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SECOND SUBSTITUTE HOUSE BILL 2124

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State of Washington

58th Legislature

2003 Regular Session

By House Committee on Appropriations (originally sponsored by Representatives Quall, Talcott, McDermott, Tom, Haigh, Cox, Rockefeller, Hunter, Santos, Edwards and Anderson)

READ FIRST TIME 03/10/03.

1 AN ACT Relating to high school graduation requirements; amending  
2 RCW 28A.230.090, 28A.655.030, 28A.655.060, and 28A.655.070; adding a  
3 new section to chapter 28A.655 RCW; creating a new section; and  
4 declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.655  
7 RCW to read as follows:

8 (1) Subject to the conditions in this section, successful  
9 completion of the high school Washington assessment of student learning  
10 in reading, writing, mathematics, and science shall lead to a  
11 certificate of academic proficiency. The certificate of academic  
12 proficiency shall be obtained by most students at about the age of  
13 sixteen, and is evidence that the students have successfully met the  
14 state standard in the content areas included in the certificate. The  
15 certificate of academic proficiency is required for graduation from a  
16 public high school but is not the only requirement for graduation.

17 (2) The high school assessment system shall include but need not be  
18 limited to the Washington assessment of student learning, opportunities  
19 for a student to retake the content areas in which the student was not

1 successful, and one or more alternative means, including an appeals  
2 process, for a student to demonstrate achievement of state academic  
3 standards.

4 (3) Beginning with the graduating class of 2008, successful  
5 completion of the reading, writing, and mathematics content areas of  
6 the high school Washington assessment of student learning is required  
7 for graduation from a public high school in the state of Washington  
8 and, until the provisions of subsection (4) of this section take  
9 effect, shall lead to a certificate of academic proficiency.

10 (4) Beginning with the graduating class of 2010, successful  
11 completion of the science content area of the high school Washington  
12 assessment of student learning is required for graduation from a public  
13 high school in the state of Washington.

14 (5) Beginning with the graduating class of 2010, successful  
15 completion of the reading, writing, mathematics, and science content  
16 areas of the high school Washington assessment of student learning  
17 shall lead to a certificate of academic proficiency.

18 (6) The state board of education may not require the acquisition of  
19 the certificate of academic proficiency for students in home-based  
20 instruction under chapter 28A.200 RCW or for students enrolled in  
21 private schools under chapter 28A.195 RCW.

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

24 (8) Beginning with the graduating class of 2008, if a student takes  
25 the high school assessment but is not successful in one or more content  
26 areas required for the certificate of academic proficiency, the student  
27 may retake the assessment in that content area one or more times at no  
28 cost to the student and may choose one or more of the following  
29 options:

30 (a) To retake the assessment in that content area at least once in  
31 the spring and once in the fall of each year, at a minimum, if the  
32 student is enrolled in a public school;

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

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

5 (9) Opportunities for retaking the high school assessment shall  
6 begin no later than the spring 2004 administration of the assessment,  
7 subject to available funding. Beginning no later than 2006,  
8 opportunities to retake the assessment in the fall shall be available  
9 in each school district. In addition, subject to available funding,  
10 beginning no later than 2006, the results of the spring administration  
11 of the assessment shall be available to students, parents, and schools  
12 before June 1st of each year.

13 (10) Beginning no later than September 1, 2006, subject to  
14 available funding, alternative means to demonstrate academic  
15 proficiency and an appeal option shall be in place in each school  
16 district.

17 (11) Beginning no later than September 1, 2006, each school  
18 district shall prepare a high school graduation plan for each student  
19 in grades eight through twelve who is not successful in one or more  
20 content areas of the Washington assessment of student learning for the  
21 student's grade level. The plan shall include, but need not be limited  
22 to, the courses, competencies, and other steps needed by the student to  
23 meet state academic standards and stay on track for graduation.  
24 Progress on the plan shall be reported at least once a year to the  
25 student and the student's parents or guardian.

26 (12)(a) By July 1, 2004, the state board of education shall report  
27 to the governor and the house of representatives and senate education  
28 committees on whether the high school assessment system in the content  
29 areas of reading, writing, and mathematics is a sufficiently valid and  
30 reliable measure of the essential academic learning requirements to be  
31 used to make consistent decisions about whether individual students  
32 have met the performance standards related to the essential academic  
33 learning requirements and earned a certificate of academic proficiency.  
34 In the report, the state board shall recommend any actions necessary to  
35 increase the validity and reliability of any assessment system content  
36 area that the state board believes is not sufficiently valid and  
37 reliable to be used for individual student decisions.

1 (b) By December 15, 2005, the state board shall report to the  
2 governor and the house of representatives and senate education  
3 committees on the readiness of the education system to support the  
4 inclusion of the science content area as a graduation requirement for  
5 the class of 2010. In the report, the state board shall recommend any  
6 actions necessary to increase the validity and reliability of the  
7 science content area if the state board believes that the assessment  
8 for science is not yet sufficiently valid and reliable to be used for  
9 individual student decisions related to the certificate of academic  
10 proficiency.

11 (c) In making this determination, the state board shall consider  
12 the following for each of the content areas included in the certificate  
13 of academic proficiency:

14 (i) The validity and reliability of the high school Washington  
15 assessment of student learning for the content areas included in the  
16 certificate;

17 (ii) The availability of retakes;

18 (iii) The availability of alternative means by which a student may  
19 demonstrate that the student has met the standard; and

20 (iv) Other information relevant to ensuring that Washington's  
21 students have been given an opportunity to learn the content areas  
22 covered by the certificate of academic proficiency.

23 NEW SECTION. **Sec. 2.** (1) Before the results of the 2004 high  
24 school assessment of student learning are reported to school districts,  
25 the academic achievement and accountability commission shall review and  
26 adjust, if necessary, the cut scores needed to meet the high school  
27 standards and obtain a certificate of academic proficiency as provided  
28 in section 1 of this act. The commission shall include in its review  
29 consideration of the use of the standard error of measurement into the  
30 decision regarding the award of the certificate of academic  
31 proficiency. By November 30, 2004, the commission shall report its  
32 decision to the governor, the superintendent of public instruction, and  
33 the house of representatives and senate education committees. To  
34 assist in its deliberations, the commission shall seek advice from a  
35 committee that includes parents, practicing classroom teachers and  
36 principals, administrators, staff, and other interested parties.

1 (2) The office of the superintendent of public instruction shall  
2 develop alternative assessment options, procedures, and criteria,  
3 including an appeals process, to help determine whether students who  
4 were not successful in one or more of the content areas of the high  
5 school assessment can demonstrate that they meet state standards  
6 through another objectively evaluated means. In its deliberations, the  
7 office shall consult with parents, administrators, practicing classroom  
8 teachers including teachers in career and technical education,  
9 practicing principals, appropriate agencies, professional  
10 organizations, assessment experts, and other interested parties.

11 (a) By July 1, 2004, the office shall report its recommendations  
12 for alternative assessments and appeals, including possible options, to  
13 the governor and the house of representatives and senate education  
14 committees.

15 (b) By July 1, 2005, subject to available funding, the alternative  
16 assessment options shall be available for voluntary use by school  
17 districts.

18 (3) The office of the superintendent of public instruction shall  
19 convene three task forces to provide advice to policymakers on the  
20 certificate of academic proficiency graduation requirements. By  
21 September 1, 2003, each of the task forces shall provide the office  
22 with an initial report on its progress. By November 30, 2003, each of  
23 the task forces shall provide a copy of its recommendations to the  
24 governor, the superintendent of public instruction, the state board of  
25 education, and the house of representatives and senate education  
26 committees. In addition:

27 (a) One task force shall provide advice on the appropriate  
28 application of the certificate of academic proficiency requirement to  
29 special education students. The task force shall also recommend one or  
30 more ways to acknowledge the accomplishments of students who meet the  
31 requirements of the students' individual education plans but who do not  
32 earn a certificate of academic proficiency. The task force shall  
33 include but need not be limited to parents, administrators, practicing  
34 classroom teachers and principals, and representatives of organizations  
35 interested in special education, including representatives from  
36 nonprofit organizations representing students with a variety of  
37 disabilities, special education students, students under five hundred  
38 and four plans, and different learners;

1 (b) One task force shall provide advice on the appropriate  
2 application of the certificate of academic proficiency requirement to  
3 students with limited English proficiency. The task force shall also  
4 recommend one or more ways to acknowledge the accomplishments of  
5 limited English proficient students who meet every state and local  
6 graduation requirement except that of the certificate of academic  
7 proficiency. The task force shall include but need not be limited to  
8 parents, administrators, practicing classroom teachers and principals,  
9 and representatives of organizations interested in the education of  
10 limited English proficient students;

11 (c) One task force shall recommend best practices that schools may  
12 use with middle, junior high, and high school students who need  
13 additional assistance to meet the requirements of the certificate of  
14 academic proficiency. The task force shall include, but need not be  
15 limited to district administrators, practicing teachers including  
16 teachers in career and technical education, practicing middle and high  
17 school principals, parents, counselors, and representatives of  
18 organizations interested in special education. The task force shall  
19 examine ways that current programs and student counseling efforts can  
20 be adjusted to meet student assistance needs and identify additional  
21 tools needed by the system for that purpose. The task force also shall  
22 examine how the high school graduation plan in section 1(11) of this  
23 act could:

24 (i) Be developed in consultation with the student and the student's  
25 parent or guardian;

26 (ii) Address, at a minimum, any courses, competencies, or other  
27 steps needed by a student to demonstrate achievement of the state  
28 standards for that content area;

29 (iii) Be used to help guide a student who meets every graduation  
30 requirement except the acquisition of a certificate of academic  
31 proficiency; and

32 (iv) Include an annual progress report to a student and the  
33 student's parents or guardian that might include the steps the student  
34 needs to take within the next year to make steady progress toward high  
35 school graduation.

36 **Sec. 3.** RCW 28A.230.090 and 1997 c 222 s 2 are each amended to  
37 read as follows:

1 (1) The state board of education shall establish high school  
2 graduation requirements or equivalencies for students.

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

7 (b) The certificate of academic proficiency requirements under  
8 section 1 of this act are required for graduation from a public high  
9 school but are not the only requirements for graduation.

10 (c) The state board may not require a student plan as a condition  
11 for graduation.

12 (2) In recognition of the statutory authority of the state board of  
13 education to establish and enforce minimum high school graduation  
14 requirements, the state board shall periodically reevaluate the  
15 graduation requirements and shall report such findings to the  
16 legislature in a timely manner as determined by the state board.

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

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

28 (a) The course was taken with high school students, if the academic  
29 level of the course exceeds the requirements for seventh and eighth  
30 grade classes, and the student has successfully passed by completing  
31 the same course requirements and examinations as the high school  
32 students enrolled in the class; or

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

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

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

9 **Sec. 4.** RCW 28A.655.030 and 2002 c 37 s 1 are each amended to read  
10 as follows:

11 The powers and duties of the academic achievement and  
12 accountability commission shall include, but are not limited to the  
13 following:

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

15 (a) Adopt and revise performance improvement goals in reading,  
16 writing, science, and mathematics by subject and grade level as the  
17 commission deems appropriate to improve student learning, once  
18 assessments in these subjects are required statewide. The goals shall  
19 be consistent with student privacy protection provisions of RCW  
20 28A.655.090(7) and shall not conflict with requirements contained in  
21 Title I of the federal elementary and secondary education act of 1965,  
22 as amended. The goals may be established for all students,  
23 economically disadvantaged students, limited English proficient  
24 students, students with disabilities, and students from  
25 disproportionately academically underachieving racial and ethnic  
26 backgrounds. The commission may establish school and school district  
27 goals addressing high school graduation rates and dropout reduction  
28 goals for students in grades seven through twelve. (~~The goals shall~~  
29 ~~be in addition to any goals adopted in RCW 28A.655.050. The commission~~  
30 ~~may also revise any goal adopted in RCW 28A.655.050.)) The commission  
31 shall adopt the goals by rule. However, before each goal is  
32 implemented, the commission shall present the goal to the education  
33 committees of the house of representatives and the senate for the  
34 committees' review and comment in a time frame that will permit the  
35 legislature to take statutory action on the goal if such action is  
36 deemed warranted by the legislature;~~



1 (b) Identify the scores students must achieve in order to meet the  
2 standard on the Washington assessment of student learning and, for high  
3 school students, obtain a certificate of academic proficiency. The  
4 commission shall also determine student scores that identify levels of  
5 student performance below and beyond the standard. The commission  
6 shall consider the incorporation of the standard error of measurement  
7 into the decision regarding the award of the certificate of academic  
8 proficiency. The commission shall set such performance standards and  
9 levels in consultation with the superintendent of public instruction  
10 and after consideration of any recommendations that may be developed by  
11 any advisory committees that may be established for this purpose;

12 (c) Adopt objective, systematic criteria to identify successful  
13 schools and school districts and recommend to the superintendent of  
14 public instruction schools and districts to be recognized for two types  
15 of accomplishments, student achievement and improvements in student  
16 achievement. Recognition for improvements in student achievement shall  
17 include consideration of one or more of the following accomplishments:

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

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

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

28 When determining the baseline year or years for recognizing  
29 individual schools, the commission may use the assessment results from  
30 the initial years the assessments were administered, if doing so with  
31 individual schools would be appropriate;

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

37 (e) Identify schools and school districts in which state  
38 intervention measures will be needed and a range of appropriate

1 intervention strategies, beginning no earlier than June 30, 2001, and  
2 after the legislature has authorized a set of intervention strategies.  
3 Beginning no earlier than June 30, 2001, and after the legislature has  
4 authorized a set of intervention strategies, at the request of the  
5 commission, the superintendent shall intervene in the school or school  
6 district and take corrective actions. This chapter does not provide  
7 additional authority for the commission or the superintendent of public  
8 instruction to intervene in a school or school district;

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

11 (g) Annually review the assessment reporting system to ensure  
12 fairness, accuracy, timeliness, and equity of opportunity, especially  
13 with regard to schools with special circumstances and unique  
14 populations of students, and a recommendation to the superintendent of  
15 public instruction of any improvements needed to the system;

16 (h) Annually report by December 1st to the legislature, the  
17 governor, the superintendent of public instruction, and the state board  
18 of education on the progress, findings, and recommendations of the  
19 commission. The report may include recommendations of actions to help  
20 improve student achievement;

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

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

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

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

32 (2) Holding meetings and public hearings, which may include  
33 regional meetings and hearings;

34 (3) Hiring necessary staff and determining the staff's duties and  
35 compensation. However, the office of the superintendent of public  
36 instruction shall provide staff support to the commission until the  
37 commission has hired its own staff, and shall provide most of the  
38 technical assistance and logistical support needed by the commission

1 thereafter. The office of the superintendent of public instruction  
2 shall be the fiscal agent for the commission. The commission may  
3 direct the office of the superintendent of public instruction to enter  
4 into subcontracts, within the commission's resources, with school  
5 districts, teachers, higher education faculty, state agencies, business  
6 organizations, and other individuals and organizations to assist the  
7 commission in its deliberations; and

8 (4) Receiving per diem and travel allowances as permitted under RCW  
9 43.03.050 and 43.03.060.

10 **Sec. 5.** RCW 28A.655.060 and 2001 2nd sp.s. c 20 s 1 are each  
11 amended to read as follows:

12 (1) The Washington commission on student learning is hereby  
13 established. The primary purposes of the commission are to identify  
14 the knowledge and skills all public school students need to know and be  
15 able to do based on the student learning goals in RCW 28A.150.210, to  
16 develop student assessment and school accountability systems, to review  
17 current school district data reporting requirements and make  
18 recommendations on what data is necessary for the purposes of  
19 accountability and meeting state information needs, and to take other  
20 steps necessary to develop a performance-based education system. The  
21 commission shall include three members of the state board of education,  
22 three members appointed by the governor before July 1, 1992, and five  
23 members appointed no later than June 1, 1993, by the governor elected  
24 in the November 1992 election. The governor shall appoint a chair from  
25 the commission members, and fill any vacancies in gubernatorial  
26 appointments that may occur. The state board of education shall fill  
27 any vacancies of state board of education appointments that may occur.  
28 In making the appointments, educators, business leaders, and parents  
29 shall be represented, and nominations from statewide education,  
30 business, and parent organizations shall be requested. Efforts shall  
31 be made to ensure that the commission reflects the racial and ethnic  
32 diversity of the state's K-12 student population and that the major  
33 geographic regions in the state are represented. Appointees shall be  
34 qualified individuals who are supportive of educational restructuring,  
35 who have a positive record of service, and who will devote sufficient  
36 time to the responsibilities of the commission to ensure that the  
37 objectives of the commission are achieved.

1 (2) The commission shall establish advisory committees. Membership  
2 of the advisory committees shall include, but not necessarily be  
3 limited to, professionals from the office of the superintendent of  
4 public instruction and the state board of education, and other state  
5 and local educational practitioners and student assessment specialists.

6 (3) The commission, with the assistance of the advisory committees,  
7 shall:

8 (a) Develop essential academic learning requirements based on the  
9 student learning goals in RCW 28A.150.210. Essential academic learning  
10 requirements shall be developed, to the extent possible, for each of  
11 the student learning goals in RCW 28A.150.210. Goals one and two shall  
12 be considered primary. Essential academic learning requirements for  
13 RCW 28A.150.210(1), goal one, and the mathematics component of RCW  
14 28A.150.210(2), goal two, shall be completed no later than March 1,  
15 1995. Essential academic learning requirements that incorporate the  
16 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and  
17 four, shall be completed no later than March 1, 1996. To the maximum  
18 extent possible, the commission shall integrate goal four and the  
19 knowledge and skill areas in the other goals in the development of the  
20 essential academic learning requirements;

21 (b)(i) The commission and superintendent of public instruction  
22 shall develop a statewide academic assessment system for use in the  
23 elementary, middle, and high school years designed to determine if each  
24 student has learned the essential academic learning requirements  
25 identified in (a) of this subsection. The academic assessment system  
26 shall include a variety of assessment methods, including criterion-  
27 referenced and performance-based measures. Performance standards for  
28 determining if a student has successfully completed an assessment shall  
29 be determined by the commission and the superintendent of public  
30 instruction in consultation with the advisory committees required in  
31 subsection (2) of this section.

32 (ii) The assessment system shall be designed so that the results  
33 under the assessment system are used by educators as tools to evaluate  
34 instructional practices, and to initiate appropriate educational  
35 support for students who have not learned the essential academic  
36 learning requirements at the appropriate periods in the student's  
37 educational development.

1 (iii) Assessments measuring the essential academic learning  
 2 requirements shall be available for voluntary use by school districts  
 3 and shall be required to be administered by school districts according  
 4 to the following schedule unless the legislature takes action to delay  
 5 or prevent implementation of the assessment system and essential  
 6 academic learning requirements.

7 **Assessments Assessments**  
 8 **available for required to be**  
 9 **voluntary use administered**  
 10 **(School years) (School years)**

11	<b>Reading, Writing,</b>		
12	<b>Communication, Mathematics</b>		
13	- Elementary school	1996-97	1997-98
14	- Middle school	1997-98	2000-01
15	- High school	1998-99	2000-01
16	<b>Science</b>		
17	- High school	2002-03	2003-04
18	- Middle school	2002-03	2003-04
19	- Elementary school	2003-04	2004-05
20	<b>Social Studies</b>		
21	- Elementary, middle, and	2004-05	2007-08
22	high school		
23	<b>Arts</b>		
24	- Middle and high school	2005-06	2008-09
25	- Elementary school	2005-06	2009-10
26	<b>Health, Fitness</b>		
27	- Middle and high school	2005-06	2008-09
28	- Elementary school	2005-06	2009-10

29 The completed assessments and assessments still in development  
 30 shall be transferred by the commission on student learning to the  
 31 superintendent of public instruction by June 30, 1999.

32 (iv) To the maximum extent possible, the commission and the  
 33 superintendent of public instruction shall integrate knowledge and  
 34 skill areas in development of the assessments.

35 Assessments for goals three and four of RCW 28A.150.210 shall be

1 integrated in the essential academic learning requirements and  
2 assessments for goals one and two.

3 (v) The commission on student learning may modify the essential  
4 academic learning requirements and the assessments, as needed, before  
5 June 30, 1999. The superintendent of public instruction may modify the  
6 essential academic learning requirements and the assessments, as  
7 needed, after June 30, 1999. The commission and superintendent shall,  
8 upon request, provide opportunities for the education committees of the  
9 house of representatives and the senate to review the assessments and  
10 proposed modifications to the essential academic learning requirements  
11 before the modifications are adopted.

12 (vi) The commission and the superintendent of public instruction  
13 shall develop assessments that are directly related to the essential  
14 academic learning requirements, and are not biased toward persons with  
15 different learning styles, racial or ethnic backgrounds, or on the  
16 basis of gender;

17 ~~(c) ((After a determination is made by the state board of education  
18 that the high school assessment system has been implemented and that it  
19 is sufficiently reliable and valid, successful completion of the high  
20 school assessment shall lead to a certificate of mastery. The  
21 certificate of mastery shall be obtained by most students at about the  
22 age of sixteen, and is evidence that the student has successfully  
23 mastered the essential academic learning requirements during his or her  
24 educational career. The certificate of mastery shall be required for  
25 graduation but shall not be the only requirement for graduation. The  
26 commission shall make recommendations to the state board of education  
27 regarding the relationship between the certificate of mastery and high  
28 school graduation requirements.))~~ Upon achieving the certificate of  
29 ~~((mastery))~~ academic proficiency, schools shall provide students with  
30 the opportunity to pursue career and educational objectives through  
31 educational pathways that emphasize integration of academic and  
32 vocational education. Educational pathways may include, but are not  
33 limited to, programs such as work-based learning, school-to-work  
34 transition, tech prep, vocational-technical education, running start,  
35 and preparation for technical college, community college, or university  
36 education. Any middle school, junior high school, or high school using  
37 educational pathways shall ensure that all participating students will  
38 continue to have access to the courses and instruction necessary to

1 meet admission requirements at baccalaureate institutions. Students  
2 shall be allowed to enter the educational pathway of their choice.  
3 Before accepting a student into an educational pathway, the school  
4 shall inform the student's parent of the pathway chosen, the  
5 opportunities available to the student through the pathway, and the  
6 career objectives the student will have exposure to while pursuing the  
7 pathway. Parents and students dissatisfied with the opportunities  
8 available through the selected educational pathway shall be provided  
9 with the opportunity to transfer the student to any other pathway  
10 provided in the school. Schools may not develop educational pathways  
11 that retain students in high school beyond the date they are eligible  
12 to graduate, and may not require students who transfer between pathways  
13 to complete pathway requirements beyond the date the student is  
14 eligible to graduate;

15 (d) Consider methods to address the unique needs of special  
16 education students when developing the assessments in (b) and (c) of  
17 this subsection;

18 (e) Consider methods to address the unique needs of highly capable  
19 students when developing the assessments in (b) and (c) of this  
20 subsection;

21 (f) Develop recommendations on the time, support, and resources,  
22 including technical assistance, needed by schools and school districts  
23 to help students achieve the essential academic learning requirements.  
24 These recommendations shall include an estimate for the legislature,  
25 superintendent of public instruction, and governor on the expected cost  
26 of implementing the academic assessment system;

27 (g) Develop recommendations for consideration by the higher  
28 education coordinating board for adopting college and university  
29 entrance requirements for public school students that are consistent  
30 with the essential academic learning requirements and the certificate  
31 of (~~mastery~~) academic proficiency;

32 (h) Review current school district data reporting requirements for  
33 the purposes of accountability and meeting state information needs.  
34 The commission on student learning shall report recommendations to the  
35 joint select committee on education restructuring by September 15,  
36 1996, on:

37 (i) What data is necessary to compare how school districts are  
38 performing before the essential academic learning requirements and the

1 assessment system are implemented with how school districts are  
2 performing after the essential academic learning requirements and the  
3 assessment system are implemented; and

4 (ii) What data is necessary pertaining to school district reports  
5 under the accountability systems developed by the commission on student  
6 learning under this section;

7 (i) Recommend to the legislature, governor, state board of  
8 education, and superintendent of public instruction:

9 (i) A statewide accountability system to monitor and evaluate  
10 accurately and fairly at elementary, middle, and high schools the level  
11 of learning occurring in individual schools and school districts with  
12 regard to the goals included in RCW 28A.150.210 (1) through (4). The  
13 accountability system must assess each school individually against its  
14 own baseline, schools with similar characteristics, and schools  
15 statewide. The system shall include school-site, school district, and  
16 state-level accountability reports;

17 (ii) A school assistance program to help schools and school  
18 districts that are having difficulty helping students meet the  
19 essential academic learning requirements as measured by performance on  
20 the elementary, middle school, and high school assessments;

21 (iii) A system to intervene in schools and school districts in  
22 which significant numbers of students persistently fail to learn the  
23 essential academic learning requirements or meet the standards  
24 established for the elementary, middle school, and high school  
25 assessments; and

26 (iv) An awards program to provide incentives to school staff to  
27 help their students learn the essential academic learning requirements,  
28 with each school being assessed individually against its own baseline,  
29 schools with similar characteristics, and the statewide average.  
30 Incentives shall be based on the rate of percentage change of students  
31 achieving the essential academic learning requirements and progress on  
32 meeting the statewide average. School staff shall determine how the  
33 awards will be spent.

34 The commission shall make recommendations regarding a statewide  
35 accountability system for reading in grades kindergarten through four  
36 by November 1, 1997. Recommendations for an accountability system in  
37 the other subject areas and grade levels shall be made no later than  
38 June 30, 1999;



1 (j) Report annually by December 1st to the legislature, the  
2 governor, the superintendent of public instruction, and the state board  
3 of education on the progress, findings, and recommendations of the  
4 commission; and

5 (k) Make recommendations to the legislature and take other actions  
6 necessary or desirable to help students meet the student learning  
7 goals.

8 (4) The commission shall coordinate its activities with the state  
9 board of education and the office of the superintendent of public  
10 instruction.

11 (5) The commission shall seek advice broadly from the public and  
12 all interested educational organizations in the conduct of its work,  
13 including holding periodic regional public hearings.

14 (6) The commission shall select an entity to provide staff support  
15 and the office of the superintendent of public instruction shall  
16 provide administrative oversight and be the fiscal agent for the  
17 commission. The commission may direct the office of the superintendent  
18 of public instruction to enter into subcontracts, within the  
19 commission's resources, with school districts, teachers, higher  
20 education faculty, state agencies, business organizations, and other  
21 individuals and organizations to assist the commission in its  
22 deliberations.

23 (7) Members of the commission shall be reimbursed for travel  
24 expenses as provided in RCW 43.03.050 and 43.03.060.

25 (8)(a) By September 30, 1997, the commission on student learning,  
26 the state board of education, and the superintendent of public  
27 instruction shall jointly present recommendations to the education  
28 committees of the house of representatives and the senate regarding the  
29 high school assessments, the certificate of (~~mastery~~) academic  
30 proficiency, and high school graduation requirements.

31 In preparing recommendations, the commission on student learning  
32 shall convene an ad hoc working group to address questions, including:

33 (i) What type of document shall be used to identify student  
34 performance and achievement and how will the document be described?

35 (ii) Should the students be required to pass the high school  
36 assessments in all skill and content areas, or only in select skill and  
37 content areas, to graduate?

1 (iii) How will the criteria for establishing the standards for  
2 passing scores on the assessments be determined?

3 (iv) What timeline should be used in phasing-in the assessments as  
4 a graduation requirement?

5 (v) What options may be used in demonstrating how the results of  
6 the assessments will be displayed in a way that is meaningful to  
7 students, parents, institutions of higher education, and potential  
8 employers?

9 (vi) Are there other or additional methods by which the assessments  
10 could be used to identify achievement such as endorsements, standards  
11 of proficiency, merit badges, or levels of achievement?

12 (vii) Should the assessments and certificate of (~~mastery~~)  
13 academic proficiency be used to satisfy college or university entrance  
14 criteria for public school students? If yes, how should these methods  
15 be phased-in?

16 (b) The ad hoc working group shall report its recommendations to  
17 the commission on student learning, the state board of education, and  
18 the superintendent of public instruction by June 15, 1997. The  
19 commission shall report the ad hoc working group's recommendations to  
20 the education committees of the house of representatives and senate by  
21 July 15, 1997. Final recommendations of the commission on student  
22 learning, the state board of education, and the superintendent of  
23 public instruction shall be presented to the education committees of  
24 the house of representatives and the senate by September 30, 1997.

25 (9) The Washington commission on student learning shall expire on  
26 June 30, 1999.

27 **Sec. 6.** RCW 28A.655.070 and 1999 c 388 s 501 are each amended to  
28 read as follows:

29 (1) The superintendent of public instruction shall identify the  
30 knowledge and skills all public school students need to know and be  
31 able to do based on the student learning goals in RCW 28A.150.210,  
32 develop student assessments, and implement the accountability  
33 recommendations and requests regarding assistance, rewards, and  
34 recognition of the academic achievement and accountability commission.

35 (2) The superintendent of public instruction shall periodically  
36 revise the essential academic learning requirements, as needed, based  
37 on the student learning goals in RCW 28A.150.210. Goals one and two

1 shall be considered primary. To the maximum extent possible, the  
2 superintendent shall integrate goal four and the knowledge and skill  
3 areas in the other goals in the essential academic learning  
4 requirements.

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 for use in the elementary, middle, and high school  
9 years designed to determine if each student has mastered the essential  
10 academic learning requirements identified in subsection (1) of this  
11 section. The academic assessment system shall include:

12 (a) A variety of assessment methods, including criterion-referenced  
13 and performance-based measures; and

14 (b) One or more alternative means, including an appeals process, to  
15 demonstrate achievement of the state standards for the high school  
16 assessment system.

17 (4) The assessment system shall be designed so that the results  
18 under the assessment system are used by educators as tools to evaluate  
19 instructional practices, and to initiate appropriate educational  
20 support for students who have not mastered the essential academic  
21 learning requirements at the appropriate periods in the student's  
22 educational development. In order to assist teachers in their efforts  
23 to provide educational support to individual students, including  
24 students seeking a certificate of academic proficiency, the  
25 superintendent of public instruction shall provide as much individual  
26 student performance information as possible within the constraints of  
27 the assessment system's item bank. The superintendent shall also  
28 provide to school districts information on classroom-based and other  
29 assessments that may provide additional achievement information for  
30 individual students.

31 (5) To the maximum extent possible, the superintendent shall  
32 integrate knowledge and skill areas in development of the assessments.

33 (6) Assessments for goals three and four of RCW 28A.150.210 shall  
34 be integrated in the essential academic learning requirements and  
35 assessments for goals one and two.

36 (7) The superintendent shall develop assessments that are directly  
37 related to the essential academic learning requirements, and are not

1 biased toward persons with different learning styles, racial or ethnic  
2 backgrounds, or on the basis of gender.

3 (8) The superintendent shall consider methods to address the unique  
4 needs of special education students when developing the assessments  
5 under this section.

6 (9) The superintendent shall consider methods to address the unique  
7 needs of highly capable students when developing the assessments under  
8 this section.

9 NEW SECTION. **Sec. 7.** If any provision of this act or its  
10 application to any person or circumstance is held invalid, the  
11 remainder of the act or the application of the provision to other  
12 persons or circumstances is not affected.

13 NEW SECTION. **Sec. 8.** 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.

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