

ESSB 6023 - H AMD

By Representative P. Sullivan

ADOPTED AND ENGROSSED 04/10/2007

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

3 "NEW SECTION. **Sec. 1.** (1) The legislature maintains a strong
4 commitment to high expectations and high academic achievement for all
5 students. The legislature finds that Washington schools and students
6 are making significant progress in improving achievement in reading and
7 writing. Schools are adapting instruction and providing remediation
8 for students who need additional assistance. Reading and writing are
9 being taught across the curriculum. Therefore, the legislature does
10 not intend to make changes to the Washington assessment of student
11 learning or high school graduation requirements in reading and writing.

12 (2) However, students are having difficulty improving their
13 academic achievement in mathematics and science, particularly as
14 measured by the high school Washington assessment of student learning.
15 The legislature finds that corrections are needed in the state's high
16 school assessment system that will improve alignment between learning
17 standards, instruction, diagnosis, and assessment of students'
18 knowledge and skills in high school mathematics and science. The
19 legislature further finds there is a sense of urgency to make these
20 corrections and intends to revise high school graduation requirements
21 in mathematics and science only for the minimum period for corrections
22 to be fully implemented.

23 **Sec. 2.** RCW 28A.655.061 and 2006 c 115 s 4 are each amended to
24 read as follows:

25 (1) The high school assessment system shall include but need not be
26 limited to the Washington assessment of student learning, opportunities
27 for a student to retake the content areas of the assessment in which
28 the student was not successful, and if approved by the legislature
29 pursuant to subsection (10) of this section, one or more objective

1 alternative assessments for a student to demonstrate achievement of
2 state academic standards. The objective alternative assessments for
3 each content area shall be comparable in rigor to the skills and
4 knowledge that the student must demonstrate on the Washington
5 assessment of student learning for each content area.

6 (2) Subject to the conditions in this section, a certificate of
7 academic achievement shall be obtained by most students at about the
8 age of sixteen, and is evidence that the students have successfully met
9 the state standard in the content areas included in the certificate.
10 With the exception of students satisfying the provisions of RCW
11 28A.155.045 or section 4 of this act, acquisition of the certificate is
12 required for graduation from a public high school but is not the only
13 requirement for graduation.

14 (3) Beginning with the graduating class of 2008, with the exception
15 of students satisfying the provisions of RCW 28A.155.045, a student who
16 meets the state standards on the reading, writing, and mathematics
17 content areas of the high school Washington assessment of student
18 learning shall earn a certificate of academic achievement. If a
19 student does not successfully meet the state standards in one or more
20 content areas required for the certificate of academic achievement,
21 then the student may retake the assessment in the content area up to
22 four times at no cost to the student. If the student successfully
23 meets the state standards on a retake of the assessment then the
24 student shall earn a certificate of academic achievement. Once
25 objective alternative assessments are authorized pursuant to subsection
26 (10) of this section, a student may use the objective alternative
27 assessments to demonstrate that the student successfully meets the
28 state standards for that content area if the student has (~~retaken~~)
29 taken the Washington assessment of student learning at least once. If
30 the student successfully meets the state standards on the objective
31 alternative assessments then the student shall earn a certificate of
32 academic achievement.

33 (4) Beginning with the graduating class of (~~2010~~) 2013, a student
34 must meet the state standards in science in addition to the other
35 content areas required under subsection (3) of this section on the
36 Washington assessment of student learning or the objective alternative
37 assessments 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 RCW 28A.155.045.

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 in 2006,))~~ School districts must make available to
9 students the following options:

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

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

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

24 (9) ~~((Subject to available funding, the superintendent shall pilot
25 opportunities for retaking the high school assessment beginning in the
26 2004-05 school year. Beginning no later than September 2006,))~~
27 Opportunities to retake the assessment at least twice a year shall be
28 available to each school district.

29 (10)(a) The office of the superintendent of public instruction
30 shall develop options for implementing objective alternative
31 assessments, which may include an appeals process, for students to
32 demonstrate achievement of the state academic standards. The objective
33 alternative assessments shall be comparable in rigor to the skills and
34 knowledge that the student must demonstrate on the Washington
35 assessment of student learning and be objective in its determination of
36 student achievement of the state standards. Before any objective
37 alternative assessments in addition to those authorized in RCW
38 28A.655.065 or (b) of this subsection are used by a student to

1 demonstrate that the student has met the state standards in a content
2 area required to obtain a certificate, the legislature shall formally
3 approve the use of any objective alternative assessments through the
4 omnibus appropriations act or by statute or concurrent resolution.

5 (b)(i) A student's score on the mathematics or reading portion of
6 the preliminary scholastic assessment test (PSAT)((~~τ~~)) or on the
7 mathematics, reading or English, or writing portion of the scholastic
8 assessment test (SAT)((~~τ~~)) or the American college test (ACT) may be
9 used as an objective alternative assessment under this section for
10 demonstrating that a student has met or exceeded the ((~~mathematics~~))
11 state standards for the certificate of academic achievement. The state
12 board of education shall identify the scores students must achieve on
13 the ((~~mathematics~~)) relevant portion of the PSAT, SAT, or ACT to meet
14 or exceed the state standard ((~~for mathematics~~)) in the relevant
15 content area on the Washington assessment of student learning. The
16 state board of education shall identify the first scores by December 1,
17 ((~~2006, and thereafter~~)) 2007. After the first scores are established,
18 the state board may increase but not decrease the scores required for
19 students to meet or exceed the state standards ((~~for mathematics~~)).

20 (ii) The superintendent of public instruction shall implement an
21 alternative assessment for mathematics that presents the mathematics
22 essential academic learning requirements in segments; is comparable in
23 content and rigor to the tenth grade mathematics assessment when all
24 segments are considered together; is reliable and valid; and can be
25 used to determine a student's academic performance level. The
26 segmented mathematics assessment authorized under this subsection
27 (10)(b)(ii) may be used as an objective alternative assessment under
28 this section for demonstrating that a student has met the mathematics
29 standards for the certificate of academic achievement.

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

36 (12) To help assure continued progress in academic achievement as
37 a foundation for high school graduation and to assure that students are

1 on track for high school graduation, each school district shall prepare
2 plans for students as provided in this subsection (12).

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

10 (i) ~~Beginning no later than the 2004-05 school year ninth grade~~
11 ~~students as described in this subsection (12)(a) shall have a plan.~~

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

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

21 ((iv)) (ii) Progress made on the student plan shall be reported
22 to the student's parents or guardian at least annually and adjustments
23 to the plan made as necessary.

24 (b) ((Beginning with the 2005-06 school year and every year
25 thereafter,)) All fifth grade students who were not successful in one
26 or more of the content areas of the fourth grade Washington assessment
27 of student learning shall have a student learning plan.

28 (i) The parent or guardian of ((a)) the student ((described in this
29 subsection (12)(b)) shall be notified, preferably through a parent
30 conference, of the student's results on the Washington assessment of
31 student learning, actions the school intends to take to improve the
32 student's skills in any content area in which the student was
33 unsuccessful, and provide strategies to help them improve their
34 student's skills.

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

1 **Sec. 3.** RCW 28A.155.045 and 2004 c 19 s 104 are each amended to
2 read as follows:

3 Beginning with the graduating class of 2008, students served under
4 this chapter, who are not appropriately assessed by the high school
5 Washington assessment system as defined in RCW 28A.655.061, even with
6 accommodations, may earn a certificate of individual achievement. The
7 certificate may be earned using multiple ways to demonstrate skills and
8 abilities commensurate with their individual education programs. The
9 determination of whether the high school assessment system is
10 appropriate shall be made by the student's individual education program
11 team. Except as provided in section 4 of this act, for these students,
12 the certificate of individual achievement is required for graduation
13 from a public high school, but need not be the only requirement for
14 graduation. When measures other than the high school assessment system
15 as defined in RCW 28A.655.061 are used, the measures shall be in
16 agreement with the appropriate educational opportunity provided for the
17 student as required by this chapter. The superintendent of public
18 instruction shall develop the guidelines for determining which students
19 should not be required to participate in the high school assessment
20 system and which types of assessments are appropriate to use.

21 When measures other than the high school assessment system as
22 defined in RCW 28A.655.061 are used for high school graduation
23 purposes, the student's high school transcript shall note whether that
24 student has earned a certificate of individual achievement.

25 Nothing in this section shall be construed to deny a student the
26 right to participation in the high school assessment system as defined
27 in RCW 28A.655.061, and, upon successfully meeting the high school
28 standard, receipt of the certificate of academic achievement.

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

31 (1) Beginning with the graduating class of 2008 and through the
32 graduating class of 2012, students may graduate from high school
33 without earning a certificate of academic achievement or a certificate
34 of individual achievement if they:

35 (a) Have not successfully met the mathematics standard on the high
36 school Washington assessment of student learning, an approved objective

1 alternative assessment, or an alternate assessment developed for
2 eligible special education students;

3 (b) Have successfully met the state standard in the other content
4 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

5 (c) Have met all other state and school district graduation
6 requirements; and

7 (d)(i) For the graduating class of 2008, successfully earn one
8 additional high school mathematics credit after the student's eleventh
9 grade year designed to increase the individual student's mathematics
10 proficiency toward meeting or exceeding the mathematics standards
11 assessed on the high school Washington assessment of student learning;
12 and

13 (ii) For the remaining graduating classes under this section,
14 successfully earn two additional mathematics credits after the
15 student's tenth grade year designed to increase the individual
16 student's mathematics proficiency toward meeting or exceeding the
17 mathematics standards assessed on the high school Washington assessment
18 of student learning.

19 (2) This section expires August 31, 2013.

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

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

29 (2) The superintendent of public instruction shall:

30 (a) Periodically revise the essential academic learning
31 requirements, as needed, based on the student learning goals in RCW
32 28A.150.210. Goals one and two shall be considered primary. To the
33 maximum extent possible, the superintendent shall integrate goal four
34 and the knowledge and skill areas in the other goals in the essential
35 academic learning requirements; and

36 (b) Review and prioritize the essential academic learning
37 requirements and identify, with clear and concise descriptions, the

1 grade level content expectations to be assessed on the Washington
2 assessment of student learning and used for state or federal
3 accountability purposes. The review, prioritization, and
4 identification shall result in more focus and targeting with an
5 emphasis on depth over breadth in the number of grade level content
6 expectations assessed at each grade level. Grade level content
7 expectations shall be articulated over the grades as a sequence of
8 expectations and performances that are logical, build with increasing
9 depth after foundational knowledge and skills are acquired, and
10 reflect, where appropriate, the sequential nature of the discipline.
11 The office of the superintendent of public instruction, within seven
12 working days, shall post on its web site any grade level content
13 expectations provided to an assessment vendor for use in constructing
14 the Washington assessment of student learning.

15 (3) In consultation with the state board of education, the
16 superintendent of public instruction shall maintain and continue to
17 develop and revise a statewide academic assessment system in the
18 content areas of reading, writing, mathematics, and science for use in
19 the elementary, middle, and high school years designed to determine if
20 each student has mastered the essential academic learning requirements
21 identified in subsection (1) of this section. School districts shall
22 administer the assessments under guidelines adopted by the
23 superintendent of public instruction. The academic assessment system
24 (~~shall~~) may include a variety of assessment methods, including
25 criterion-referenced and performance-based measures.

26 (4) If the superintendent proposes any modification to the
27 essential academic learning requirements or the statewide assessments,
28 then the superintendent shall, upon request, provide opportunities for
29 the education committees of the house of representatives and the senate
30 to review the assessments and proposed modifications to the essential
31 academic learning requirements before the modifications are adopted.

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

1 (~~((b) Assessments measuring the essential academic learning~~
2 ~~requirements in the content area of science shall be available for~~
3 ~~mandatory use in middle schools and high schools by the 2003-04 school~~
4 ~~year and for mandatory use in elementary schools by the 2004-05 school~~
5 ~~year unless the legislature takes action to delay or prevent~~
6 ~~implementation of the assessment.))~~)

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

11 (7) To assist parents and teachers in their efforts to provide
12 educational support to individual students, the superintendent of
13 public instruction shall provide as much individual student performance
14 information as possible within the constraints of the assessment
15 system's item bank. The superintendent shall also provide to school
16 districts:

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

19 (b) A collection of diagnostic tools that educators may use to
20 evaluate the academic status of individual students. The tools shall
21 be designed to be inexpensive, easily administered, and quickly and
22 easily scored, with results provided in a format that may be easily
23 shared with parents and students.

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

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

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

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

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

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

4 **Sec. 6.** RCW 28A.655.063 and 2006 c 115 s 5 are each amended to
5 read as follows:

6 Subject to the availability of funds appropriated for this purpose,
7 ~~((school districts shall reimburse))~~ the office of the superintendent
8 of public instruction shall provide funds to school districts, arrange
9 for students to receive a testing fee waiver, or make other
10 arrangements to compensate students for the cost of taking the tests in
11 RCW 28A.655.061(10)(b) when the students take the tests for the purpose
12 of using the ~~((mathematics))~~ results as an objective alternative
13 assessment.

14 **Sec. 7.** RCW 28A.655.200 and 2006 c 117 s 4 are each amended to
15 read as follows:

16 (1) ~~((In the absence of mandatory, statewide, norm-referenced~~
17 ~~assessments,))~~ The legislature intends to permit school districts to
18 offer norm-referenced assessments, make diagnostic tools available to
19 school districts, and provide funding for diagnostic assessments to
20 enhance ~~((guidance and planning for students and to))~~ student learning
21 at all grade levels and provide early intervention before the high
22 school Washington assessment of student learning.

23 (2) In addition to the diagnostic assessments provided under
24 ~~((subsection (5) of))~~ this section, school districts may, at their own
25 expense, administer norm-referenced assessments to students.

26 (3) ~~((By September 1, 2005, subject to available funds,))~~ The
27 office of the superintendent of public instruction shall post on its
28 web site for voluntary use by school districts, a guide of diagnostic
29 assessments. The assessments in the guide, to the extent possible,
30 shall include the characteristics listed in subsection (4) of this
31 section.

32 (4) Beginning September 1, 2007, the office of the superintendent
33 of public instruction shall make diagnostic assessments in reading,
34 writing, mathematics, and science in elementary and middle school
35 grades available to school districts ~~((diagnostic assessments that))~~.
36 Subject to funds appropriated for this purpose, the office of the

1 superintendent of public instruction shall also provide funding to
2 school districts for administration of diagnostic assessments to help
3 improve student learning, identify academic weaknesses, enhance student
4 planning and guidance, and develop targeted instructional strategies to
5 assist students before the high school Washington assessment of student
6 learning. To the greatest extent possible, the assessments shall be:

7 (a) Aligned to the state's grade level expectations;

8 (b) Individualized to each student's performance level;

9 (c) Administered efficiently to provide results either immediately
10 or within two weeks;

11 (d) Capable of measuring individual student growth over time and
12 allowing student progress to be compared to other students across the
13 country;

14 (e) Readily available to parents; and

15 (f) Cost-effective.

16 ~~(5) ((Beginning with the 2006-07 school year, the superintendent of~~
17 ~~public instruction shall reimburse school districts for administration~~
18 ~~of diagnostic assessments in grade nine for the purpose of identifying~~
19 ~~academic weaknesses, enhancing student planning and guidance, and~~
20 ~~developing targeted instructional strategies to assist students before~~
21 ~~the high school Washington assessment of student learning.~~

22 ~~(6))~~ The office of the superintendent of public instruction ~~((is~~
23 ~~encouraged to))~~ shall offer training at statewide and regional staff
24 development activities ~~((training opportunities that would assist~~
25 ~~practitioners))~~ in:

26 (a) The interpretation of diagnostic assessments; and

27 (b) Application of instructional strategies that will increase
28 student learning based on diagnostic assessment data.

29 NEW SECTION. Sec. 8. A new section is added to chapter 28A.655
30 RCW to read as follows:

31 (1) The legislature's intent for the high school assessment system
32 in mathematics and science is that students receive instruction through
33 credited high school courses in the content areas to be assessed and
34 have their knowledge and skills assessed after they complete the
35 courses. End-of-course assessments in mathematics and science should,
36 at a minimum, cover the content of algebra I, geometry, and biology,
37 and be based on state learning standards. However, school districts

1 should be responsible for designing and implementing courses that align
2 with state learning standards, state-recommended curricula, and end-of-
3 course assessments. School districts should also have the opportunity
4 to provide instruction in the assessed content areas through integrated
5 courses. To the extent feasible, the assessments should be able to be
6 administered online. Results should be returned in a timely manner and
7 should provide diagnostic information to improve curriculum,
8 instruction, and remediation for struggling students. Furthermore,
9 changes to the high school Washington assessment of student learning to
10 achieve the legislative intent expressed under this subsection should
11 be implemented on an expedited timeline in order to apply to the
12 graduating class of 2013.

13 (2)(a) The state board of education, in consultation with the
14 superintendent of public instruction, shall examine and recommend
15 changes to the high school Washington assessment of student learning in
16 the content areas of mathematics and science. The examination shall
17 address the issues identified in subsection (1) of this section.

18 (b) In conducting its examination, the state board of education
19 shall seek input from independent national assessment experts; examine
20 the experience of other states that have implemented end-of-course
21 assessments; and use a deliberative public process to ensure adequate
22 input from teachers, school and district administrators, the business
23 community, parents, and other interested individuals and organizations.

24 (c) In any request for proposals for a new testing contractor for
25 the Washington assessment of student learning, the superintendent of
26 public instruction shall include the changes being examined by the
27 state board of education so that additional information about the cost
28 and feasibility of end-of-course assessments and implementation
29 timelines can be provided by prospective testing contractors.

30 (d) The state board of education shall submit a report to the
31 superintendent of public instruction and the education committees of
32 the legislature by January 10, 2008, with findings from the examination
33 under this subsection (2) and recommendations for changes to the high
34 school Washington assessment in mathematics and science that implement
35 the legislative intent expressed under subsection (1) of this section
36 and a timeline for expedited implementation of the recommended changes
37 no later than the 2010-11 school year.

1 (e) If the state board of education finds that the legislative
2 intent expressed under subsection (1) of this section cannot feasibly
3 be implemented by the 2010-11 school year, the state board shall state
4 the specific reasons for such a finding, along with supporting
5 evidence, and recommend a revised timeline.

6 (3) This section expires June 30, 2008.

7 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.655
8 RCW to read as follows:

9 (1) In allocating state funds for the promoting academic success
10 program, the legislature has recognized that high school students whose
11 scores represent a near miss of the state standard on the Washington
12 assessment of student learning require fewer remedial resources to
13 ensure that they meet the state standard on the next attempt. However,
14 there is significant variation among the remaining students whose
15 scores represent a far miss of the state standard regarding their
16 levels of knowledge and skills, and consequently the levels of
17 remediation they will need.

18 (2) School districts receiving funding allocations through the
19 promoting academic success program for high school students scoring
20 more than one standard error of measurement from meeting the state
21 standard shall assign more resources per student to support students
22 scoring at level one on the Washington assessment of student learning
23 than are assigned to support students scoring at level two."

24 Correct the title.

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