

3ESHB 2195 - S COMM AMD  
By Committee on Education

NOT ADOPTED 03/05/2004

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

3 "PART 1

4 CERTIFICATE OF ACADEMIC ACHIEVEMENT

5 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.655  
6 RCW to read as follows:

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

17 (2) Subject to the conditions in this section, a certificate of  
18 academic achievement shall be obtained by most students at about the  
19 age of sixteen, and is evidence that the students have successfully met  
20 the state standard in the content areas included in the certificate.  
21 With the exception of students satisfying the provisions of section 104  
22 of this act, acquisition of the certificate is required for graduation  
23 from a public high school but is not the only requirement for  
24 graduation.

25 (3) Beginning with the graduating class of 2008, with the exception  
26 of students satisfying the provisions of section 104 of this act, a  
27 student who meets the state standards on the reading, writing, and  
28 mathematics content areas of the high school Washington assessment of  
29 student learning shall earn a certificate of academic achievement. If

1 a student does not successfully meet the state standards in one or more  
2 content areas required for the certificate of academic achievement,  
3 then the student may retake the assessment in the content area up to  
4 two times at no cost to the student. If the student successfully meets  
5 the state standards on a retake of the assessment then the student  
6 shall earn a certificate of academic achievement. Once objective  
7 alternative assessments are authorized pursuant to subsection (11) of  
8 this section, a student may use the objective alternative assessments  
9 to demonstrate that the student successfully meets the state standards  
10 for that content area if the student has retaken the Washington  
11 assessment of student learning at least once. If the student  
12 successfully meets the state standards on the objective alternative  
13 assessments then the student shall earn a certificate of academic  
14 achievement with an alternate assessment designation.

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

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

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

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

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

1 (a) To retake the Washington assessment of student learning up to  
2 two times in the content areas in which the student did not meet the  
3 state standards if the student is enrolled in a public school; or

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

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

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

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

33 (12) By December 15, 2004, the house of representatives and senate  
34 education committees shall obtain information and conclusions from  
35 recognized, independent, national assessment experts regarding the  
36 validity and reliability of the high school Washington assessment of

1 student learning for making individual student high school graduation  
2 determinations.

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

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

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

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

19 (iii) The parent or guardian shall be notified, preferably through  
20 a parent conference, of the student's results on the Washington  
21 assessment of student learning, actions the school intends to take to  
22 improve the student's skills in any content area in which the student  
23 was unsuccessful, strategies to help them improve their student's  
24 skills, and the content of the student's 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 the  
27 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 or  
30 more of the content areas of the fourth grade Washington assessment of  
31 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, through a parent conference, of  
34 the student's results on the Washington assessment of student learning,  
35 actions the school intends to take to improve the student's skills in  
36 any content area in which the student was unsuccessful, and provide  
37 strategies to help them improve their 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 the  
3 plan made as necessary.

4 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE CUT  
5 SCORES REQUIRED TO ACHIEVE THE CERTIFICATE, OBJECTIVE ALTERNATIVE  
6 ASSESSMENTS, AND ISSUES RELATED TO VALIDITY AND RELIABILITY. (1) The  
7 academic achievement and accountability commission shall review and  
8 adjust, if necessary, the performance standards needed to meet the high  
9 school standards and obtain a certificate of academic achievement as  
10 provided in section 101 of this act. The commission shall include in  
11 its review consideration of various conjunctive and compensatory score  
12 models, including the use of the standard error of measurement, into  
13 the decision regarding the award of the certificate of academic  
14 achievement. To assist in its deliberations, the commission shall seek  
15 advice from a committee that includes parents, practicing classroom  
16 teachers and principals, administrators, staff, and other interested  
17 parties. If the commission makes any adjustment of the student  
18 performance standards, then the commission shall present the  
19 recommended performance standard to the education committees of the  
20 house of representatives and the senate by November 30th of the year  
21 before the school year in which the changes will take place to permit  
22 the legislature to take statutory action before the changes are  
23 implemented if such action is deemed warranted by the legislature.

24 (2) The office of the superintendent of public instruction shall  
25 develop options for implementing objective alternative assessments,  
26 which may include an appeals process, for students to demonstrate  
27 achievement of the state academic standards. The objective alternative  
28 assessments shall be comparable in rigor to the skills and knowledge  
29 that the student must demonstrate on the Washington assessment of  
30 student learning and be objective in its determination of student  
31 achievement of the state standards.

32 (a) By July 1, 2004, the office of the superintendent of public  
33 instruction shall report its recommendations for objective alternative  
34 assessments to the governor, the state board of education, and the  
35 house of representatives and senate education committees.

1 (b) In its deliberations, the office of the superintendent of  
2 public instruction shall consult with parents, administrators,  
3 practicing classroom teachers including teachers in career and  
4 technical education, practicing principals, appropriate agencies,  
5 professional organizations, assessment experts, and other interested  
6 parties.

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

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

15 (4) By November 30, 2004, the superintendent of public instruction  
16 and the state board of education shall provide to the house of  
17 representatives and senate education committees all available pertinent  
18 studies, information, and independent third-party analyses on the  
19 validity and reliability of the high school assessment system,  
20 especially as it pertains to the use of the system for individual  
21 student decisions.

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

24 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION HIGH  
25 SCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF  
26 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall  
27 establish high school graduation requirements or equivalencies for  
28 students.

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

33 (b) The certificate of academic achievement requirements under  
34 section 101 of this act or the certificate of individual achievement  
35 requirements under section 104 of this act are required for graduation

1 from a public high school but are not the only requirements for  
2 graduation.

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

6 (2) In recognition of the statutory authority of the state board of  
7 education to establish and enforce minimum high school graduation  
8 requirements, the state board shall periodically reevaluate the  
9 graduation requirements and shall report such findings to the  
10 legislature in a timely manner as determined by the state board.

11 (3) Pursuant to any requirement for instruction in languages other  
12 than English established by the state board of education or a local  
13 school district, or both, for purposes of high school graduation,  
14 students who receive instruction in American sign language or one or  
15 more American Indian languages shall be considered to have satisfied  
16 the state or local school district graduation requirement for  
17 instruction in one or more languages other than English.

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

22 (a) The course was taken with high school students, if the academic  
23 level of the course exceeds the requirements for seventh and eighth  
24 grade classes, and the student has successfully passed by completing  
25 the same course requirements and examinations as the high school  
26 students enrolled in the class; or

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

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

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

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

5 CERTIFICATE OF INDIVIDUAL ACHIEVEMENT. Beginning with the  
6 graduating class of 2008, students served under this chapter, who are  
7 not appropriately assessed by the high school Washington assessment  
8 system as defined in section 101 of this act, even with accommodations,  
9 may earn a certificate of individual achievement. The certificate may  
10 be earned using multiple ways to demonstrate skills and abilities  
11 commensurate with their individual education programs. The  
12 determination of whether the high school assessment system is  
13 appropriate shall be made by the student's individual education program  
14 team. For these students, the certificate of individual achievement is  
15 required for graduation from a public high school, but need not be the  
16 only requirement for graduation. When measures other than the high  
17 school assessment system as defined in section 101 of this act are  
18 used, the measures shall be in agreement with the appropriate  
19 educational opportunity provided for the student as required by this  
20 chapter. The superintendent of public instruction shall develop the  
21 guidelines for determining which students should not be required to  
22 participate in the high school assessment system and which types of  
23 assessments are appropriate to use.

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

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

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

34 The office of the superintendent of public instruction and the  
35 state board for community and technical colleges shall jointly develop



1 a program plan to provide a continuing education option for students  
2 who are eligible for the state transitional bilingual instruction  
3 program and who need more time to develop language proficiency but who  
4 are more age-appropriately suited for a postsecondary learning  
5 environment than for a high school. In developing the plan, the  
6 superintendent of public instruction shall consider options to formally  
7 recognize the accomplishments of students in the state transitional  
8 bilingual instruction program who have completed the twelfth grade but  
9 have not earned a certificate of academic achievement. By December 1,  
10 2004, the agencies shall report to the legislative education and fiscal  
11 committees with any recommendations for legislative action and any  
12 resources necessary to implement the plan.

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

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

23 Principals of private schools or superintendents of private school  
24 districts shall file each year with the state superintendent of public  
25 instruction a statement certifying that the minimum requirements  
26 hereinafter set forth are being met, noting any deviations. After  
27 review of the statement, the state superintendent will notify schools  
28 or school districts of those deviations which must be corrected. In  
29 case of major deviations, the school or school district may request and  
30 the state board of education may grant provisional status for one year  
31 in order that the school or school district may take action to meet the  
32 requirements. The state board of education shall not require private  
33 school students to meet the student learning goals, obtain a  
34 certificate of academic achievement, or a certificate of individual  
35 achievement to graduate from high school, to master the essential  
36 academic learning requirements, or to be assessed pursuant to section

1 101 of this act. However, private schools may choose, on a voluntary  
2 basis, to have their students master these essential academic learning  
3 requirements, take the assessments, and obtain a certificate of  
4 academic achievement or a certificate of individual achievement.

5 Minimum requirements shall be as follows:

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

10 (2) The school day shall be the same as that required in RCW  
11 28A.150.030 and 28A.150.220, except that the percentages of total  
12 program hour offerings as prescribed in RCW 28A.150.220 for basic  
13 skills, work skills, and optional subjects and activities shall not  
14 apply to private schools or private sectarian schools.

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

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

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

25 (4) An approved private school may operate an extension program for  
26 parents, guardians, or persons having legal custody of a child to teach  
27 children in their custody. The extension program shall require at a  
28 minimum that:

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

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

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

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

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

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

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

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

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

29 All decisions of policy, philosophy, selection of books, teaching  
30 material, curriculum, except as in subsection (7) (~~above~~) of this  
31 section provided, school rules and administration, or other matters not  
32 specifically referred to in this section, shall be the responsibility  
33 of the administration and administrators of the particular private  
34 school involved.

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

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

4 ~~((1))~~ (a) File annually a signed declaration of intent that he or  
5 she is planning to cause his or her child to receive home-based  
6 instruction. The statement shall include the name and age of the  
7 child, shall specify whether a certificated person will be supervising  
8 the instruction, and shall be written in a format prescribed by the  
9 superintendent of public instruction. Each parent shall file the  
10 statement by September 15<sup>th</sup> of the school year or within two weeks of  
11 the beginning of any public school quarter, trimester, or semester with  
12 the superintendent of the public school district within which the  
13 parent resides or the district that accepts the transfer, and the  
14 student shall be deemed a transfer student of the nonresident district.  
15 Parents may apply for transfer under RCW 28A.225.220;

16 ~~((2))~~ (b) Ensure that test scores or annual academic progress  
17 assessments and immunization records, together with any other records  
18 that are kept relating to the instructional and educational activities  
19 provided, are forwarded to any other public or private school to which  
20 the child transfers. At the time of a transfer to a public school, the  
21 superintendent of the local school district in which the child enrolls  
22 may require a standardized achievement test to be administered and  
23 shall have the authority to determine the appropriate grade and course  
24 level placement of the child after consultation with parents and review  
25 of the child's records; and

26 ~~((3))~~ (c) Ensure that a standardized achievement test approved by  
27 the state board of education is administered annually to the child by  
28 a qualified individual or that an annual assessment of the student's  
29 academic progress is written by a certificated person who is currently  
30 working in the field of education. ~~((The state board of education  
31 shall not require these children to meet the student learning goals,  
32 master the essential academic learning requirements, to take the  
33 assessments, or to obtain a certificate of mastery pursuant to RCW  
34 28A.630.885.))~~ The standardized test administered or the annual  
35 academic progress assessment written shall be made a part of the  
36 child's permanent records. If, as a result of the annual test or

1 assessment, it is determined that the child is not making reasonable  
2 progress consistent with his or her age or stage of development, the  
3 parent shall make a good faith effort to remedy any deficiency.

4 (2) The state board of education shall not require these children  
5 to meet the student learning goals, master the essential academic  
6 learning requirements, to take the assessments, or to obtain a  
7 certificate of academic achievement or a certificate of individual  
8 achievement pursuant to sections 101 and 104 of this act.

9 (3) Failure of a parent to comply with the duties in this section  
10 shall be deemed a failure of such parent's child to attend school  
11 without valid justification under RCW 28A.225.020. Parents who do  
12 comply with the duties set forth in this section shall be presumed to  
13 be providing home-based instruction as set forth in RCW 28A.225.010(4).

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

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

23 (2) The standardized high school transcript shall include the  
24 following information:

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

29 (b) All scholar designations as provided by section 101 of this  
30 act;

31 (c) A notation of whether the student has earned a certificate of  
32 academic achievement, a certificate of academic achievement through  
33 alternative assessments, or a certificate of individual achievement.

34 (3) Transcripts are important documents to students who will apply  
35 for admission to postsecondary institutions of higher education.  
36 Transcripts are also important to students who will seek employment

1 upon or prior to graduation from high school. It is recognized that  
2 student transcripts may be the only record available to employers in  
3 their decision-making processes regarding prospective employees. The  
4 superintendent of public instruction shall require school districts to  
5 inform annually all high school students that prospective employers may  
6 request to see transcripts and that the prospective employee's decision  
7 to release transcripts can be an important part of the process of  
8 applying for employment.

9 NEW SECTION. **Sec. 109.** The superintendent of public instruction  
10 shall study the effect of the certificate of academic achievement and  
11 the certificate of individual achievement requirements on dropout rates  
12 and report the findings to the legislature and the academic achievement  
13 and accountability commission by October 1, 2010. The superintendent  
14 of public instruction shall include any related recommendations for  
15 decreasing the dropout rate in the report.

16 **PART 2**

17 **ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS**

18 NEW SECTION. **Sec. 201.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS  
19 AND ASSESSMENTS - REPORT REQUIRED ON ASSESSMENTS AND OTHER OPTIONS FOR  
20 MEETING THE ESSENTIAL ACADEMIC LEARNING REQUIREMENTS IN SOCIAL STUDIES,  
21 THE ARTS, AND HEALTH AND FITNESS. (1) A comprehensive education  
22 involves the entire domain of human knowledge to participate  
23 productively in our democratic society. All Washington students should  
24 have some appreciation of mathematical and scientific principles and  
25 structures, a broad awareness of social, economic, and political  
26 systems and developments and an appreciation of the arts and  
27 humanities, and the elements of good personal health.

28 (2) By September 1, 2004, the superintendent of public instruction,  
29 after consultation with parents, practicing classroom teachers and  
30 principals, education organizations, and other interested parties,  
31 shall report to the governor, the state board of education, and the  
32 house of representatives and senate education committees regarding  
33 state classroom-based assessment models, other assessment options,  
34 and/or other strategies approved by the superintendent of public

1 instruction to assure continued support and attention to the essential  
2 academic learning requirements in social studies, the arts, and health  
3 and fitness in elementary, middle, and high schools. The options shall  
4 include a recommended timeline to implement those recommendations the  
5 legislature adopts. The options may include recommendations on the  
6 design, administration, scoring, and reporting of classroom or  
7 performance-based assessments for these content areas. The report  
8 shall outline progress regarding:

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

11 (b) Plans for staff development; and

12 (c) The funding resources necessary to fully implement the  
13 recommendations.

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

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

19 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS  
20 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING  
21 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND  
22 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE  
23 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the  
24 superintendent of public instruction shall report to the governor, the  
25 state board of education, and the house of representatives and senate  
26 education committees on the results of independent research on the  
27 alignment and technical review of the reading, writing, and science  
28 content areas of the Washington assessment of student learning for  
29 elementary and middle grades and for high school. The review shall be  
30 comparable to the research conducted on the mathematics assessments and  
31 shall be reported in accordance with the following timelines:

32 (a) In the content areas of reading and writing by November 1,  
33 2005; and

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

35 (2) The superintendent of public instruction shall report to the  
36 governor, the state board of education, and the house of

1 representatives and senate education committees on the review,  
2 prioritization, and identification of the essential academic learning  
3 requirements and grade level content expectations in accordance with  
4 the following timelines:

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

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

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

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

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

11 (3) By November 30, 2004, the superintendent of public instruction  
12 shall report to the governor, the state board of education, and the  
13 house of representatives and senate education committees on the  
14 feasibility of returning the results of the Washington assessment of  
15 student learning, including individual student performance information,  
16 to schools, teachers, and parents in the same school year in which the  
17 assessment is administered.

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

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

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

30 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES  
31 OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) The superintendent of  
32 public instruction shall develop essential academic learning  
33 requirements that identify the knowledge and skills all public school  
34 students need to know and be able to do based on the student learning  
35 goals in RCW 28A.150.210, develop student assessments, and implement



1 the accountability recommendations and requests regarding assistance,  
2 rewards, and recognition of the academic achievement and accountability  
3 commission.

4 (2) The superintendent of public instruction shall:

5 (a) Periodically revise the essential academic learning  
6 requirements, as needed, based on the student learning goals in RCW  
7 28A.150.210. Goals one and two shall be considered primary. To the  
8 maximum extent possible, the superintendent shall integrate goal four  
9 and the knowledge and skill areas in the other goals in the essential  
10 academic learning requirements; and

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

27 (3) In consultation with the academic achievement and  
28 accountability commission, the superintendent of public instruction  
29 shall maintain and continue to develop and revise a statewide academic  
30 assessment system in the content areas of reading, writing,  
31 mathematics, and science for use in the elementary, middle, and high  
32 school years designed to determine if each student has mastered the  
33 essential academic learning requirements identified in subsection (1)  
34 of this section. School districts shall administer the assessments  
35 under guidelines adopted by the superintendent of public instruction.  
36 The academic assessment system shall include a variety of assessment  
37 methods, including criterion-referenced and performance-based measures.

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

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

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

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

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

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

31       (b) A collection of diagnostic tools that educators may use to  
32 evaluate the academic status of individual students. The tools shall  
33 be designed to be inexpensive, easily administered, and quickly and  
34 easily scored, with results provided in a format that may be easily  
35 shared with parents and students.

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

1        ~~((6))~~ (9) Assessments for goals three and four of RCW 28A.150.210  
2 shall be integrated in the essential academic learning requirements and  
3 assessments for goals one and two.

4        ~~((7))~~ (10) The superintendent shall develop assessments that are  
5 directly related to the essential academic learning requirements, and  
6 are not biased toward persons with different learning styles, racial or  
7 ethnic backgrounds, or on the basis of gender.

8        ~~((8))~~ (11) The superintendent shall consider methods to address  
9 the unique needs of special education students when developing the  
10 assessments under this section.

11       ~~((9))~~ (12) The superintendent shall consider methods to address  
12 the unique needs of highly capable students when developing the  
13 assessments under this section.

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

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

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

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

24        (a) Adopt and revise performance improvement goals in reading,  
25 writing, science, and mathematics by subject and grade level as the  
26 commission deems appropriate to improve student learning, once  
27 assessments in these subjects are required statewide. The goals shall  
28 be consistent with student privacy protection provisions of RCW  
29 28A.655.090(7) and shall not conflict with requirements contained in  
30 Title I of the federal elementary and secondary education act of 1965,  
31 as amended. The goals may be established for all students,  
32 economically disadvantaged students, limited English proficient  
33 students, students with disabilities, and students from  
34 disproportionately academically underachieving racial and ethnic  
35 backgrounds. The commission may establish school and school district  
36 goals addressing high school graduation rates and dropout reduction

1 goals for students in grades seven through twelve. (~~The goals shall~~  
2 ~~be in addition to any goals adopted in RCW 28A.655.050. The commission~~  
3 ~~may also revise any goal adopted in RCW 28A.655.050.)) The commission  
4 shall adopt the goals by rule. However, before each goal is  
5 implemented, the commission shall present the goal to the education  
6 committees of the house of representatives and the senate for the  
7 committees' review and comment in a time frame that will permit the  
8 legislature to take statutory action on the goal if such action is  
9 deemed warranted by the legislature;~~

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

28 (c) Adopt objective, systematic criteria to identify successful  
29 schools and school districts and recommend to the superintendent of  
30 public instruction schools and districts to be recognized for two types  
31 of accomplishments, student achievement and improvements in student  
32 achievement. Recognition for improvements in student achievement shall  
33 include consideration of one or more of the following accomplishments:

34 (i) An increase in the percent of students meeting standards. The  
35 level of achievement required for recognition may be based on the  
36 achievement goals established by the legislature (~~under RCW~~  
37 ~~28A.655.050)) and by the commission under (a) of this subsection;~~

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

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

7 When determining the baseline year or years for recognizing  
8 individual schools, the commission may use the assessment results from  
9 the initial years the assessments were administered, if doing so with  
10 individual schools would be appropriate;

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

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

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

28 (g) Annually review the assessment reporting system to ensure  
29 fairness, accuracy, timeliness, and equity of opportunity, especially  
30 with regard to schools with special circumstances and unique  
31 populations of students, and a recommendation to the superintendent of  
32 public instruction of any improvements needed to the system;

33 (h) Annually report by December 1st to the legislature, the  
34 governor, the superintendent of public instruction, and the state board  
35 of education on the progress, findings, and recommendations of the  
36 commission. The report may include recommendations of actions to help  
37 improve student achievement;

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

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

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

10 (l) Establish advisory committees, which may include persons who  
11 are not members of the commission;

12 (2) Holding meetings and public hearings, which may include  
13 regional meetings and hearings;

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

26 (4) Receiving per diem and travel allowances as permitted under RCW  
27 43.03.050 and 43.03.060.

28 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS  
29 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential  
30 academic learning requirements--Statewide academic assessment system--  
31 Certificate of mastery--Educational pathways--Accountability--Reports  
32 and recommendations--Washington commission on student learning,  
33 creation and expiration) and 2001 2nd sp.s. c 20 s 1, 1999 c 373 s 501,  
34 1998 c 225 s 1, & 1997 c 268 s 1 are each repealed.

35 **PART 3**

1 MISCELLANEOUS

2 NEW SECTION. **Sec. 301.** Part headings and captions used in this  
3 act are not any part of the law.

4 NEW SECTION. **Sec. 302.** If any provision of this act or its  
5 application to any person or circumstance is held invalid, the  
6 remainder of the act or the application of the provision to other  
7 persons or circumstances is not affected.

8 NEW SECTION. **Sec. 303.** This act is necessary for the immediate  
9 preservation of the public peace, health, or safety, or support of the  
10 state government and its existing public institutions, and takes effect  
11 immediately."

**3ESHB 2195** - S COMM AMD  
By Committee on Education

**NOT ADOPTED 03/05/2004**

12 On page 1, line 1 of the title, after "standards;" strike the  
13 remainder of the title and insert "amending RCW 28A.230.090,  
14 28A.195.010, 28A.200.010, 28A.305.220, 28A.655.070, and 28A.655.030;  
15 adding a new section to chapter 28A.655 RCW; adding a new section to  
16 chapter 28A.155 RCW; adding a new section to chapter 28A.180 RCW;  
17 adding a new section to chapter 28A.230 RCW; creating new sections;  
18 repealing RCW 28A.655.060; and declaring an emergency."

--- END ---