

CERTIFICATION OF ENROLLMENT
THIRD ENGROSSED SUBSTITUTE HOUSE BILL 2195

58th Legislature
2004 Regular Session

Passed by the House March 8, 2004
Yeas 92 Nays 2

Speaker of the House of Representatives

Passed by the Senate March 4, 2004
Yeas 47 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Richard Nafziger, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **THIRD ENGROSSED SUBSTITUTE HOUSE BILL 2195** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

1 alternative assessments for each content area shall be comparable in
2 rigor to the skills and knowledge that the student must demonstrate on
3 the Washington assessment of student learning for each content area.

4 (2) Subject to the conditions in this section, a certificate of
5 academic achievement shall be obtained by most students at about the
6 age of sixteen, and is evidence that the students have successfully met
7 the state standard in the content areas included in the certificate.
8 With the exception of students satisfying the provisions of section 104
9 of this act, acquisition of the certificate is required for graduation
10 from a public high school but is not the only requirement for
11 graduation.

12 (3) Beginning with the graduating class of 2008, with the exception
13 of students satisfying the provisions of section 104 of this act, a
14 student who meets the state standards on the reading, writing, and
15 mathematics content areas of the high school Washington assessment of
16 student learning shall earn a certificate of academic achievement. If
17 a student does not successfully meet the state standards in one or more
18 content areas required for the certificate of academic achievement,
19 then the student may retake the assessment in the content area up to
20 four times at no cost to the student. If the student successfully
21 meets the state standards on a retake of the assessment then the
22 student shall earn a certificate of academic achievement. Once
23 objective alternative assessments are authorized pursuant to subsection
24 (11) of this section, a student may use the objective alternative
25 assessments to demonstrate that the student successfully meets the
26 state standards for that content area if the student has retaken the
27 Washington assessment of student learning at least once. If the
28 student successfully meets the state standards on the objective
29 alternative assessments then the student shall earn a certificate of
30 academic achievement. The student's transcript shall note whether the
31 certificate of academic achievement was acquired by means of the
32 Washington assessment of student learning or by an alternative
33 assessment.

34 (4) Beginning with the graduating class of 2010, a student must
35 meet the state standards in science in addition to the other content
36 areas required under subsection (3) of this section on the Washington
37 assessment of student learning or the objective alternative assessments
38 in order to earn a certificate of academic achievement.

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

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

8 (7) Beginning with the graduating class of 2006, the highest scale
9 score and level achieved in each content area on the high school
10 Washington assessment of student learning shall be displayed on a
11 student's transcript. In addition, beginning with the graduating class
12 of 2008, each student shall receive a scholar's designation on his or
13 her transcript for each content area in which the student achieves
14 level four the first time the student takes that content area
15 assessment.

16 (8) Beginning in 2006, school districts must make available to
17 students the following options:

18 (a) To retake the Washington assessment of student learning up to
19 four times in the content areas in which the student did not meet the
20 state standards if the student is enrolled in a public school; or

21 (b) To retake the Washington assessment of student learning up to
22 four times in the content areas in which the student did not meet the
23 state standards if the student is enrolled in a high school completion
24 program at a community or technical college. The superintendent of
25 public instruction and the state board for community and technical
26 colleges shall jointly identify means by which students in these
27 programs can be assessed.

28 (9) Students who achieve the standard in a content area of the high
29 school assessment but who wish to improve their results shall pay for
30 retaking the assessment, using a uniform cost determined by the
31 superintendent of public instruction.

32 (10) Subject to available funding, the superintendent shall pilot
33 opportunities for retaking the high school assessment beginning in the
34 2004-05 school year. Beginning no later than September 2006,
35 opportunities to retake the assessment at least twice a year shall be
36 available to each school district.

37 (11) The office of the superintendent of public instruction shall
38 develop options for implementing objective alternative assessments,

1 which may include an appeals process, for students to demonstrate
2 achievement of the state academic standards. The objective alternative
3 assessments shall be comparable in rigor to the skills and knowledge
4 that the student must demonstrate on the Washington assessment of
5 student learning and be objective in its determination of student
6 achievement of the state standards. Before any objective alternative
7 assessments are used by a student to demonstrate that the student has
8 met the state standards in a content area required to obtain a
9 certificate, the legislature shall formally approve the use of any
10 objective alternative assessments through the omnibus appropriations
11 act or by statute or concurrent resolution.

12 (12) By December 15, 2004, the house of representatives and senate
13 education committees shall obtain information and conclusions from
14 recognized, independent, national assessment experts regarding the
15 validity and reliability of the high school Washington assessment of
16 student learning for making individual student high school graduation
17 determinations.

18 (13) To help assure continued progress in academic achievement as
19 a foundation for high school graduation and to assure that students are
20 on track for high school graduation, each school district shall prepare
21 plans for students as provided in this subsection (13).

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

29 (i) Beginning no later than the 2004-05 school year ninth grade
30 students as described in this subsection (13)(a) shall have a plan.

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

34 (iii) The parent or guardian shall be notified, preferably through
35 a parent conference, of the student's results on the Washington
36 assessment of student learning, actions the school intends to take to
37 improve the student's skills in any content area in which the student

1 was unsuccessful, strategies to help them improve their student's
2 skills, and the content of the student's plan.

3 (iv) Progress made on the student plan shall be reported to the
4 student's parents or guardian at least annually and adjustments to the
5 plan made as necessary.

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

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

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

20 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE CUT
21 SCORES REQUIRED TO ACHIEVE THE CERTIFICATE, OBJECTIVE ALTERNATIVE
22 ASSESSMENTS, AND ISSUES RELATED TO VALIDITY AND RELIABILITY. (1) The
23 academic achievement and accountability commission shall review and
24 adjust, if necessary, the performance standards needed to meet the high
25 school standards and obtain a certificate of academic achievement as
26 provided in section 101 of this act. The commission shall include in
27 its review consideration of various conjunctive and compensatory score
28 models, including the use of the standard error of measurement, into
29 the decision regarding the award of the certificate of academic
30 achievement. To assist in its deliberations, the commission shall seek
31 advice from a committee that includes parents, practicing classroom
32 teachers and principals, administrators, staff, and other interested
33 parties. If the commission makes any adjustment of the student
34 performance standards, then the commission shall present the
35 recommended performance standard to the education committees of the
36 house of representatives and the senate by November 30th of the school

1 year in which the changes will take place to permit the legislature to
2 take statutory action before the changes are implemented if such action
3 is deemed warranted by the legislature.

4 (2) The office of the superintendent of public instruction shall
5 develop options for implementing objective alternative assessments,
6 which may include an appeals process, for students to demonstrate
7 achievement of the state academic standards. The objective alternative
8 assessments shall be comparable in rigor to the skills and knowledge
9 that the student must demonstrate on the Washington assessment of
10 student learning and be objective in its determination of student
11 achievement of the state standards.

12 (a) By September 1, 2004, the office of the superintendent of
13 public instruction shall report its recommendations for objective
14 alternative assessments to the governor, the state board of education,
15 and the house of representatives and senate education committees.

16 (b) In its deliberations, the office of the superintendent of
17 public instruction shall consult with parents, administrators,
18 practicing classroom teachers including teachers in career and
19 technical education, practicing principals, appropriate agencies,
20 professional organizations, assessment experts, and other interested
21 parties.

22 (c) Through the omnibus appropriations act, or by statute or
23 concurrent resolution, the legislature shall formally approve the use
24 of any objective alternative assessments before its implementation as
25 a part of the high school assessment system.

26 (3) By September 15, 2004, the superintendent of public instruction
27 shall develop recommendations on the best practices that may be used
28 with students who need additional assistance to meet the requirements
29 of the certificate of academic achievement.

30 (4) By November 30, 2004, the superintendent of public instruction
31 and the state board of education shall provide to the house of
32 representatives and senate education committees all available pertinent
33 studies, information, and independent third-party analyses on the
34 validity and reliability of the high school assessment system,
35 especially as it pertains to the use of the system for individual
36 student decisions.

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

3 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION HIGH
4 SCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF
5 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall
6 establish high school graduation requirements or equivalencies for
7 students.

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

12 (b) The certificate of academic achievement requirements under
13 section 101 of this act or the certificate of individual achievement
14 requirements under section 104 of this act are required for graduation
15 from a public high school but are not the only requirements for
16 graduation.

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

20 (2) In recognition of the statutory authority of the state board of
21 education to establish and enforce minimum high school graduation
22 requirements, the state board shall periodically reevaluate the
23 graduation requirements and shall report such findings to the
24 legislature in a timely manner as determined by the state board.

25 (3) Pursuant to any requirement for instruction in languages other
26 than English established by the state board of education or a local
27 school district, or both, for purposes of high school graduation,
28 students who receive instruction in American sign language or one or
29 more American Indian languages shall be considered to have satisfied
30 the state or local school district graduation requirement for
31 instruction in one or more languages other than English.

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

36 (a) The course was taken with high school students, if the academic
37 level of the course exceeds the requirements for seventh and eighth

1 grade classes, and the student has successfully passed by completing
2 the same course requirements and examinations as the high school
3 students enrolled in the class; or

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

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

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

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

19 CERTIFICATE OF INDIVIDUAL ACHIEVEMENT. Beginning with the
20 graduating class of 2008, students served under this chapter, who are
21 not appropriately assessed by the high school Washington assessment
22 system as defined in section 101 of this act, even with accommodations,
23 may earn a certificate of individual achievement. The certificate may
24 be earned using multiple ways to demonstrate skills and abilities
25 commensurate with their individual education programs. The
26 determination of whether the high school assessment system is
27 appropriate shall be made by the student's individual education program
28 team. For these students, the certificate of individual achievement is
29 required for graduation from a public high school, but need not be the
30 only requirement for graduation. When measures other than the high
31 school assessment system as defined in section 101 of this act are
32 used, the measures shall be in agreement with the appropriate
33 educational opportunity provided for the student as required by this
34 chapter. The superintendent of public instruction shall develop the
35 guidelines for determining which students should not be required to
36 participate in the high school assessment system and which types of
37 assessments are appropriate to use.

1 When measures other than the high school assessment system as
2 defined in section 101 of this act are used for high school graduation
3 purposes, the student's high school transcript shall note whether that
4 student has earned a certificate of individual achievement.

5 Nothing in this section shall be construed to deny a student the
6 right to participation in the high school assessment system as defined
7 in section 101 of this act, and, upon successfully meeting the high
8 school standard, receipt of the certificate of academic achievement.

9 NEW SECTION. **Sec. 105.** A new section is added to chapter 28A.180
10 RCW to read as follows:

11 The office of the superintendent of public instruction and the
12 state board for community and technical colleges shall jointly develop
13 a program plan to provide a continuing education option for students
14 who are eligible for the state transitional bilingual instruction
15 program and who need more time to develop language proficiency but who
16 are more age-appropriately suited for a postsecondary learning
17 environment than for a high school. In developing the plan, the
18 superintendent of public instruction shall consider options to formally
19 recognize the accomplishments of students in the state transitional
20 bilingual instruction program who have completed the twelfth grade but
21 have not earned a certificate of academic achievement. By December 1,
22 2004, the agencies shall report to the legislative education and fiscal
23 committees with any recommendations for legislative action and any
24 resources necessary to implement the plan.

25 **Sec. 106.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended
26 to read as follows:

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

35 Principals of private schools or superintendents of private school
36 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. The state board of education shall not require private
9 school students to meet the student learning goals, obtain a
10 certificate of academic achievement, or a certificate of individual
11 achievement to graduate from high school, to master the essential
12 academic learning requirements, or to be assessed pursuant to section
13 101 of this act. However, private schools may choose, on a voluntary
14 basis, to have their students master these essential academic learning
15 requirements, take the assessments, and obtain a certificate of
16 academic achievement or a certificate of individual achievement.
17 Minimum requirements shall be as follows:

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

22 (2) The school day shall be the same as that required in RCW
23 28A.150.030 and 28A.150.220, except that the percentages of total
24 program hour offerings as prescribed in RCW 28A.150.220 for basic
25 skills, work skills, and optional subjects and activities shall not
26 apply to private schools or private sectarian schools.

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

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

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

37 (4) An approved private school may operate an extension program for

1 parents, guardians, or persons having legal custody of a child to teach
2 children in their custody. The extension program shall require at a
3 minimum that:

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

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

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

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

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

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

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

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

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

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

10 **Sec. 107.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to
11 read as follows:

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

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

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

37 (~~(3)~~) (c) Ensure that a standardized achievement test approved by

1 the state board of education is administered annually to the child by
2 a qualified individual or that an annual assessment of the student's
3 academic progress is written by a certificated person who is currently
4 working in the field of education. The state board of education shall
5 not require these children to meet the student learning goals, master
6 the essential academic learning requirements, to take the assessments,
7 or to obtain a certificate of (~~mastery pursuant to RCW 28A.630.885~~)
8 academic achievement or a certificate of individual achievement
9 pursuant to sections 101 and 104 of this act. The standardized test
10 administered or the annual academic progress assessment written shall
11 be made a part of the child's permanent records. If, as a result of
12 the annual test or assessment, it is determined that the child is not
13 making reasonable progress consistent with his or her age or stage of
14 development, the parent shall make a good faith effort to remedy any
15 deficiency.

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

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

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

30 (2) The standardized high school transcript shall include the
31 following information:

32 (a) The highest scale score and level achieved in each content area
33 on the high school Washington assessment of student learning or other
34 high school measures successfully completed by the student as provided
35 by sections 101 and 104 of this act;

36 (b) All scholar designations as provided by section 101 of this
37 act;

1 (2) By September 1, 2004, the superintendent of public instruction,
2 after consultation with parents, practicing classroom teachers and
3 principals, education organizations, and other interested parties,
4 shall report to the governor, the state board of education, and the
5 house of representatives and senate education committees regarding
6 state classroom-based assessment models, other assessment options,
7 and/or other strategies approved by the superintendent of public
8 instruction to assure continued support and attention to the essential
9 academic learning requirements in social studies, the arts, and health
10 and fitness in elementary, middle, and high schools. The options shall
11 include a recommended timeline to implement those recommendations the
12 legislature adopts. The options may include recommendations on the
13 design, administration, scoring, and reporting of classroom or
14 performance-based assessments for these content areas. The report
15 shall outline progress regarding:

16 (a) The development of the state classroom-based assessment models,
17 other assessments, and/or other strategies;

18 (b) Plans for staff development; and

19 (c) The funding resources necessary to fully implement the
20 recommendations.

21 (3) All classroom-based assessment models shall be designed in
22 consultation with practicing classroom teachers.

23 (4) The classroom-based assessment models, other assessment
24 options, and/or other strategies shall be available for voluntary use
25 beginning with the 2005-06 school year.

26 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
27 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING
28 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND
29 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE
30 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the
31 superintendent of public instruction shall report to the governor, the
32 state board of education, and the house of representatives and senate
33 education committees on the results of independent research on the
34 alignment and technical review of the reading, writing, and science
35 content areas of the Washington assessment of student learning for
36 elementary and middle grades and for high school. The review shall be

1 comparable to the research conducted on the mathematics assessments and
2 shall be reported in accordance with the following timelines:

3 (a) In the content areas of reading and writing by November 1,
4 2005; and

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

6 (2) The superintendent of public instruction shall report to the
7 governor, the state board of education, and the house of
8 representatives and senate education committees on the review,
9 prioritization, and identification of the essential academic learning
10 requirements and grade level content expectations in accordance with
11 the following timelines:

12 (a) In the content areas of reading, writing, and mathematics by
13 November 1, 2004;

14 (b) In the content area of science by November 1, 2005;

15 (c) In the content area of social studies by November 1, 2008;

16 (d) In the content area of the arts by November 1, 2008; and

17 (e) In the content area of health and fitness by November 1, 2009.

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

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

27 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the
28 end of the 2008-09 school year, school districts shall have in place in
29 elementary schools, middle schools, and high schools assessments or
30 other strategies to assure that students have an opportunity to learn
31 the essential academic learning requirements in social studies, the
32 arts, and health and fitness. Beginning with the 2008-09 school year,
33 school districts shall annually submit an implementation verification
34 report to the office of the superintendent of public instruction.

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

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

10 (2) The superintendent of public instruction shall:

11 (a) Periodically revise the essential academic learning
12 requirements, as needed, based on the student learning goals in RCW
13 28A.150.210. Goals one and two shall be considered primary. To the
14 maximum extent possible, the superintendent shall integrate goal four
15 and the knowledge and skill areas in the other goals in the essential
16 academic learning requirements; and

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

33 (3) In consultation with the academic achievement and
34 accountability commission, the superintendent of public instruction
35 shall maintain and continue to develop and revise a statewide academic
36 assessment system in the content areas of reading, writing,
37 mathematics, and science for use in the elementary, middle, and high
38 school years designed to determine if each student has mastered the

1 essential academic learning requirements identified in subsection (1)
2 of this section. School districts shall administer the assessments
3 under guidelines adopted by the superintendent of public instruction.
4 The academic assessment system shall include a variety of assessment
5 methods, including criterion-referenced and performance-based measures.

6 (4) If the superintendent proposes any modification to the
7 essential academic learning requirements or the statewide assessments,
8 then the superintendent shall, upon request, provide opportunities for
9 the education committees of the house of representatives and the senate
10 to review the assessments and proposed modifications to the essential
11 academic learning requirements before the modifications are adopted.

12 (5)(a) 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 mastered the essential academic
16 learning requirements at the appropriate periods in the student's
17 educational development.

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

24 (6) By September 2007, the results for reading and mathematics
25 shall be reported in a format that will allow parents and teachers to
26 determine the academic gain a student has acquired in those content
27 areas from one school year to the next.

28 (7) To assist parents and teachers in their efforts to provide
29 educational support to individual students, the superintendent of
30 public instruction shall provide as much individual student performance
31 information as possible within the constraints of the assessment
32 system's item bank. The superintendent shall also provide to school
33 districts:

34 (a) Information on classroom-based and other assessments that may
35 provide additional achievement information for individual students; and

36 (b) A collection of diagnostic tools that educators may use to
37 evaluate the academic status of individual students. The tools shall

1 be designed to be inexpensive, easily administered, and quickly and
2 easily scored, with results provided in a format that may be easily
3 shared with parents and students.

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

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

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

13 ((+8+)) (11) The superintendent shall consider methods to address
14 the unique needs of special education students when developing the
15 assessments under this section.

16 ((+9+)) (12) The superintendent shall consider methods to address
17 the unique needs of highly capable students when developing the
18 assessments under this section.

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

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

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

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

29 (a) Adopt and revise performance improvement goals in reading,
30 writing, science, and mathematics by subject and grade level as the
31 commission deems appropriate to improve student learning, once
32 assessments in these subjects are required statewide. The goals shall
33 be consistent with student privacy protection provisions of RCW
34 28A.655.090(7) and shall not conflict with requirements contained in
35 Title I of the federal elementary and secondary education act of 1965,
36 as amended. The goals may be established for all students,
37 economically disadvantaged students, limited English proficient

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

14 (b) Identify the scores students must achieve in order to meet the
15 standard on the Washington assessment of student learning and, for high
16 school students, to obtain a certificate of academic achievement. The
17 commission shall also determine student scores that identify levels of
18 student performance below and beyond the standard. The commission
19 shall consider the incorporation of the standard error of measurement
20 into the decision regarding the award of the certificates. The
21 commission shall set such performance standards and levels in
22 consultation with the superintendent of public instruction and after
23 consideration of any recommendations that may be developed by any
24 advisory committees that may be established for this purpose. The
25 initial performance standards and any changes recommended by the
26 commission in the performance standards for the tenth grade assessment
27 shall be presented to the education committees of the house of
28 representatives and the senate by November 30th of the school year in
29 which the changes will take place to permit the legislature to take
30 statutory action before the changes are implemented if such action is
31 deemed warranted by the legislature. The legislature shall be advised
32 of the initial performance standards and any changes made to the
33 elementary level performance standards and the middle school level
34 performance standards;

35 (c) Adopt objective, systematic criteria to identify successful
36 schools and school districts and recommend to the superintendent of
37 public instruction schools and districts to be recognized for two types

1 of accomplishments, student achievement and improvements in student
2 achievement. Recognition for improvements in student achievement shall
3 include consideration of one or more of the following accomplishments:

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

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

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

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

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

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

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

35 (g) Annually review the assessment reporting system to ensure
36 fairness, accuracy, timeliness, and equity of opportunity, especially
37 with regard to schools with special circumstances and unique

1 populations of students, and a recommendation to the superintendent of
2 public instruction of any improvements needed to the system;

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

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

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

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

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

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

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

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

35 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
36 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential
37 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, 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. 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.

--- END ---