts, teachers, higher education faculty, state agencies, business  
34 organizations, and other individuals and organizations to assist the  
35 commission in its deliberations; and

36 (4) Receiving per diem and travel allowances as permitted under RCW  
37 43.03.050 and 43.03.060.

