

2ESHB 2195 - S AMD
By Senator Zarelli

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

1 (4) The state board of education shall not require the acquisition
2 of the certificate of academic achievement for students in home-based
3 instruction under chapter 28A.200 RCW or for students enrolled in
4 private schools under chapter 28A.195 RCW.

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

7 (6) Beginning with the graduating class of 2008, the highest level
8 achieved in each content area on the high school Washington assessment
9 of student learning shall be displayed on a student's transcript. In
10 addition, beginning with the graduating class of 2008, each student
11 shall receive a scholar's designation on his or her transcript for each
12 content area in which the student achieves level four.

13 (7) Beginning with the graduating class of 2008, if a student takes
14 the high school assessment but is not successful in one or more content
15 areas required for the certificate of academic achievement, the student
16 may retake the assessment in that content area one or more times at no
17 cost to the student and may choose one or more of the following
18 options:

19 (a) To retake the assessment in that content area at least once in
20 the spring and once in the fall or winter if the student is enrolled in
21 a public school;

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

27 (c) To use an alternative means developed and approved by the
28 superintendent of public instruction to demonstrate achievement of the
29 standards for that content area if the student has retaken the
30 assessment in that content area at least once.

31 (8) Students who achieve the standard in a content area of the high
32 school assessment of student learning but who wish to improve their
33 results shall pay for retaking the assessment, using a uniform cost
34 determined by the superintendent of public instruction.

35 (9) Subject to available funding, the superintendent shall pilot
36 both opportunities for retaking the high school assessment and
37 alternative means beginning in the 2005-06 school year. Beginning no
38 later than September 2006, opportunities to retake the assessment at

1 least once in the fall or winter and once in the spring shall be
2 available in each school district.

3 (10) Beginning no later than spring 2007, subject to formal
4 legislative approval of the alternative means, alternative means shall
5 be in place in each school district to demonstrate achievement of the
6 state standards in a content area in which the student was unsuccessful
7 on the Washington assessment of student learning. Through the omnibus
8 appropriations act or by statute, the legislature shall formally
9 approve the use of any alternative means, including any appeals
10 process, before its implementation as part of the high school
11 assessment system.

12 (11) Beginning no later than September 1, 2006, each school
13 district shall prepare a plan for each eighth grade through twelfth
14 grade student who was not successful in one or more content areas of
15 the Washington assessment of student learning. The plan shall include,
16 but need not be limited to, the courses, competencies, and other steps
17 needed to be taken by the student to meet state academic standards and
18 stay on track for graduation. Progress on the plan shall be reported
19 to the student and the student's parents or guardian. In addition,
20 through a parent conference, schools must notify the parent or guardian
21 of each eighth grade student about the student's results on
22 the assessment of student learning, identify actions the school intends
23 to take to improve the student's skills in any content area in which
24 the student was unsuccessful, and provide the parents or guardian with
25 strategies to help them improve their student's skills in that content
26 area.

27 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE
28 APPROPRIATE APPLICATION OF THE CERTIFICATE REQUIREMENT TO SPECIAL
29 EDUCATION AND STUDENTS WITH LIMITED ENGLISH PROFICIENCY, THE CUT SCORES
30 REQUIRED TO ACHIEVE THE CERTIFICATE, ALTERNATIVE MEANS, AND ISSUES
31 RELATED TO VALIDITY AND RELIABILITY. (1) By November 30, 2003, subject
32 to available funding, the office of the superintendent of public
33 instruction shall report recommendations to the governor, the state
34 board of education, and the house of representatives and senate
35 education committees on the appropriate application of the certificate
36 of academic achievement to special education students and limited
37 English proficiency students and recommendations on the best practices
38 that may be used with students who need additional assistance to meet

1 the certificate requirements. In the superintendent's deliberations,
2 the superintendent shall consult with practicing teachers and
3 principals, practicing special education practitioners including
4 educational staff associates, parents, education organizations, and
5 other interested parties.

6 (2) Before the results of the 2004 high school assessment of
7 student learning are reported to school districts, the academic
8 achievement and accountability commission shall review and adjust, if
9 necessary, the performance standards needed to meet the high school
10 standards and obtain a certificate of academic achievement as provided
11 in section 101 of this act. The commission shall include in its review
12 consideration of the use of the standard error of measurement into the
13 decision regarding the award of the certificate of academic
14 achievement. To assist in its deliberations, the commission shall seek
15 advice from a committee that includes parents, practicing classroom
16 teachers and principals, administrators, staff, and other interested
17 parties.

18 (3) The office of the superintendent of public instruction shall
19 develop alternative means for students to demonstrate achievement of
20 the state academic standards. The alternative means shall be comparable
21 in rigor to the Washington assessment of student learning and shall
22 include procedures and criteria to help determine whether students who
23 were not successful in one or more of the content areas of the high
24 school assessment can demonstrate that they meet state standards
25 through another objectively evaluated means. In its deliberations, the
26 office of the superintendent of public instruction shall consult with
27 parents, administrators, practicing classroom teachers including
28 teachers in career and technical education, practicing principals,
29 appropriate agencies, professional organizations, assessment experts,
30 and other interested parties.

31 (a) By July 1, 2004, the office of the superintendent of public
32 instruction shall report its recommendations for alternative means,
33 including possible options and a possible appeals process, to the
34 governor, the state board of education, and the house of
35 representatives and senate education committees.

36 (b) By July 1, 2005, subject to available funding, alternative
37 means shall be available for pilot testing by school districts.

38 (c) By December 1, 2006, the superintendent shall report to the
39 governor, the state board of education, and the house of

1 representatives and senate education committees on information obtained
2 through the pilots of the alternative means. The report shall include
3 an analysis of the comparative rigor of the alternative means to the
4 Washington assessment of student learning for that content area.

5 (d) Through the omnibus appropriations act or by statute, the
6 legislature shall formally approve the use of any alternative means,
7 including any appeals process, before its implementation as a part of
8 the high school assessment system.

9 (4) By November 30, 2004, the superintendent of public instruction
10 and the state board of education shall provide to the house of
11 representatives and senate education committees all available pertinent
12 studies, information, and independent third-party analyses on the
13 validity and reliability of the high school assessment system,
14 especially as it pertains to the use of the system for individual
15 student decisions.

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

18 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION
19 HIGHSCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF
20 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall
21 establish high school graduation requirements or equivalencies for
22 students.

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

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

30 (c)The state board shall not require a student high school and
31 beyond plan as a condition for graduation.

32 (2) In recognition of the statutory authority of the state board of
33 education to establish and enforce minimum high school graduation
34 requirements, the state board shall periodically reevaluate the
35 graduation requirements and shall report such findings to the
36 legislature in a timely manner as determined by the state board.

37 (3) Pursuant to any requirement for instruction in languages other
38 than English established by the state board of education or a local

1 school district, or both, for purposes of high school graduation,
2 students who receive instruction in American sign language or one or
3 more American Indian languages shall be considered to have satisfied
4 the state or local school district graduation requirement for
5 instruction in one or more languages other than English.

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

10 (a) The course was taken with high school students, if the academic
11 level of the course exceeds the requirements for seventh and eighth
12 grade classes, and the student has successfully passed by completing
13 the same course requirements and examinations as the high school
14 students enrolled in the class; or

15 (b) The academic level of the course exceeds the requirements for
16 seventh and eighth grade classes and the course would qualify for
17 highschool credit, because the course is similar or equivalent to a
18 course offered at a high school in the district as determined by the
19 school district board of directors.

20 (5) Students who have taken and successfully completed high school
21 courses under the circumstances in subsection (4) of this section shall
22 not be required to take an additional competency examination or perform
23 any other additional assignment to receive credit. Subsection (4) of
24 this section shall also apply to students enrolled in high school on
25 April 11, 1990, who took the courses before attending high school.

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

28 **Sec. 104.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended
29 to read as follows:

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

37 Principals of private schools or superintendents of private school
38 districts shall file each year with the state superintendent of public

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

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

13 (2) The school day shall be the same as that required in RCW
14 28A.150.030 and 28A.150.220, except that the percentages of total
15 program hour offerings as prescribed in RCW 28A.150.220 for basic
16 skills, work skills, and optional subjects and activities shall not
17 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

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

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

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

32 (9) The state board shall not require private school students to
33 meet the student learning goals, obtain a certificate of achievement to
34 graduate from high school, master the essential academic learning
35 requirements, or be assessed pursuant to RCW 28A.655.060. However,
36 private schools may choose, on a voluntary basis, to have their
37 students master these essential academic learning requirements, take
38 the assessments, and obtain a certificate of achievement.

1 All decisions of policy, philosophy, selection of books, teaching
2 material, curriculum, except as in subsection (7) above provided,
3 school rules and administration, or other matters not specifically
4 referred to in this section, shall be the responsibility of the
5 administration and administrators of the particular private school
6 involved.

7 **Sec. 105.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to
8 read as follows:

9 (1) Each parent whose child is receiving home-based instruction
10 under RCW 28A.225.010(4) shall have the duty to:

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

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

33 ((+3)) (c) Ensure that a standardized achievement test approved by
34 the state board of education is administered annually to the child by
35 a qualified individual or that an annual assessment of the student's
36 academic progress is written by a certificated person who is currently
37 working in the field of education. ~~((The state board of education
38 shall not require these children to meet the student learning goals,~~

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

9 (2) The state board of education shall not require these children
10 to meet the student learning goals, master the essential academic
11 learning requirements, take the assessments, or obtain a certificate of
12 achievement pursuant to RCW 28A.655.060.

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

18 PART 2

19 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS

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

1 The options may also include local and state reporting requirements in
2 these content areas.

3 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
4 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING
5 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND
6 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE
7 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the
8 superintendent of public instruction shall report to the governor, the
9 state board of education, and the house of representatives and senate
10 education committees on the results of independent research on the
11 alignment and technical review of the reading, writing, and science
12 content areas of the Washington assessment of student learning for
13 elementary and middle grades and for high school. The review shall be
14 comparable to the research conducted on the mathematics assessments and
15 shall be reported in accordance with the following timelines:

16 (a) In the content areas of reading and writing by November 1,
17 2004; and

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

19 (2) The superintendent of public instruction shall report to the
20 governor, the state board of education, and the house of
21 representatives and senate education committees on the
22 review, prioritization, and identification of the essential academic
23 learning requirements and grade level content expectations in
24 accordance with the following timelines:

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

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

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

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

30 (3) By November 30, 2003, the superintendent of public instruction
31 shall report to the governor, the state board of education, and the
32 house of representatives and senate education committees on the
33 feasibility of returning the results of the Washington assessment of
34 student learning, including individual student performance information,
35 to schools, teachers, and parents in the same school year in which the
36 assessment is administered.

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

3 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the
4 end of the 2008-09 school year, school districts shall have in place in
5 elementary schools, middle schools, and high schools assessments or
6 other strategies to assure that students have an opportunity to learn
7 the essential academic learning requirements in social studies, the
8 arts, and health and fitness.

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

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

20 (2) The superintendent of public instruction shall:

21 (a) Periodically revise the essential academic learning
22 requirements, as needed, based on the student learning goals in RCW
23 28A.150.210. Goals one and two shall be considered primary. To the
24 maximum extent possible, the superintendent shall integrate goal four
25 and the knowledge and skill areas in the other goals in the essential
26 academic learning requirements; and

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

1 The office of the superintendent of public instruction, within seven
2 working days, shall post on its web site any grade level content
3 expectations provided to an assessment vendor for use in constructing
4 the Washington assessment of student learning.

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

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

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

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

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

1 (7) In order to assist parents and teachers in their efforts to
2 provide educational support to individual students, the superintendent
3 of public instruction shall provide as much individual student
4 performance information as possible within the constraints of the
5 assessment system's item bank. The superintendent shall also provide
6 to school districts information on classroom-based and other
7 assessments that may provide additional achievement information for
8 individual students.

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

11 ~~((+6+))~~ (9) Assessments for goals three and four of RCW 28A.150.210
12 shall be integrated in the essential academic learning requirements and
13 assessments for goals one and two.

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

18 ~~((+8+))~~ (11) The superintendent shall consider methods to address
19 the unique needs of special education students when developing the
20 assessments under this section.

21 ~~((+9+))~~ (12) The superintendent shall consider methods to address
22 the unique needs of highly capable students when developing the
23 assessments under this section.

24 (13) The superintendent shall post on the superintendent's web
25 site, for optional use by schools and school districts, lists of
26 resources and model assessments in social studies, the arts, and health
27 and fitness.

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

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

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

35 (a) Adopt and revise performance improvement goals in reading,
36 writing, science, and mathematics by subject and grade level as the
37 commission deems appropriate to improve student learning, once
38 assessments in these subjects are required statewide. The goals shall

1 be consistent with student privacy protection provisions of RCW
2 28A.655.090(7) and shall not conflict with requirements contained in
3 Title I of the federal elementary and secondary education act of 1965,
4 as amended. The goals may be established for all students,
5 economically disadvantaged students, limited English proficient
6 students, students with disabilities, and students from
7 disproportionately academically underachieving racial and ethnic
8 backgrounds. The commission may establish school and school district
9 goals addressing high school graduation rates and dropout reduction
10 goals for students in grades seven through twelve. (~~The goals shall~~
11 ~~be in addition to any goals adopted in RCW 28A.655.050. The commission~~
12 ~~may also revise any goal adopted in RCW 28A.655.050.)) The commission
13 shall adopt the goals by rule. However, before each goal is
14 implemented, the commission shall present the goal to the education
15 committees of the house of representatives and the senate for the
16 committees' review and comment in a time frame that will permit the
17 legislature to take statutory action on the goal if such action is
18 deemed warranted by the legislature;~~

19 (b) Identify the scores students must achieve in order to meet the
20 standard on the Washington assessment of student learning and, for high
21 school students, obtain a certificate of academic achievement. The
22 commission shall also determine student scores that identify levels of
23 student performance below and beyond the standard. The commission
24 shall consider the incorporation of the standard error of measurement
25 into the decision regarding the award of the certificate of academic
26 achievement. The commission shall set such performance standards and
27 levels in consultation with the superintendent of public instruction
28 and after consideration of any recommendations that may be developed by
29 any advisory committees that may be established for this purpose.
30 Beginning in 2004, if the commission makes any adjustment of the
31 student performance standards, then the commission shall present the
32 recommended performance standard to the education committees of the
33 house of representatives and the senate by November 30th of the year
34 before the school year in which the changes will take place in order to
35 permit the legislature to take statutory action before the changes are
36 implemented if such action is deemed warranted by the legislature. Any
37 new or revised performance standard the commission plans to use for
38 2004 assessments shall be presented to the legislature by January 1,
39 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;

38 (g) Annually review the assessment reporting system to ensure
39 fairness, accuracy, timeliness, and equity of opportunity, especially

1 with regard to schools with special circumstances and unique
2 populations of students, and a recommendation to the superintendent of
3 public instruction of any improvements needed to the system;

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

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

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

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

18 (1) Establish advisory committees, which may include persons who
19 are not members of the commission;

20 (2) Holding meetings and public hearings, which may include
21 regional meetings and hearings;

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

34 (4) Receiving per diem and travel allowances as permitted under RCW
35 43.03.050 and 43.03.060.

36 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
37 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential
38 academic learning requirements--Statewide academic assessment system--

1 Certificate of mastery--Educational pathways--Accountability--Reports
2 and recommendations--Washington commission on student learning,
3 creation and expiration) and 2001 2nd sp.s. c 20 s 1, 1999 c 373 s 501,
4 1998 c 225 s 1, & 1997 c 268 s 1 are each repealed.

5 **PART 3**

6 **MISCELLANEOUS**

7 NEW SECTION. **Sec. 301.** Part headings and captions used in this
8 act are not any part of the law.

9 NEW SECTION. **Sec. 302.** If any provision of this act or its
10 application to any person or circumstance is held invalid, theremainder
11 of the act or the application of the provision to other persons or
12 circumstances is not affected.

13 NEW SECTION. **Sec. 303.** This act is necessary for the immediate
14 preservation of the public peace, health, or safety, or support of the
15 state government and its existing public institutions, and takes effect
16 immediately."

17 **--- END ---**