### CERTIFICATION OF ENROLLMENT

#### ENGROSSED SUBSTITUTE SENATE BILL 6475

Chapter 115, Laws of 2006

59th Legislature 2006 Regular Session

WASL--ALTERNATIVE ASSESSMENTS

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 6, 2006 CERTIFICATE YEAS 38 NAYS 8 I, Thomas Hoemann, Secretary of the Senate of the State of BRAD OWEN Washington, do hereby certify that the attached is **ENGROSSED SUBSTITUTE SENATE BILL 6475** as President of the Senate passed by the Senate and the House Passed by the House March 3, 2006 YEAS 96 NAYS 2 of Representatives on the dates hereon set forth. FRANK CHOPP THOMAS HOEMANN Speaker of the House of Representatives Secretary Approved March 20, 2006. FILED March 20, 2006 - 10:27 a.m.

> Secretary of State State of Washington

CHRISTINE GREGOIRE

Governor of the State of Washington

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## ENGROSSED SUBSTITUTE SENATE BILL 6475

#### AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

# State of Washington 59th Legislature 2006 Regular Session

By Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Schmidt, Eide, Weinstein, Haugen, Berkey, Kastama, Shin, Kohl-Welles and Rasmussen; by request of Superintendent of Public Instruction)

READ FIRST TIME 01/23/06.

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- AN ACT Relating to authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement; amending RCW 28A.655.061 and 28A.305.220; adding new sections to chapter 28A.655 RCW; adding a new section to chapter 28C.04 RCW; and creating new sections.
- 6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

learning and other assistance programs.

- NEW SECTION. Sec. 1. A new section is added to chapter 28A.655 8 RCW to read as follows:
- (1) The legislature has made a commitment to rigorous academic 9 10 standards for receipt of a high school diploma. The primary way that students will demonstrate that they meet the standards in reading, 11 12 writing, mathematics, and science is through the Washington assessment of student learning. Only objective assessments that are comparable in 13 14 rigor to the state assessment are authorized as an alternative assessment. Before seeking an alternative assessment, the legislature 15 expects students to make a genuine effort to meet state standards, 16 through retaking the Washington assessment of student learning; regular 17 and consistent attendance at school; and participation in extended 18

- (2) Under RCW 28A.655.061, beginning in the 2006-07 school year, the superintendent of public instruction shall implement objective alternative assessment methods as provided in this section for students to demonstrate achievement of the state standards in content areas in which the student has not yet met the standard on the high school Washington assessment of student learning. A student may access an alternative if the student meets applicable eligibility criteria in RCW 28A.655.061 and other eligibility criteria established by the superintendent of public instruction, including but not limited to attendance criteria and participation in the remediation supplemental instruction contained in the student learning plan developed under RCW 28A.655.061. A school district may waive attendance and/or remediation criteria for special, unavoidable circumstances.
  - (3) For the purposes of this section, "applicant" means a student seeking to use one of the alternative assessment methods in this section.
  - (4) One alternative assessment method shall be a combination of the applicant's grades in applicable courses and the applicant's highest score on the high school Washington assessment of student learning, as provided in this subsection. The superintendent of public instruction shall determine which high school courses are applicable to the alternative assessment method and shall issue guidelines to school districts.
  - (a) Using guidelines prepared by the superintendent of public instruction, a school district shall identify the group of students in the same school as the applicant who took the same high school courses as the applicant in the applicable content area. From the group of students identified in this manner, the district shall select the comparison cohort that shall be those students who met or slightly exceeded the state standard on the Washington assessment of student learning.
  - (b) The district shall compare the applicant's grades in high school courses in the applicable content area to the grades of students in the comparison cohort for the same high school courses. If the applicant's grades are equal to or above the mean grades of the comparison cohort, the applicant shall be deemed to have met the state standard on the alternative assessment.

1 (c) An applicant may not use the alternative assessment under this 2 subsection (4) if there are fewer than six students in the comparison 3 cohort.

- (5) The superintendent of public instruction shall develop an alternative assessment method that shall be an evaluation of a collection of work samples prepared and submitted by the applicant, as provided in this subsection and, for career and technical applicants, the additional requirements of subsection (6) of this section.
- (a) The superintendent of public instruction shall develop guidelines for the types and number of work samples in each content area that may be submitted as a collection of evidence that the applicant has met the state standard in that content area. Work samples may be collected from academic, career and technical, or remedial courses and may include performance tasks as well as written products. The superintendent shall submit the guidelines for approval by the state board of education.
- (b) The superintendent shall develop protocols for submission of the collection of work samples that include affidavits from the applicant's teachers and school district that the samples are the work of the applicant and a requirement that a portion of the samples be prepared under the direct supervision of a classroom teacher. The superintendent shall submit the protocols for approval by the state board of education.
- (c) The superintendent shall develop uniform scoring criteria for evaluating the collection of work samples and submit the scoring criteria for approval by the state board of education. Collections shall be scored at the state level or regionally by a panel of educators selected and trained by the superintendent to ensure objectivity, reliability, and rigor in the evaluation. An educator may not score work samples submitted by applicants from the educator's school district. If the panel awards an applicant's collection of work samples the minimum required score, the applicant shall be deemed to have met the state standard on the alternative assessment.
- (d) Using an open and public process that includes consultation with district superintendents, school principals, and other educators, the state board of education shall consider the guidelines, protocols, scoring criteria, and other information regarding the collection of work samples submitted by the superintendent of public instruction.

- The collection of work samples may be implemented as an alternative 1 2 assessment after the state board of education has approved the guidelines, protocols, and scoring criteria and determined that the 3 collection of work samples: (i) Will meet professionally accepted 4 standards for a valid and reliable measure of the grade level 5 expectations and the essential academic learning requirements; and (ii) 6 7 is comparable to or exceeds the rigor of the skills and knowledge that a student must demonstrate on the Washington assessment of student 8 learning in the applicable content area. The state board shall make an 9 10 approval decision and determination no later than December 1, 2006, and thereafter may increase the required rigor of the collection of work 11 12 samples.
  - (e) By September of 2006, the superintendent of public instruction shall develop informational materials for parents, teachers, and students regarding the collection of work samples and the status of its development as an alternative assessment method. The materials shall provide specific guidance regarding the type and number of work samples likely to be required, include examples of work that meets the state learning standards, and describe the scoring criteria and process for the collection. The materials shall also encourage students in the graduating class of 2008 to begin creating a collection if they believe they may seek to use the collection once it is implemented as an alternative assessment.
  - (6)(a) For students enrolled in a career and technical education program approved under section 2 of this act, the superintendent of public instruction shall develop additional guidelines for a collection of work samples that evidences that the collection:
  - (i) Is relevant to the student's particular career and technical program;
    - (ii) Focuses on the application of academic knowledge and skills within the program;
- (iii) Includes completed activities or projects where demonstrationof academic knowledge is inferred; and
  - (iv) Is related to the essential academic learning requirements and state standards that students must meet to earn a certificate of academic achievement or certificate of individual achievement, but also represents the knowledge and skills that successful individuals in the

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career and technical field of the approved program are expected to possess.

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- (b) To meet the state standard on the alternative assessment under this subsection (6), an applicant must also attain the state or nationally recognized certificate or credential associated with the approved career and technical program.
- (c) The superintendent shall consult with community and technical colleges, employers, the work force training and education coordinating board, apprenticeship programs, and other regional and national experts in career and technical education to create an appropriate collection of work samples and other evidence of a career and technical student's knowledge and skills on the state academic standards.
- (7) The superintendent of public instruction shall study the feasibility of using existing mathematics assessments in languages other than English as an additional alternative assessment option. The study shall include an estimation of the cost of translating the tenth grade mathematics assessment into other languages and scoring the assessments should they be implemented.
  - (8) The superintendent of public instruction shall implement:
- (a) By June 1, 2006, a process for students to appeal the score they received on the high school assessments; and
- (b) By January 1, 2007, guidelines and appeal processes for waiving specific requirements in RCW 28A.655.061 pertaining to the certificate of academic achievement and to the certificate of individual achievement for students who: (i) Transfer to a Washington public school in their junior or senior year with the intent of obtaining a public high school diploma, or (ii) have special, unavoidable circumstances.
- 29 (9) The superintendent of public instruction may adopt rules to 30 implement this section.
- NEW SECTION. Sec. 2. A new section is added to chapter 28C.04 RCW to read as follows:
- 33 The superintendent of public instruction shall develop a list of 34 approved career and technical education programs that qualify for the 35 objective alternative assessment for career and technical students 36 developed under section 1 of this act. Programs on the list must meet 37 the following minimum criteria:

- (1) Lead to a certificate or credential that is state or nationally recognized by trades, industries, or other professional associations as necessary for employment or advancement in that field;
  - (2) Require a sequenced progression of multiple courses, both exploratory and preparatory, that are vocationally intensive and rigorous; and
- (3) Have a high potential for providing the program completer with gainful employment or entry into a postsecondary work force training program.
- NEW SECTION. Sec. 3. (1) By September 10, 2006, the superintendent of public instruction shall report the following, in detail, to the education committees of the legislature:
  - (a) Results of the pilot testing of the alternative assessments authorized under section 1 of this act, particularly the pilot testing of the collection of work samples or collection of evidence;
  - (b) The proposed guidelines, protocols, and procedures to be used by the superintendent in implementing the alternative assessments, particularly the collection of evidence;
  - (c) The proposed criteria, rubrics, and methodology for scoring the collection of evidence;
    - (d) A description of the training to be provided for school districts, educators serving on scoring panels, and teachers assisting students with collections of evidence;
    - (e) Preliminary results of the feasibility study in section 1(7) of this act; and
    - (f) Updated estimates of the number of students likely to be eligible or apply for an alternative assessment method.
    - (2) By December 1, 2006, and again by February 1, 2007, the superintendent of public instruction shall provide the education committees of the legislature with an update on the number of students eligible for or participating in an alternative assessment method.
  - (3) The Washington state institute for public policy shall conduct an independent and objective evaluation of the reliability, validity, and rigor of the alternative assessment methods authorized under section 1 of this act, including an examination of a representative sample of the collections of work samples submitted by the graduating classes of 2008 and 2009. The institute shall submit its findings to

the education committees of the legislature by September 1, 2009, to enable the legislature to develop and consider statutory changes to the alternative assessment during the 2010 legislative session.

- Sec. 4. RCW 28A.655.061 and 2004 c 19 s 101 are each amended to read as follows:
- (1) The high school assessment system shall include but need not be limited to the Washington assessment of student learning, opportunities for a student to retake the content areas of the assessment in which the student was not successful, and if approved by the legislature pursuant to subsection  $((\frac{11}{11}))$  of this section, one or more objective alternative assessments for a student to demonstrate achievement of state academic standards. The objective alternative assessments for each content area shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the Washington assessment of student learning for each content area.
- (2) Subject to the conditions in this section, a certificate of academic achievement shall be obtained by most students at about the age of sixteen, and is evidence that the students have successfully met the state standard in the content areas included in the certificate. With the exception of students satisfying the provisions of RCW 28A.155.045, acquisition of the certificate is required for graduation from a public high school but is not the only requirement for graduation.
- (3) Beginning with the graduating class of 2008, with the exception of students satisfying the provisions of RCW 28A.155.045, a student who meets the state standards on the reading, writing, and mathematics content areas of the high school Washington assessment of student learning shall earn a certificate of academic achievement. If a student does not successfully meet the state standards in one or more content areas required for the certificate of academic achievement, then the student may retake the assessment in the content area up to four times at no cost to the student. If the student successfully meets the state standards on a retake of the assessment then the student shall earn a certificate of academic achievement. Once objective alternative assessments are authorized pursuant to subsection (((11))) (10) of this section, a student may use the objective alternative assessments to demonstrate that the student successfully

- meets the state standards for that content area if the student has retaken the Washington assessment of student learning at least once. If the student successfully meets the state standards on the objective alternative assessments then the student shall earn a certificate of academic achievement. ((The student's transcript shall note whether the certificate of academic achievement was acquired by means of the Washington assessment of student learning or by an alternative assessment.))
  - (4) Beginning with the graduating class of 2010, a student must meet the state standards in science in addition to the other content areas required under subsection (3) of this section on the Washington assessment of student learning or the objective alternative assessments in order to earn a certificate of academic achievement.
  - (5) The state board of education may not require the acquisition of the certificate of academic achievement for students in home-based instruction under chapter 28A.200 RCW, for students enrolled in private schools under chapter 28A.195 RCW, or for students satisfying the provisions of RCW 28A.155.045.
  - (6) A student may retain and use the highest result from each successfully completed content area of the high school assessment.
  - (7) ((Beginning with the graduating class of 2006, the highest scale score and level achieved in each content area on the high school Washington assessment of student learning shall be displayed on a student's transcript. In addition, beginning with the graduating class of 2008, each student shall receive a scholar's designation on his or her transcript for each content area in which the student achieves level four the first time the student takes that content area assessment.
  - (8))) Beginning in 2006, school districts must make available to students the following options:
  - (a) To retake the Washington assessment of student learning up to four times in the content areas in which the student did not meet the state standards if the student is enrolled in a public school; or
  - (b) To retake the Washington assessment of student learning up to four times in the content areas in which the student did not meet the state standards if the student is enrolled in a high school completion program at a community or technical college. The superintendent of

public instruction and the state board for community and technical colleges shall jointly identify means by which students in these programs can be assessed.

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((+9))) (8) Students who achieve the standard in a content area of the high school assessment but who wish to improve their results shall pay for retaking the assessment, using a uniform cost determined by the superintendent of public instruction.

((\(\frac{(10)}{10}\))) (9) Subject to available funding, the superintendent shall pilot opportunities for retaking the high school assessment beginning in the 2004-05 school year. Beginning no later than September 2006, opportunities to retake the assessment at least twice a year shall be available to each school district.

 $((\frac{11}{11}))$  (10)(a) The office of the superintendent of public instruction shall develop options for implementing objective alternative assessments, which may include an appeals process, for students to demonstrate achievement of the state academic standards. The objective alternative assessments shall be comparable in rigor to the skills and knowledge that the student must demonstrate on the Washington assessment of student learning and be objective in its determination of student achievement of the state standards. Before any objective alternative assessments in addition to those authorized in section 1 of this act or (b) of this subsection are used by a student to demonstrate that the student has met the state standards in a content area required to obtain a certificate, the legislature shall formally approve the use of any objective alternative assessments through the omnibus appropriations act or by statute or concurrent resolution.

((\(\frac{(12)}{12}\))) (b) A student's score on the mathematics portion of the preliminary scholastic assessment test (PSAT), the scholastic assessment test (SAT), or the American college test (ACT) may be used as an objective alternative assessment under this section for demonstrating that a student has met or exceeded the mathematics standards for the certificate of academic achievement. The state board of education shall identify the scores students must achieve on the mathematics portion of the PSAT, SAT, or ACT to meet or exceed the state standard for mathematics. The state board of education shall identify the first scores by December 1, 2006, and thereafter may

increase but not decrease the scores required for students to meet or exceed the state standard for mathematics.

- (11) By December 15, 2004, the house of representatives and senate education committees shall obtain information and conclusions from recognized, independent, national assessment experts regarding the validity and reliability of the high school Washington assessment of student learning for making individual student high school graduation determinations.
- (((13))) (12) To help assure continued progress in academic achievement as a foundation for high school graduation and to assure that students are on track for high school graduation, each school district shall prepare plans for students as provided in this subsection (((13))) (12).
- (a) Student learning plans are required for eighth through twelfth grade students who were not successful on any or all of the content areas of the Washington assessment for student learning during the previous school year. The plan shall include the courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation. This requirement shall be phased in as follows:
- (i) Beginning no later than the 2004-05 school year ninth grade students as described in this subsection  $((\frac{13}{13}))$  (12)(a) shall have a plan.
  - (ii) Beginning no later than the 2005-06 school year and every year thereafter eighth grade students as described in this subsection  $((\frac{13}{2}))$  (12)(a) shall have a plan.
  - (iii) The parent or guardian shall be notified, preferably through a parent conference, of the student's results on the Washington assessment of student learning, actions the school intends to take to improve the student's skills in any content area in which the student was unsuccessful, strategies to help them improve their student's skills, and the content of the student's plan.
- (iv) Progress made on the student plan shall be reported to the student's parents or guardian at least annually and adjustments to the plan made as necessary.
- 36 (b) Beginning with the 2005-06 school year and every year 37 thereafter, all fifth grade students who were not successful in one or

1 more of the content areas of the fourth grade Washington assessment of 2 student learning shall have a student learning plan.

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- (i) The parent or guardian of a student described in this subsection (((13))) (12)(b) shall be notified, preferably through a parent conference, of the student's results on the Washington assessment of student learning, actions the school intends to take to improve the student's skills in any content area in which the student was unsuccessful, and provide strategies to help them improve their student's skills.
- 10 (ii) Progress made on the student plan shall be reported to the 11 student's parents or guardian at least annually and adjustments to the 12 plan made as necessary.
- NEW SECTION. Sec. 5. A new section is added to chapter 28A.655 14 RCW to read as follows:
- Subject to the availability of funds appropriated for this purpose, school districts shall reimburse students for the cost of taking the tests in RCW 28A.655.061(10)(b) when the students take the tests for the purpose of using the mathematics results as an objective alternative assessment.
- 20 **Sec. 6.** RCW 28A.305.220 and 2004 c 19 s 108 are each amended to 21 read as follows:
  - (1) The state board of education shall develop for use by all public school districts a standardized high school transcript. The state board of education shall establish clear definitions for the terms "credits" and "hours" so that school programs operating on the quarter, semester, or trimester system can be compared.
  - (2) The standardized high school transcript shall include ((the following information:
  - (a) The highest scale score and level achieved in each content area on the high school Washington assessment of student learning or other high school measures successfully completed by the student as provided by RCW 28A.655.061 and 28A.155.045;
  - (b) All scholar designations as provided by RCW 28A.655.061;
- $\frac{(c)}{(c)}$ ) <u>a</u> notation of whether the student has earned a certificate of individual achievement or a certificate of academic achievement ((by

1 means of the Washington assessment of student learning or by an
2 alternative assessment)).

(3) Transcripts are important documents to students who will apply for admission to postsecondary institutions of higher education. Transcripts are also important to students who will seek employment upon or prior to graduation from high school. It is recognized that student transcripts may be the only record available to employers in their decision-making processes regarding prospective employees. The superintendent of public instruction shall require school districts to inform annually all high school students that prospective employers may request to see transcripts and that the prospective employee's decision to release transcripts can be an important part of the process of applying for employment.

NEW SECTION. Sec. 7. If specific funding for the purposes of this act and section 5 of this act, referencing this act and section 5 of this act by bill or chapter number and section number, is not provided by June 30, 2006, in the omnibus appropriations act, section 5 of this act is null and void.

Passed by the Senate March 6, 2006. Passed by the House March 3, 2006. Approved by the Governor March 20, 2006. Filed in Office of Secretary of State March 20, 2006.

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