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SENATE BILL 6640

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State of Washington

64th Legislature

2016 Regular Session

**By** Senators Mullet, Liiias, Billig, Rolfes, Chase, McAuliffe, Fraser, Keiser, Hasegawa, Nelson, and Jayapal

Read first time 02/03/16. Referred to Committee on Early Learning & K-12 Education.

1       AN ACT Relating to changes to high school science assessment  
2 requirements; and amending RCW 28A.655.061, 28A.655.065, and  
3 28A.655.068.

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

5       **Sec. 1.** RCW 28A.655.061 and 2015 3rd sp.s. c 42 s 2 are each  
6 amended to read as follows:

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

17       (2) Subject to the conditions in this section, a certificate of  
18 academic achievement shall be obtained and is evidence that the  
19 students have successfully met the state standard in the content  
20 areas included in the certificate. With the exception of students  
21 satisfying the provisions of RCW 28A.155.045 or 28A.655.0611,

1 acquisition of the certificate is required for graduation from a  
2 public high school but is not the only requirement for graduation.

3 (3)(a) Beginning with the graduating class of 2008 through the  
4 graduating class of 2015, with the exception of students satisfying  
5 the provisions of RCW 28A.155.045, a student who meets the state  
6 standards on the reading, writing, and mathematics high school  
7 statewide student assessment shall earn a certificate of academic  
8 achievement. The mathematics assessment shall be the end-of-course  
9 assessment for the first year of high school mathematics that  
10 assesses the standards common to algebra I and integrated mathematics  
11 I or the end-of-course assessment for the second year of high school  
12 mathematics that assesses standards common to geometry and integrated  
13 mathematics II.

14 (b) As the state transitions from reading and writing assessments  
15 to an English language arts assessment and from end-of-course  
16 assessments to a comprehensive assessment for high school  
17 mathematics, a student in a graduating class of 2016 through 2018  
18 shall earn a certificate of academic achievement if the student meets  
19 the state standard as follows:

20 (i) Students in the graduating class of 2016 may use the results  
21 from:

22 (A) The reading and writing assessment or the English language  
23 arts assessment developed with the multistate consortium; and

24 (B) The end-of-course assessment for the first year of high  
25 school mathematics, the end-of-course assessment for the second year  
26 of high school mathematics, or the comprehensive mathematics  
27 assessment developed with the multistate consortium.

28 (ii) Students in the graduating classes of 2017 and 2018 may use  
29 the results from:

30 (A) The tenth grade English language arts assessment developed by  
31 the superintendent of public instruction using resources from the  
32 multistate consortium or the English language arts assessment  
33 developed with the multistate consortium; and

34 (B) The end-of-course assessment for the first year of high  
35 school mathematics, the end-of-course assessment for the second year  
36 of high school mathematics, or the comprehensive mathematics  
37 assessment developed with the multistate consortium.

38 (c) Beginning with the graduating class of 2019, a student who  
39 meets the state standards on the high school English language arts  
40 assessment developed with the multistate consortium and the

comprehensive mathematics assessment developed with the multistate consortium shall earn a certificate of academic achievement.

(d) 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 at least twice a year 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 ~~((+10+))~~ (9) 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 taken the statewide student assessment 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.

~~(4) ((Beginning with the graduating class of 2017, 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 statewide student assessment, a retake, 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+))~~ (5) A student may retain and use the highest result from each successfully completed content area of the high school assessment.

~~((+7+))~~ (6) School districts must make available to students the following options:

(a) To retake the statewide student assessment at least twice a year 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 statewide student assessment at least twice a year 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

1 colleges shall jointly identify means by which students in these  
2 programs can be assessed.

3 ~~((+8+))~~ (7) Students who achieve the standard in a content area  
4 of the high school assessment but who wish to improve their results  
5 shall pay for retaking the assessment, using a uniform cost  
6 determined by the superintendent of public instruction.

7 ~~((+9+))~~ (8) Opportunities to retake the assessment at least twice  
8 a year shall be available to each school district.

9 ~~((+10+))~~ (9)(a) The office of the superintendent of public  
10 instruction shall develop options for implementing objective  
11 alternative assessments, which may include an appeals process for  
12 students' scores, for students to demonstrate achievement of the  
13 state academic standards. The objective alternative assessments shall  
14 be comparable in rigor to the skills and knowledge that the student  
15 must demonstrate on the statewide student assessment and be objective  
16 in its determination of student achievement of the state standards.  
17 Before any objective alternative assessments in addition to those  
18 authorized in RCW 28A.655.065 or (b) of this subsection are used by a  
19 student to demonstrate that the student has met the state standards  
20 in a content area required to obtain a certificate, the legislature  
21 shall formally approve the use of any objective alternative  
22 assessments through the omnibus appropriations act or by statute or  
23 concurrent resolution.

24 (b)(i) A student's score on the mathematics, reading or English,  
25 or writing portion of the SAT or the ACT may be used as an objective  
26 alternative assessment under this section for demonstrating that a  
27 student has met or exceeded the state standards for the certificate  
28 of academic achievement. The state board of education shall identify  
29 the scores students must achieve on the relevant portion of the SAT  
30 or ACT to meet or exceed the state standard in the relevant content  
31 area on the statewide student assessment. ~~((A student's score on the  
32 science portion of the ACT or the science subject area tests of the  
33 SAT may be used as an objective alternative assessment under this  
34 section as soon as the state board of education determines that  
35 sufficient data is available to identify reliable equivalent scores  
36 for the science content area of the statewide student assessment.))~~  
37 After the first scores are established, the state board may increase  
38 but not decrease the scores required for students to meet or exceed  
39 the state standards.

(ii) A student who scores at least a three on the grading scale of one to five for selected AP examinations may use the score as an objective alternative assessment under this section for demonstrating that a student has met or exceeded state standards for the certificate of academic achievement. A score of three on the AP examinations in calculus or statistics may be used as an alternative assessment for the mathematics portion of the statewide student assessment. A score of three on the AP examinations in English language and composition may be used as an alternative assessment for the writing portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. A score of three on the AP examinations in English literature and composition, macroeconomics, microeconomics, psychology, United States history, world history, United States government and politics, or comparative government and politics may be used as an alternative assessment for the reading portion of the statewide student assessment; and for the English language arts portion of the assessment developed with the multistate consortium, once established in the 2014-15 school year. (~~A score of three on the AP examination in biology, physics, chemistry, or environmental science may be used as an alternative assessment for the science portion of the statewide student assessment.~~)

(iii) A student who scores at least a four on selected externally administered international baccalaureate (IB) examinations may use the score as an objective alternative assessment under this section for demonstrating that the student has met or exceeded state standards for the certificate of academic achievement. A score of four on the higher level IB examinations for any of the IB English language and literature courses or for any of the IB individuals and societies courses may be used as an alternative assessment for the reading, writing, or English language arts portions of the statewide student assessment. A score of four on the higher level IB examinations for any of the IB mathematics courses may be used as an alternative assessment for the mathematics portion of the statewide student assessment. (~~A score of four on the higher level IB examinations for IB biology, chemistry, or physics may be used as an alternative assessment for the science portion of the statewide student assessment.~~)

~~(11))~~ (10) 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 and notify students and their parents or legal guardians as provided in this subsection. Student learning plans are required for eighth grade students who were not successful on any or all of the content areas of the state assessment during the previous school year or who may not be on track to graduate due to credit deficiencies or absences. The parent or legal guardian shall be notified about the information in the student learning plan, preferably through a parent conference and at least annually. To the extent feasible, schools serving English language learner students and their parents shall translate the plan into the primary language of the family. The plan shall include the following information as applicable:

- (a) The student's results on the state assessment;
- (b) If the student is in the transitional bilingual program, the score on his or her Washington language proficiency test II;
- (c) Any credit deficiencies;
- (d) The student's attendance rates over the previous two years;
- (e) The student's progress toward meeting state and local graduation requirements;
- (f) The courses, competencies, and other steps needed to be taken by the student to meet state academic standards and stay on track for graduation;
- (g) Remediation strategies and alternative education options available to students, including informing students of the option to continue to receive instructional services after grade twelve or until the age of twenty-one;
- (h) The alternative assessment options available to students under this section and RCW 28A.655.065;
- (i) School district programs, high school courses, and career and technical education options available for students to meet graduation requirements; and
- (j) Available programs offered through skill centers or community and technical colleges, including the college high school diploma options under RCW 28B.50.535.

**Sec. 2.** RCW 28A.655.065 and 2009 c 556 s 19 are each amended to read as follows:

1       (1) The legislature has made a commitment to rigorous academic  
2 standards for receipt of a high school diploma. The primary way that  
3 students will demonstrate that they meet the standards in reading,  
4 writing, and mathematics(~~((, and science))~~) is through the  
5 (~~((Washington))~~) statewide student assessment (~~((of student learning))~~).  
6 Only objective assessments that are comparable in rigor to the state  
7 assessment are authorized as an alternative assessment. Before  
8 seeking an alternative assessment, the legislature expects students  
9 to make a genuine effort to meet state standards, through regular and  
10 consistent attendance at school and participation in extended  
11 learning and other assistance programs.

12       (2) Under RCW 28A.655.061, beginning in the 2006-07 school year,  
13 the superintendent of public instruction shall implement objective  
14 alternative assessment methods as provided in this section for  
15 students to demonstrate achievement of the state standards in content  
16 areas in which the student has not yet met the standard on the high  
17 school (~~((Washington))~~) statewide student assessment (~~((of student~~  
18 ~~learning))~~). A student may access an alternative if the student meets  
19 applicable eligibility criteria in RCW 28A.655.061 and this section  
20 and other eligibility criteria established by the superintendent of  
21 public instruction, including but not limited to attendance criteria  
22 and participation in the remediation or supplemental instruction  
23 contained in the student learning plan developed under RCW  
24 28A.655.061. A school district may waive attendance and/or  
25 remediation criteria for special, unavoidable circumstances.

26       (3) For the purposes of this section, "applicant" means a student  
27 seeking to use one of the alternative assessment methods in this  
28 section.

29       (4) One alternative assessment method shall be a combination of  
30 the applicant's grades in applicable courses and the applicant's  
31 highest score on the high school (~~((Washington))~~) statewide student  
32 assessment (~~((of student learning))~~), as provided in this subsection. A  
33 student is eligible to apply for the alternative assessment method  
34 under this subsection (4) if the student has a cumulative grade point  
35 average of at least 3.2 on a four point grading scale. The  
36 superintendent of public instruction shall determine which high  
37 school courses are applicable to the alternative assessment method  
38 and shall issue guidelines to school districts.

39       (a) Using guidelines prepared by the superintendent of public  
40 instruction, a school district shall identify the group of students

1 in the same school as the applicant who took the same high school  
2 courses as the applicant in the applicable content area. From the  
3 group of students identified in this manner, the district shall  
4 select the comparison cohort that shall be those students who met or  
5 slightly exceeded the state standard on the ((Washington)) statewide  
6 student assessment ((of student learning)).

7 (b) The district shall compare the applicant's grades in high  
8 school courses in the applicable content area to the grades of  
9 students in the comparison cohort for the same high school courses.  
10 If the applicant's grades are equal to or above the mean grades of  
11 the comparison cohort, the applicant shall be deemed to have met the  
12 state standard on the alternative assessment.

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

16 (5) The superintendent of public instruction shall develop an  
17 alternative assessment method that shall be an evaluation of a  
18 collection of work samples prepared and submitted by the applicant.  
19 Effective September 1, 2009, collection of work samples may be  
20 submitted only in content areas where meeting the state standard on  
21 the high school assessment is required for purposes of graduation.

22 (a) The superintendent of public instruction shall develop  
23 guidelines for the types and number of work samples in each content  
24 area that may be submitted as a collection of evidence that the  
25 applicant has met the state standard in that content area. Work  
26 samples may be collected from academic, career and technical, or  
27 remedial courses and may include performance tasks as well as written  
28 products. The superintendent shall submit the guidelines for approval  
29 by the state board of education.

30 (b) The superintendent shall develop protocols for submission of  
31 the collection of work samples that include affidavits from the  
32 applicant's teachers and school district that the samples are the  
33 work of the applicant and a requirement that a portion of the samples  
34 be prepared under the direct supervision of a classroom teacher. The  
35 superintendent shall submit the protocols for approval by the state  
36 board of education.

37 (c) The superintendent shall develop uniform scoring criteria for  
38 evaluating the collection of work samples and submit the scoring  
39 criteria for approval by the state board of education. Collections  
40 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 assessment after the state board of education has approved the guidelines, protocols, and scoring criteria and determined that the collection of work samples: (i) Will meet professionally accepted standards for a valid and reliable measure of the grade level expectations and the essential academic learning requirements; and (ii) is comparable to or exceeds the rigor of the skills and knowledge that a student must demonstrate on the ~~((Washington))~~ statewide student assessment ~~((of student learning))~~ in the applicable content area. The state board shall make an approval decision and determination no later than December 1, 2006, and thereafter may increase the required rigor of the collection of work 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 RCW 28A.700.030, the superintendent of public instruction shall develop additional guidelines for collections of

1 work samples that are tailored to different career and technical  
2 programs. The additional guidelines shall:

3 (i) Provide multiple examples of work samples that are related to  
4 the particular career and technical program;

5 (ii) Permit work samples based on completed activities or  
6 projects where demonstration of academic knowledge is inferred; and

7 (iii) Provide multiple examples of work samples drawn from career  
8 and technical courses.

9 (b) The purpose of the additional guidelines is to provide a  
10 clear pathway toward a certificate of academic achievement for career  
11 and technical students by showing them applied and relevant  
12 opportunities to demonstrate their knowledge and skills, and to  
13 provide guidance to teachers in integrating academic and career and  
14 technical instruction and assessment and assisting career and  
15 technical students in compiling a collection. The superintendent of  
16 public instruction shall develop and disseminate additional  
17 guidelines for no fewer than ten career and technical education  
18 programs representing a variety of program offerings by no later than  
19 September 1, 2008. Guidelines for ten additional programs shall be  
20 developed and disseminated no later than June 1, 2009.

21 (c) The superintendent shall consult with community and technical  
22 colleges, employers, the workforce training and education  
23 coordinating board, apprenticeship programs, and other regional and  
24 national experts in career and technical education to create  
25 appropriate guidelines and examples of work samples and other  
26 evidence of a career and technical student's knowledge and skills on  
27 the state academic standards.

28 (7) The superintendent of public instruction shall study the  
29 feasibility of using existing mathematics assessments in languages  
30 other than English as an additional alternative assessment option.  
31 The study shall include an estimation of the cost of translating the  
32 tenth grade mathematics assessment into other languages and scoring  
33 the assessments should they be implemented.

34 (8) The superintendent of public instruction shall implement:

35 (a) By June 1, 2006, a process for students to appeal the score  
36 they received on the high school assessments; and

37 (b) By January 1, 2007, guidelines and appeal processes for  
38 waiving specific requirements in RCW 28A.655.061 pertaining to the  
39 certificate of academic achievement and to the certificate of  
40 individual achievement for students who: (i) Transfer to a Washington

1 public school in their junior or senior year with the intent of  
2 obtaining a public high school diploma, or (ii) have special,  
3 unavoidable circumstances.

4 (9) The state board of education shall examine opportunities for  
5 additional alternative assessments, including the possible use of one  
6 or more standardized norm-referenced student achievement tests and  
7 the possible use of the reading, writing, or mathematics portions of  
8 the ACT ASSET and ACT COMPASS test instruments as objective  
9 alternative assessments for demonstrating that a student has met the  
10 state standards for the certificate of academic achievement. The  
11 state board shall submit its findings and recommendations to the  
12 education committees of the legislature by January 10, 2008.

13 (10) The superintendent of public instruction shall adopt rules  
14 to implement this section.

15 **Sec. 3.** RCW 28A.655.068 and 2013 2nd sp.s. c 22 s 4 are each  
16 amended to read as follows:

17 (1) Beginning in the 2011-12 school year, the statewide high  
18 school assessment in science shall be an end-of-course assessment for  
19 biology that measures the state standards for life sciences, in  
20 addition to systems, inquiry, and application as they pertain to life  
21 sciences.

22 (2)(a) The superintendent of public instruction may develop or  
23 adopt science end-of-course assessments or a comprehensive science  
24 assessment that includes subjects in addition to biology for purposes  
25 of RCW 28A.655.061, when so directed by the legislature. The  
26 legislature intends to transition from a biology end-of-course  
27 assessment to a more comprehensive science assessment (~~in a manner~~  
28 ~~consistent with the way in which the state transitioned to an English~~  
29 ~~language arts assessment and a comprehensive mathematics assessment.~~  
30 ~~The legislature further intends that the transition will include at~~  
31 ~~least two years of using the student assessment results from either~~  
32 ~~the biology end-of-course assessment or the more comprehensive~~  
33 ~~assessment in order to provide students with reasonable opportunities~~  
34 ~~to demonstrate high school competencies while being mindful of the~~  
35 ~~increasing rigor of the new assessment)).~~

36 (b) The superintendent of public instruction shall develop or  
37 adopt a science assessment in accordance with RCW 28A.655.070(10)  
38 that is not biased toward persons with different learning styles,  
39 racial or ethnic backgrounds, or on the basis of gender.

1 (c) Before the next subsequent school year after the legislature  
2 directs the superintendent to develop or adopt a new science  
3 assessment, the superintendent of public instruction shall review the  
4 objective alternative assessments for the science assessment and make  
5 recommendations to the legislature regarding additional objective  
6 alternatives, if any.

7 (3) The superintendent of public instruction may participate with  
8 consortia of multiple states as common student learning standards and  
9 assessments in science are developed. The superintendent of public  
10 instruction, in consultation with the state board of education, may  
11 modify the essential academic learning requirements and statewide  
12 student assessments in science, including the high school assessment,  
13 according to the multistate common student learning standards and  
14 assessments as long as the education committees of the legislature  
15 have opportunities for review before the modifications are adopted,  
16 as provided under RCW 28A.655.070.

17 ~~((4) The statewide high school assessment under this section~~  
18 ~~shall be used to demonstrate that a student meets the state standards~~  
19 ~~in the science content area of the statewide student assessment for~~  
20 ~~purposes of RCW 28A.655.061.))~~

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