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SUBSTITUTE HOUSE BILL 2195 - CC

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State of Washington                      58th Legislature                      2003 Regular Session

By House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Tom and Haigh)

READ FIRST TIME 03/05/03.

1            AN ACT Relating to state academic standards; amending RCW  
2 28A.655.060 and 28A.655.070; adding new sections to chapter 28A.655  
3 RCW; creating new sections; and providing an effective date.

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

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

7            The state's system of academic standards shall include essential  
8 academic learning requirements and assessments of those requirements.  
9 The essential academic learning requirements shall be based on a set of  
10 principles that include, but need not be limited to, the following:

- 11            (1) The essential academic learning requirements shall:
  - 12            (a) Address the student learning goals in RCW 28A.150.210;
  - 13            (b) Specify what children should know and be able to do through  
14 explicit, focused, prioritized, and sequential grade level content  
15 expectations;
  - 16            (c) Contain coherent and rigorous content;
  - 17            (d) Encourage the teaching of advanced skills; and
  - 18            (e) Differentiate, for educators, grade level content expectations  
19 that are likely to be assessed through the state administered

1 Washington assessment of student learning, grade level content  
2 expectations that will be addressed through locally administered  
3 performance-based assessments, and grade level content expectations  
4 that may not be assessed through any formal means.

5 (2) Grade level content expectations shall be:

6 (a) Articulated over the grades as a sequence of expectations and  
7 performances that are logical, built with increasing depth after  
8 foundational knowledge and skills are acquired, and reflect, where  
9 appropriate, the sequential nature of the discipline; and

10 (b) Communicated to parents and educators in clear and straight-  
11 forward formats that explicitly describe the grade level content  
12 expectations that are likely to be included on the Washington  
13 assessment of student learning and the performances that students might  
14 be asked to use to demonstrate knowledge and skills for those  
15 expectations.

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

18 The assessment system for determining whether students have learned  
19 the essential academic learning requirements shall be based on a set of  
20 principles that include, but need not be limited to, the following:

21 (1) The Washington assessment of student learning shall be an  
22 annual high-quality assessment that is aligned to state grade level  
23 content expectations and that is administered in the content areas of  
24 reading, writing, mathematics, science, and civics;

25 (2) State or, at the option of school districts, locally developed  
26 and administered performance-based assessments shall be developed in  
27 content areas that include, but need not be limited to, social studies,  
28 the arts, and health and fitness. The assessments may include but need  
29 not be limited to classroom-based assessments, project-based  
30 assessments, end-of-course examinations, and multiyear content  
31 examinations;

32 (3) The Washington assessment of student learning shall:

33 (a) Be aligned with the state's essential academic learning  
34 requirements and grade level content expectations;

35 (b) Involve multiple measures of student achievement, including  
36 measures that assess higher-order thinking skills and understanding;

1 (c) Be used for purposes for which the assessment is valid and  
2 reliable and be consistent with relevant, nationally recognized  
3 professional and technical assessment standards; and

4 (d) Be reported for each student:

5 (i) By strand or by grade level content expectation;

6 (ii) By September 2006, in a way that will allow parents and  
7 teachers to determine the academic gain a student has acquired in that  
8 content area from one school year to the next; and

9 (iii) Within the constraints of the assessment system's item bank,  
10 with descriptive and coherent student performance information,  
11 including an itemized score analysis, so that parents, teachers,  
12 principals, and administrators can interpret and address the specific  
13 academic needs of the student for that content area.

14 NEW SECTION. **Sec. 3.** The superintendent of public instruction  
15 shall report to the governor, the state board of education, and the  
16 house of representatives and senate education committees:

17 (1) By January 12, 2004, on the steps, timelines, and resources  
18 needed to ensure that any assessment required to meet the provisions of  
19 the federal no child left behind act of 2001 will meet the requirements  
20 of section 2 of this act.

21 (2) By May 1, 2004, on:

22 (a) The office's review, prioritization, and identification, under  
23 section 6(13) of this act, of the essential academic learning  
24 requirements and grade level content expectations that will be assessed  
25 in the content areas of reading, writing, mathematics, and science on  
26 the Washington assessment of student learning; and

27 (b) The results of independent research on alignment and technical  
28 review of the reading, writing, and science content areas of the  
29 Washington assessment of student learning for fourth and seventh grade  
30 and high school. The review shall be comparable to the research  
31 conducted on the mathematics assessments.

32 (3) By November 30, 2004, on the feasibility of returning the  
33 results of the Washington assessment of student learning, including  
34 individual student performance information, to schools, teachers, and  
35 parents in the same school year in which the assessment is  
36 administered.

1 (4) By August 28, 2006, on the feasibility of identifying optional  
2 instructional materials that may be used to help students meet state  
3 academic standards. The instructional materials shall include  
4 textbooks and other materials that use international strategies and  
5 sequencing to help students achieve state standards. The materials  
6 shall also include:

7 (a) Mathematics and science instructional materials from two or  
8 more countries in which students meet world class standards if the  
9 textbooks can be adapted for use in Washington schools; and

10 (b) Instructional materials specifically designed to help students  
11 meet or exceed Washington's grade level content expectations in  
12 reading, writing, mathematics, and science.

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

15 The academic achievement and accountability commission shall review  
16 and adjust, if necessary, the cut scores needed to meet all grade level  
17 content standards on the Washington assessment of student learning. To  
18 assist in its deliberations, the commission shall seek advice from a  
19 committee that includes parents, practicing classroom teachers and  
20 principals, administrators, staff, legislators, and other interested  
21 parties. By November 30, 2006, the commission shall report to the  
22 governor, the superintendent of public instruction, the state board of  
23 education, and the house of representatives and senate education  
24 committees on the results of its review. In its report, the commission  
25 shall include a schedule for the regular review and adjustment of the  
26 cut scores.

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

29 (1) The Washington commission on student learning is hereby  
30 established. The primary purposes of the commission are to identify  
31 the knowledge and skills all public school students need to know and be  
32 able to do based on the student learning goals in RCW 28A.150.210, to  
33 develop student assessment and school accountability systems, to review  
34 current school district data reporting requirements and make  
35 recommendations on what data is necessary for the purposes of  
36 accountability and meeting state information needs, and to take other

1 steps necessary to develop a performance-based education system. The  
2 commission shall include three members of the state board of education,  
3 three members appointed by the governor before July 1, 1992, and five  
4 members appointed no later than June 1, 1993, by the governor elected  
5 in the November 1992 election. The governor shall appoint a chair from  
6 the commission members, and fill any vacancies in gubernatorial  
7 appointments that may occur. The state board of education shall fill  
8 any vacancies of state board of education appointments that may occur.  
9 In making the appointments, educators, business leaders, and parents  
10 shall be represented, and nominations from statewide education,  
11 business, and parent organizations shall be requested. Efforts shall  
12 be made to ensure that the commission reflects the racial and ethnic  
13 diversity of the state's K-12 student population and that the major  
14 geographic regions in the state are represented. Appointees shall be  
15 qualified individuals who are supportive of educational restructuring,  
16 who have a positive record of service, and who will devote sufficient  
17 time to the responsibilities of the commission to ensure that the  
18 objectives of the commission are achieved.

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

24 (3) The commission, with the assistance of the advisory committees,  
25 shall:

26 (a) Develop essential academic learning requirements based on the  
27 student learning goals in RCW 28A.150.210. Essential academic learning  
28 requirements shall be developed, to the extent possible, for each of  
29 the student learning goals in RCW 28A.150.210. Goals one and two shall  
30 be considered primary. Essential academic learning requirements for  
31 RCW 28A.150.210(1), goal one, and the mathematics component of RCW  
32 28A.150.210(2), goal two, shall be completed no later than March 1,  
33 1995. Essential academic learning requirements that incorporate the  
34 remainder of RCW 28A.150.210 (2), (3), and (4), goals two, three, and  
35 four, shall be completed no later than March 1, 1996. To the maximum  
36 extent possible, the commission shall integrate goal four and the  
37 knowledge and skill areas in the other goals in the development of the  
38 essential academic learning requirements;

1 (b)(i) The commission and superintendent of public instruction  
 2 shall develop a statewide academic assessment system for use in the  
 3 elementary, middle, and high school years designed to determine if each  
 4 student has learned the essential academic learning requirements  
 5 identified in (a) of this subsection. The academic assessment system  
 6 shall include a variety of assessment methods, including criterion-  
 7 referenced and performance-based measures. Performance standards for  
 8 determining if a student has successfully completed an assessment shall  
 9 be determined by the commission and the superintendent of public  
 10 instruction in consultation with the advisory committees required in  
 11 subsection (2) of this section.

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

18 (iii) Assessments measuring the essential academic learning  
 19 requirements shall be available for voluntary use by school districts  
 20 and shall be required to be administered by school districts according  
 21 to the following schedule unless the legislature takes action to delay  
 22 or prevent implementation of the assessment system and essential  
 23 academic learning requirements.

	<b>Assessments</b>	<b>Assessments</b>
	<b>available for</b>	<b>required to be</b>
	<b>voluntary use</b>	<b>administered</b>
	<b>(School years)</b>	<b>(School years)</b>
	<b>Reading, Writing,</b>	
	<b>((Communication,)) Mathematics</b>	
	- Elementary school	1996-97      1997-98
	- Middle school	1997-98      2000-01
	- High school	1998-99      2000-01
	<b>Science</b>	
	- High school	2002-03      2003-04
	- Middle school	2002-03      2003-04
	- Elementary school	2003-04      2004-05

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**Communication**

- Elementary school      1996-97
- Middle school      1997-98
- High school      1998-99

**Social Studies**

- Elementary, middle, and high school      2004-05      2007-08

**Arts**

- Middle and high school      2005-06      2008-09
- Elementary school      2005-06      2009-10

**Health, Fitness**

- Middle and high school      2005-06      2008-09
- Elementary school      2005-06      2009-10

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

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

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

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

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

(c) After a determination is made by the state board of education that the high school assessment system has been implemented and that it

1 is sufficiently reliable and valid, successful completion of the high  
2 school assessment shall lead to a certificate of mastery. The  
3 certificate of mastery shall be obtained by most students at about the  
4 age of sixteen, and is evidence that the student has successfully  
5 mastered the essential academic learning requirements during his or her  
6 educational career. The certificate of mastery shall be required for  
7 graduation but shall not be the only requirement for graduation. The  
8 commission shall make recommendations to the state board of education  
9 regarding the relationship between the certificate of mastery and high  
10 school graduation requirements. Upon achieving the certificate of  
11 mastery, schools shall provide students with the opportunity to pursue  
12 career and educational objectives through educational pathways that  
13 emphasize integration of academic and vocational education.  
14 Educational pathways may include, but are not limited to, programs such  
15 as work-based learning, school-to-work transition, tech prep,  
16 vocational-technical education, running start, and preparation for  
17 technical college, community college, or university education. Any  
18 middle school, junior high school, or high school using educational  
19 pathways shall ensure that all participating students will continue to  
20 have access to the courses and instruction necessary to meet admission  
21 requirements at baccalaureate institutions. Students shall be allowed  
22 to enter the educational pathway of their choice. Before accepting a  
23 student into an educational pathway, the school shall inform the  
24 student's parent of the pathway chosen, the opportunities available to  
25 the student through the pathway, and the career objectives the student  
26 will have exposure to while pursuing the pathway. Parents and students  
27 dissatisfied with the opportunities available through the selected  
28 educational pathway shall be provided with the opportunity to transfer  
29 the student to any other pathway provided in the school. Schools may  
30 not develop educational pathways that retain students in high school  
31 beyond the date they are eligible to graduate, and may not require  
32 students who transfer between pathways to complete pathway requirements  
33 beyond the date the student is eligible to graduate;

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

37 (e) Consider methods to address the unique needs of highly capable



1 students when developing the assessments in (b) and (c) of this  
2 subsection;

3 (f) Develop recommendations on the time, support, and resources,  
4 including technical assistance, needed by schools and school districts  
5 to help students achieve the essential academic learning requirements.  
6 These recommendations shall include an estimate for the legislature,  
7 superintendent of public instruction, and governor on the expected cost  
8 of implementing the academic assessment system;

9 (g) Develop recommendations for consideration by the higher  
10 education coordinating board for adopting college and university  
11 entrance requirements for public school students that are consistent  
12 with the essential academic learning requirements and the certificate  
13 of mastery;

14 (h) Review current school district data reporting requirements for  
15 the purposes of accountability and meeting state information needs.  
16 The commission on student learning shall report recommendations to the  
17 joint select committee on education restructuring by September 15,  
18 1996, on:

19 (i) What data is necessary to compare how school districts are  
20 performing before the essential academic learning requirements and the  
21 assessment system are implemented with how school districts are  
22 performing after the essential academic learning requirements and the  
23 assessment system are implemented; and

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

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

29 (i) A statewide accountability system to monitor and evaluate  
30 accurately and fairly at elementary, middle, and high schools the level  
31 of learning occurring in individual schools and school districts with  
32 regard to the goals included in RCW 28A.150.210 (1) through (4). The  
33 accountability system must assess each school individually against its  
34 own baseline, schools with similar characteristics, and schools  
35 statewide. The system shall include school-site, school district, and  
36 state-level accountability reports;

37 (ii) A school assistance program to help schools and school

1 districts that are having difficulty helping students meet the  
2 essential academic learning requirements as measured by performance on  
3 the elementary, middle school, and high school assessments;

4 (iii) A system to intervene in schools and school districts in  
5 which significant numbers of students persistently fail to learn the  
6 essential academic learning requirements or meet the standards  
7 established for the elementary, middle school, and high school  
8 assessments; and

9 (iv) An awards program to provide incentives to school staff to  
10 help their students learn the essential academic learning requirements,  
11 with each school being assessed individually against its own baseline,  
12 schools with similar characteristics, and the statewide average.  
13 Incentives shall be based on the rate of percentage change of students  
14 achieving the essential academic learning requirements and progress on  
15 meeting the statewide average. School staff shall determine how the  
16 awards will be spent.

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

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

26 (k) Make recommendations to the legislature and take other actions  
27 necessary or desirable to help students meet the student learning  
28 goals.

29 (4) The commission shall coordinate its activities with the state  
30 board of education and the office of the superintendent of public  
31 instruction.

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

35 (6) The commission shall select an entity to provide staff support  
36 and the office of the superintendent of public instruction shall  
37 provide administrative oversight and be the fiscal agent for the  
38 commission. The commission may direct the office of the superintendent

1 of public instruction to enter into subcontracts, within the  
2 commission's resources, with school districts, teachers, higher  
3 education faculty, state agencies, business organizations, and other  
4 individuals and organizations to assist the commission in its  
5 deliberations.

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

8 (8)(a) By September 30, 1997, the commission on student learning,  
9 the state board of education, and the superintendent of public  
10 instruction shall jointly present recommendations to the education  
11 committees of the house of representatives and the senate regarding the  
12 high school assessments, the certificate of mastery, and high school  
13 graduation requirements.

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

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

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

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

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

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

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

32 (vii) Should the assessments and certificate of mastery be used to  
33 satisfy college or university entrance criteria for public school  
34 students? If yes, how should these methods be phased-in?

35 (b) The ad hoc working group shall report its recommendations to  
36 the commission on student learning, the state board of education, and  
37 the superintendent of public instruction by June 15, 1997. The  
38 commission shall report the ad hoc working group's recommendations to

1 the education committees of the house of representatives and senate by  
2 July 15, 1997. Final recommendations of the commission on student  
3 learning, the state board of education, and the superintendent of  
4 public instruction shall be presented to the education committees of  
5 the house of representatives and the senate by September 30, 1997.

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

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

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

16 (2) The superintendent of public instruction shall periodically  
17 revise the essential academic learning requirements, as needed, based  
18 on the student learning goals in RCW 28A.150.210(~~(-)~~), the principles  
19 in section 1 of this act, and on the following additional features:

- 20 (a) Goals one and two shall be considered primary(~~(-)~~); and  
21 (b) To the maximum extent possible, the superintendent shall  
22 integrate goal four and the knowledge and skill areas in the other  
23 goals in the essential academic learning requirements.

24 (3) In consultation with the academic achievement and  
25 accountability commission, the superintendent of public instruction  
26 shall maintain and continue to develop and revise a statewide academic  
27 assessment system for use in the elementary, middle, and high school  
28 years designed to determine if each student has mastered the essential  
29 academic learning requirements identified in subsection (1) of this  
30 section. The academic assessment system shall include a variety of  
31 assessment methods, including criterion-referenced and performance-  
32 based measures and shall be based on the principles in section 2 of  
33 this act.

34 (4) The assessment system shall be designed so that the results  
35 under the assessment system are used by educators as tools to evaluate  
36 instructional practices, and to initiate appropriate educational

1 support for students who have not mastered the essential academic  
2 learning requirements at the appropriate periods in the student's  
3 educational development.

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

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

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

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

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

19 (10) The superintendent shall, upon request, provide opportunities  
20 for the education committees of the house of representatives and the  
21 senate to review the assessments and proposed modifications to the  
22 essential academic learning requirements before the modifications are  
23 adopted.

24 (11) The superintendent, within six months after receipt of final  
25 scores, shall post on its web site the annual state technical report on  
26 the validity and reliability of the Washington assessment of student  
27 learning.

28 (12) The superintendent, shall align reporting requirements for  
29 state purposes and for the determination of adequate yearly progress  
30 under federal law. The superintendent shall report the results on the  
31 Washington assessment of student learning only of those students whose  
32 enrollment in the district is continuous and uninterrupted from October  
33 1st through the testing period, to the extent that the reporting  
34 limitation is permitted by federal law.

35 (13) The superintendent shall review, prioritize, and identify the  
36 essential academic learning requirements and grade level content  
37 expectations that will be assessed on the Washington assessment of  
38 student learning and used for state and federal accountability

1 purposes. The review, prioritization, and identification shall result  
2 in more focus and targeting with an emphasis on depth over breadth in  
3 the number of grade level content expectations assessed at each grade  
4 level.

5 NEW SECTION. Sec. 7. If any provision of this act or its  
6 application to any person or circumstance is held invalid, the  
7 remainder of the act or the application of the provision to other  
8 persons or circumstances is not affected.

9 NEW SECTION. Sec. 8. This act takes effect June 30, 2003.

10 NEW SECTION. Sec. 9. If specific funding for the purposes of this  
11 act, referencing this act by bill or chapter number is not provided by  
12 June 30, 2003, in the omnibus appropriations act, this act is null and  
13 void.

--- END ---