

**HB 3127 - H AMD 763**

By Representative Clements

**WITHDRAWN 2/14/2006**

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

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter  
4 28A.655 RCW to read as follows:

5 (1) After January 1, 2008, school district board of directors  
6 shall have the option not to administer the Washington assessment  
7 of student learning. The option not to administer the Washington  
8 assessment of student learning may be applied to any grade level  
9 and any content area. A school district board of directors shall  
10 exercise the option under this section only through a resolution  
11 adopted by the board at a regularly scheduled meeting, a copy of  
12 which shall be forwarded within thirty days of adoption to the  
13 superintendent of public instruction.

14 (2) From the total state funds appropriated for the Washington  
15 assessment of student learning, the superintendent of public  
16 instruction shall calculate a per-student cost of developing,  
17 distributing, grading, and administering the assessment. Upon  
18 receipt of a board resolution under this section, the  
19 superintendent shall calculate, using the per-student cost, the  
20 savings associated with the board's decision not to administer the  
21 Washington assessment of student learning and shall remit the  
22 amount of the savings to the school district. The school district  
23 shall use the funds remitted under this subsection (2) to support  
24 kindergarten or early learning programs.

25 NEW SECTION. **Sec. 2.** A new section is added to chapter  
26 28A.655 RCW to read as follows:

27 (1) The superintendent of public instruction shall revise the  
28 Washington state accountability plan required under section 1111 of  
29 P.L. 107-110, the no child left behind act of 2001, to reflect the  
30 school district option authorized under section 1 of this act and

1 shall submit the plan to the United States department of education  
2 requesting a waiver of the provisions of P.L. 107-110 pertaining to  
3 state assessment systems.

4 (2) The superintendent of public instruction may adopt rules  
5 and policies to implement section 1 of this act, which shall take  
6 effect by January 1, 2008.

7 **Sec. 3.** RCW 28A.655.061 and 2004 c 19 s 101 are each amended  
8 to read as follows:

9 (1) The high school assessment system shall include but need  
10 not be limited to the Washington assessment of student learning,  
11 opportunities for a student to retake the content areas of the  
12 assessment in which the student was not successful, and if approved  
13 by the legislature pursuant to subsection (11) of this section, one  
14 or more objective alternative assessments for a student to  
15 demonstrate achievement of state academic standards. The objective  
16 alternative assessments for each content area shall be comparable  
17 in rigor to the skills and knowledge that the student must  
18 demonstrate on the Washington assessment of student learning for  
19 each content area.

20 (2) Subject to the conditions in this section, a certificate of  
21 academic achievement shall be obtained by most students at about  
22 the age of sixteen, and is evidence that the students have  
23 successfully met the state standard in the content areas included  
24 in the certificate. With the exception of students satisfying the  
25 provisions of RCW 28A.155.045, acquisition of the certificate is  
26 required for graduation from a public high school but is not the  
27 only requirement for graduation.

28 (3) Beginning with the graduating class of 2008, with the  
29 exception of students satisfying the provisions of RCW 28A.155.045,  
30 a student who meets the state standards on the reading, writing,  
31 and mathematics content areas of the high school Washington  
32 assessment of student learning shall earn a certificate of academic  
33 achievement. If a student does not successfully meet the state  
34 standards in one or more content areas required for the certificate  
35 of academic achievement, then the student may retake the assessment  
36 in the content area up to four times at no cost to the student. If  
37 the student successfully meets the state standards on a retake of  
38 the assessment then the student shall earn a certificate of

1 academic achievement. Once objective alternative assessments are  
2 authorized pursuant to subsection (11) of this section, a student  
3 may use the objective alternative assessments to demonstrate that  
4 the student successfully meets the state standards for that content  
5 area if the student has retaken the Washington assessment of  
6 student learning at least once. If the student successfully meets  
7 the state standards on the objective alternative assessments then  
8 the student shall earn a certificate of academic achievement. The  
9 student's transcript shall note whether the certificate of academic  
10 achievement was acquired by means of the Washington assessment of  
11 student learning or by an alternative assessment.

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

18 (5) The state board of education may not require the  
19 acquisition of the certificate of academic achievement for students  
20 in home-based instruction under chapter 28A.200 RCW, for students  
21 enrolled in private schools under chapter 28A.195 RCW, ~~((or))~~ for  
22 students satisfying the provisions of RCW 28A.155.045, or for  
23 students enrolled in a school district that has exercised the  
24 option created under section 1 of this act not to administer the  
25 high school Washington assessment of student learning.

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

28 (7) Beginning with the graduating class of 2006, the highest  
29 scale score and level achieved in each content area on the high  
30 school Washington assessment of student learning shall be displayed  
31 on a student's transcript. In addition, beginning with the  
32 graduating class of 2008, each student shall receive a scholar's  
33 designation on his or her transcript for each content area in which  
34 the student achieves level four the first time the student takes  
35 that content area assessment.

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

38 (a) To retake the Washington assessment of student learning up  
39 to four times in the content areas in which the student did not

1 meet the state standards if the student is enrolled in a public  
2 school; or

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

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

14 (10) Subject to available funding, the superintendent shall  
15 pilot opportunities for retaking the high school assessment  
16 beginning in the 2004-05 school year. Beginning no later than  
17 September 2006, opportunities to retake the assessment at least  
18 twice a year shall be available to each school district.

19 (11) The office of the superintendent of public instruction  
20 shall develop options for implementing objective alternative  
21 assessments, which may include an appeals process, for students to  
22 demonstrate achievement of the state academic standards. The  
23 objective alternative assessments shall be comparable in rigor to  
24 the skills and knowledge that the student must demonstrate on the  
25 Washington assessment of student learning and be objective in its  
26 determination of student achievement of the state standards.  
27 Before any objective alternative assessments are used by a student  
28 to demonstrate that the student has met the state standards in a  
29 content area required to obtain a certificate, the legislature  
30 shall formally approve the use of any objective alternative  
31 assessments through the omnibus appropriations act or by statute or  
32 concurrent resolution.

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

1 (13) To help assure continued progress in academic achievement  
2 as a foundation for high school graduation and to assure that  
3 students are on track for high school graduation, each school  
4 district shall prepare plans for students as provided in this  
5 subsection (13).

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

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

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

18 (iii) The parent or guardian shall be notified, preferably  
19 through a parent conference, of the student's results on the  
20 Washington assessment of student learning, actions the school  
21 intends to take to improve the student's skills in any content area  
22 in which the student was unsuccessful, strategies to help them  
23 improve their student's skills, and the content of the student's  
24 plan.

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

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

32 (i) The parent or guardian of a student described in this  
33 subsection (13)(b) shall be notified, preferably through a parent  
34 conference, of the student's results on the Washington assessment  
35 of student learning, actions the school intends to take to improve  
36 the student's skills in any content area in which the student was  
37 unsuccessful, and provide strategies to help them improve their  
38 student's skills.

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

4 **Sec. 4.** RCW 28A.655.070 and 2005 c 497 s 106 are each amended  
5 to read as follows:

6 (1) The superintendent of public instruction shall develop  
7 essential academic learning requirements that identify the  
8 knowledge and skills all public school students need to know and be  
9 able to do based on the student learning goals in RCW 28A.150.210,  
10 develop student assessments, and implement the accountability  
11 recommendations and requests regarding assistance, rewards, and  
12 recognition of the state board of education.

13 (2) The superintendent of public instruction shall:

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

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

37 (3) In consultation with the state board of education, the  
38 superintendent of public instruction shall maintain and continue to

1 develop and revise a statewide academic assessment system in the  
2 content areas of reading, writing, mathematics, and science for use  
3 in the elementary, middle, and high school years designed to  
4 determine if each student has mastered the essential academic  
5 learning requirements identified in subsection (1) of this section.  
6 Except school districts that have exercised the option under  
7 section 1 of this act not to administer the Washington assessment  
8 of student learning, school districts shall administer the  
9 assessments under guidelines adopted by the superintendent of  
10 public instruction. The academic assessment system shall include  
11 a variety of assessment methods, including criterion-referenced and  
12 performance-based measures.

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

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

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

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

36 (7) To assist parents and teachers in their efforts to provide  
37 educational support to individual students, the superintendent of  
38 public instruction shall provide as much individual student  
39 performance information as possible within the constraints of the

1 assessment system's item bank. The superintendent shall also  
2 provide to school districts:

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

6 (b) A collection of diagnostic tools that educators may use to  
7 evaluate the academic status of individual students. The tools  
8 shall be designed to be inexpensive, easily administered, and  
9 quickly and easily scored, with results provided in a format that  
10 may be easily shared with parents and students.

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

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

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

21 (11) The superintendent shall consider methods to address the  
22 unique needs of special education students when developing the  
23 assessments under this section.

24 (12) The superintendent shall consider methods to address the  
25 unique needs of highly capable students when developing the  
26 assessments under this section.

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

30 **Sec. 5.** RCW 28A.230.090 and 2005 c 205 s 3 are each amended to  
31 read as follows:

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

34 (a) Any course in Washington state history and government used  
35 to fulfill high school graduation requirements shall consider  
36 including information on the culture, history, and government of  
37 the American Indian peoples who were the first inhabitants of the  
38 state.



1           (b) Except for students enrolled in a school district that has  
2 exercised the option created under section 1 of this act not to  
3 administer the high school Washington assessment of student  
4 learning, the certificate of academic achievement requirements  
5 under RCW 28A.655.061 or the certificate of individual achievement  
6 requirements under RCW 28A.155.045 are required for graduation from  
7 a public high school but are not the only requirements for  
8 graduation.

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

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

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

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

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

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

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

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

8 NEW SECTION. **Sec. 6.** Sections 1, 3, 4, and 5 of this act take  
9 effect January 1, 2008."

10 Correct the title.

**EFFECT:** Effective January 1, 2008, school districts may opt out of administering the WASL at any grade level and in any content area. A copy of the school board resolution exercising this option must be forwarded to SPI within 30 days of adoption. SPI calculates the savings in state WASL administration using a per-student cost and remits the savings to the district, which must use the funds on kindergarten and early learning. SPI must revise the federal accountability plan under the No Child Left Behind Act and adopt appropriate rules and policies by January 1, 2008. Students in districts that have opted out of the high school WASL are not required to earn a Certificate of Academic Achievement for high school graduation.