

3ESHB 2195 - S AMD 785

By Senators Johnson, McAuliffe

ADOPTED 03/04/2004

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
30 a student does not successfully meet the state standards in one or more

1 content areas required for the certificate of academic achievement,
2 then the student may retake the assessment in the content area up to
3 four times at no cost to the student. If the student successfully
4 meets the state standards on a retake of the assessment then the
5 student shall earn a certificate of academic achievement. Once
6 objective alternative assessments are authorized pursuant to subsection
7 (11) of this section, a student may use the objective alternative
8 assessments to demonstrate that the student successfully meets the
9 state standards for that content area if the student has retaken the
10 Washington assessment of student learning at least once. If the
11 student successfully meets the state standards on the objective
12 alternative assessments then the student shall earn a certificate of
13 academic achievement. The student's transcript shall note whether the
14 certificate of academic achievement was acquired by means of the
15 Washington assessment of student learning or by an alternative
16 assessment.

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

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

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

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

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

1 (a) To retake the Washington assessment of student learning up to
2 four 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 four 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
37 student learning for making individual student high school graduation
38 determinations.

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

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

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

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

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

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

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

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

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

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

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

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

33 (b) In its deliberations, the office of the superintendent of
34 public instruction shall consult with parents, administrators,
35 practicing classroom teachers including teachers in career and
36 technical education, practicing principals, appropriate agencies,
37 professional organizations, assessment experts, and other interested
38 parties.

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

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

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

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

18 CERTIFICATE OF ACADEMIC ACHIEVEMENT - STATE BOARD OF EDUCATION HIGH
19 SCHOOL GRADUATION REQUIREMENTS, INCLUDING LOCAL DETERMINATION OF
20 INDIVIDUAL STUDENT SUCCESS. (1) The state board of education shall
21 establish high school graduation requirements or equivalencies for
22 students.

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

27 (b) The certificate of academic achievement requirements under
28 section 101 of this act or the certificate of individual achievement
29 requirements under section 104 of this act are required for graduation
30 from a public high school but are not the only requirements for
31 graduation.

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

35 (2) In recognition of the statutory authority of the state board of
36 education to establish and enforce minimum high school graduation
37 requirements, the state board shall periodically reevaluate the

1 graduation requirements and shall report such findings to the
2 legislature in a timely manner as determined by the state board.

3 (3) Pursuant to any requirement for instruction in languages other
4 than English established by the state board of education or a local
5 school district, or both, for purposes of high school graduation,
6 students who receive instruction in American sign language or one or
7 more American Indian languages shall be considered to have satisfied
8 the state or local school district graduation requirement for
9 instruction in one or more languages other than English.

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

14 (a) The course was taken with high school students, if the academic
15 level of the course exceeds the requirements for seventh and eighth
16 grade classes, and the student has successfully passed by completing
17 the same course requirements and examinations as the high school
18 students enrolled in the class; or

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

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

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

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

34 CERTIFICATE OF INDIVIDUAL ACHIEVEMENT. Beginning with the
35 graduating class of 2008, students served under this chapter, who are
36 not appropriately assessed by the high school Washington assessment
37 system as defined in section 101 of this act, even with accommodations,
38 may earn a certificate of individual achievement. The certificate may

1 be earned using multiple ways to demonstrate skills and abilities
2 commensurate with their individual education programs. The
3 determination of whether the high school assessment system is
4 appropriate shall be made by the student's individual education program
5 team. For these students, the certificate of individual achievement is
6 required for graduation from a public high school, but need not be the
7 only requirement for graduation. When measures other than the high
8 school assessment system as defined in section 101 of this act are
9 used, the measures shall be in agreement with the appropriate
10 educational opportunity provided for the student as required by this
11 chapter. The superintendent of public instruction shall develop the
12 guidelines for determining which students should not be required to
13 participate in the high school assessment system and which types of
14 assessments are appropriate to use.

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

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

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

25 The office of the superintendent of public instruction and the
26 state board for community and technical colleges shall jointly develop
27 a program plan to provide a continuing education option for students
28 who are eligible for the state transitional bilingual instruction
29 program and who need more time to develop language proficiency but who
30 are more age-appropriately suited for a postsecondary learning
31 environment than for a high school. In developing the plan, the
32 superintendent of public instruction shall consider options to formally
33 recognize the accomplishments of students in the state transitional
34 bilingual instruction program who have completed the twelfth grade but
35 have not earned a certificate of academic achievement. By December 1,
36 2004, the agencies shall report to the legislative education and fiscal
37 committees with any recommendations for legislative action and any
38 resources necessary to implement the plan.

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

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

11 Principals of private schools or superintendents of private school
12 districts shall file each year with the state superintendent of public
13 instruction a statement certifying that the minimum requirements
14 hereinafter set forth are being met, noting any deviations. After
15 review of the statement, the state superintendent will notify schools
16 or school districts of those deviations which must be corrected. In
17 case of major deviations, the school or school district may request and
18 the state board of education may grant provisional status for one year
19 in order that the school or school district may take action to meet the
20 requirements. The state board of education shall not require private
21 school students to meet the student learning goals, obtain a
22 certificate of academic achievement, or a certificate of individual
23 achievement to graduate from high school, to master the essential
24 academic learning requirements, or to be assessed pursuant to section
25 101 of this act. However, private schools may choose, on a voluntary
26 basis, to have their students master these essential academic learning
27 requirements, take the assessments, and obtain a certificate of
28 academic achievement or a certificate of individual achievement.

29 Minimum requirements shall be as follows:

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

34 (2) The school day shall be the same as that required in RCW
35 28A.150.030 and 28A.150.220, except that the percentages of total
36 program hour offerings as prescribed in RCW 28A.150.220 for basic
37 skills, work skills, and optional subjects and activities shall not
38 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

30 (6) The physical facilities of the school or district shall be
31 adequate to meet the program offered by the school or district:
32 PROVIDED, That each school building shall meet reasonable health and
33 fire safety requirements. ~~((However, the state board shall not require
34 private school students to meet the student learning goals, obtain a
35 certificate of mastery to graduate from high school, to master the
36 essential academic learning requirements, or to be assessed pursuant to
37 RCW 28A.630.885. However, private schools may choose, on a voluntary
38 basis, to have their students master these essential academic learning
39 requirements, take these assessments, and obtain certificates of~~

1 ~~mastery.~~) A residential dwelling of the parent, guardian, or
2 custodian shall be deemed to be an adequate physical facility when a
3 parent, guardian, or person having legal custody is instructing his or
4 her child under subsection (4) of this section.

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

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

13 All decisions of policy, philosophy, selection of books, teaching
14 material, curriculum, except as in subsection (7) (~~above~~) of this
15 section provided, school rules and administration, or other matters not
16 specifically referred to in this section, shall be the responsibility
17 of the administration and administrators of the particular private
18 school involved.

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

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

24 (~~(1)~~) (a) File annually a signed declaration of intent that he or
25 she is planning to cause his or her child to receive home-based
26 instruction. The statement shall include the name and age of the
27 child, shall specify whether a certificated person will be supervising
28 the instruction, and shall be written in a format prescribed by the
29 superintendent of public instruction. Each parent shall file the
30 statement by September 15th of the school year or within two weeks of
31 the beginning of any public school quarter, trimester, or semester with
32 the superintendent of the public school district within which the
33 parent resides or the district that accepts the transfer, and the
34 student shall be deemed a transfer student of the nonresident district.
35 Parents may apply for transfer under RCW 28A.225.220;

36 (~~(2)~~) (b) Ensure that test scores or annual academic progress
37 assessments and immunization records, together with any other records
38 that are kept relating to the instructional and educational activities

1 provided, are forwarded to any other public or private school to which
2 the child transfers. At the time of a transfer to a public school, the
3 superintendent of the local school district in which the child enrolls
4 may require a standardized achievement test to be administered and
5 shall have the authority to determine the appropriate grade and course
6 level placement of the child after consultation with parents and review
7 of the child's records; and

8 ~~((+3+))~~ (c) Ensure that a standardized achievement test approved by
9 the state board of education is administered annually to the child by
10 a qualified individual or that an annual assessment of the student's
11 academic progress is written by a certificated person who is currently
12 working in the field of education. ~~((The state board of education
13 shall not require these children to meet the student learning goals,
14 master the essential academic learning requirements, to take the
15 assessments, or to obtain a certificate of mastery pursuant to RCW
16 28A.630.885.))~~ The standardized test administered or the annual
17 academic progress assessment written shall be made a part of the
18 child's permanent records. If, as a result of the annual test or
19 assessment, it is determined that the child is not making reasonable
20 progress consistent with his or her age or stage of development, the
21 parent shall make a good faith effort to remedy any deficiency.

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

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

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

34 DEVELOPMENT OF STANDARDIZED HIGH SCHOOL TRANSCRIPTS--SCHOOL
35 DISTRICTS TO INFORM STUDENTS OF IMPORTANCE. (1) The state board of
36 education shall develop for use by all public school districts a
37 standardized high school transcript. The state board of education

1 shall establish clear definitions for the terms "credits" and "hours"
2 so that school programs operating on the quarter, semester, or
3 trimester system can be compared.

4 (2) The standardized high school transcript shall include the
5 following information:

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

10 (b) All scholar designations as provided by section 101 of this
11 act;

12 (c) A notation of whether the student has earned a certificate of
13 individual achievement or a certificate of academic achievement by
14 means of the Washington assessment of student learning or by an
15 alternative assessment.

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

27 NEW SECTION. Sec. 109. The superintendent of public instruction
28 shall study the effect of the certificate of academic achievement and
29 the certificate of individual achievement requirements on dropout rates
30 and report the findings to the legislature and the academic achievement
31 and accountability commission by October 1, 2010. The superintendent
32 of public instruction shall include any related recommendations for
33 decreasing the dropout rate in the report.

34 **PART 2**

35 **ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS**

1 NEW SECTION. **Sec. 201.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
2 AND ASSESSMENTS - REPORT REQUIRED ON ASSESSMENTS AND OTHER OPTIONS FOR
3 MEETING THE ESSENTIAL ACADEMIC LEARNING REQUIREMENTS IN SOCIAL STUDIES,
4 THE ARTS, AND HEALTH AND FITNESS. (1) A comprehensive education
5 involves the entire domain of human knowledge to participate
6 productively in our democratic society. All Washington students should
7 have some appreciation of mathematical and scientific principles and
8 structures, a broad awareness of social, economic, and political
9 systems and developments and an appreciation of the arts and
10 humanities, and the elements of good personal health.

11 (2) By September 1, 2004, the superintendent of public instruction,
12 after consultation with parents, practicing classroom teachers and
13 principals, education organizations, and other interested parties,
14 shall report to the governor, the state board of education, and the
15 house of representatives and senate education committees regarding
16 state classroom-based assessment models, other assessment options,
17 and/or other strategies approved by the superintendent of public
18 instruction to assure continued support and attention to the essential
19 academic learning requirements in social studies, the arts, and health
20 and fitness in elementary, middle, and high schools. The options shall
21 include a recommended timeline to implement those recommendations the
22 legislature adopts. The options may include recommendations on the
23 design, administration, scoring, and reporting of classroom or
24 performance-based assessments for these content areas. The report
25 shall outline progress regarding:

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

28 (b) Plans for staff development; and

29 (c) The funding resources necessary to fully implement the
30 recommendations.

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

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

36 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
37 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING
38 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND

1 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE
2 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the
3 superintendent of public instruction shall report to the governor, the
4 state board of education, and the house of representatives and senate
5 education committees on the results of independent research on the
6 alignment and technical review of the reading, writing, and science
7 content areas of the Washington assessment of student learning for
8 elementary and middle grades and for high school. The review shall be
9 comparable to the research conducted on the mathematics assessments and
10 shall be reported in accordance with the following timelines:

11 (a) In the content areas of reading and writing by November 1,
12 2005; and

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

14 (2) The superintendent of public instruction shall report to the
15 governor, the state board of education, and the house of
16 representatives and senate education committees on the review,
17 prioritization, and identification of the essential academic learning
18 requirements and grade level content expectations in accordance with
19 the following timelines:

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

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

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

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

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

26 (3) By November 30, 2004, the superintendent of public instruction
27 shall report to the governor, the state board of education, and the
28 house of representatives and senate education committees on the
29 feasibility of returning the results of the Washington assessment of
30 student learning, including individual student performance information,
31 to schools, teachers, and parents in the same school year in which the
32 assessment is administered.

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

35 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the
36 end of the 2008-09 school year, school districts shall have in place in
37 elementary schools, middle schools, and high schools assessments or
38 other strategies to assure that students have an opportunity to learn

1 the essential academic learning requirements in social studies, the
2 arts, and health and fitness. Beginning with the 2008-09 school year,
3 school districts shall annually submit an implementation verification
4 report to the office of the superintendent of public instruction.

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

7 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS - DUTIES
8 OF THE SUPERINTENDENT OF PUBLIC INSTRUCTION. (1) The superintendent of
9 public instruction shall develop essential academic learning
10 requirements that identify the knowledge and skills all public school
11 students need to know and be able to do based on the student learning
12 goals in RCW 28A.150.210, develop student assessments, and implement
13 the accountability recommendations and requests regarding assistance,
14 rewards, and recognition of the academic achievement and accountability
15 commission.

16 (2) The superintendent of public instruction shall:

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

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

1 (3) In consultation with the academic achievement and
2 accountability commission, the superintendent of public instruction
3 shall maintain and continue to develop and revise a statewide academic
4 assessment system in the content areas of reading, writing,
5 mathematics, and science for use in the elementary, middle, and high
6 school years designed to determine if each student has mastered the
7 essential academic learning requirements identified in subsection (1)
8 of this section. School districts shall administer the assessments
9 under guidelines adopted by the superintendent of public instruction.

10 The academic assessment system shall include a variety of assessment
11 methods, including criterion-referenced and performance-based measures.

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

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

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

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

34 (7) To assist parents and teachers in their efforts to provide
35 educational support to individual students, the superintendent of
36 public instruction shall provide as much individual student performance
37 information as possible within the constraints of the assessment
38 system's item bank. The superintendent shall also provide to school
39 districts:

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

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

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

10 ~~((+6))~~ (9) Assessments for goals three and four of RCW 28A.150.210
11 shall be integrated in the essential academic learning requirements and
12 assessments for goals one and two.

13 ~~((+7))~~ (10) The superintendent shall develop assessments that are
14 directly related to the essential academic learning requirements, and
15 are not biased toward persons with different learning styles, racial or
16 ethnic backgrounds, or on the basis of gender.

17 ~~((+8))~~ (11) The superintendent shall consider methods to address
18 the unique needs of special education students when developing the
19 assessments under this section.

20 ~~((+9))~~ (12) The superintendent shall consider methods to address
21 the unique needs of highly capable students when developing the
22 assessments under this section.

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

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

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

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

33 (a) Adopt and revise performance improvement goals in reading,
34 writing, science, and mathematics by subject and grade level as the
35 commission deems appropriate to improve student learning, once
36 assessments in these subjects are required statewide. The goals shall
37 be consistent with student privacy protection provisions of RCW
38 28A.655.090(7) and shall not conflict with requirements contained in

1 Title I of the federal elementary and secondary education act of 1965,
2 as amended. The goals may be established for all students,
3 economically disadvantaged students, limited English proficient
4 students, students with disabilities, and students from
5 disproportionately academically underachieving racial and ethnic
6 backgrounds. The commission may establish school and school district
7 goals addressing high school graduation rates and dropout reduction
8 goals for students in grades seven through twelve. (~~The goals shall~~
9 ~~be in addition to any goals adopted in RCW 28A.655.050. The commission~~
10 ~~may also revise any goal adopted in RCW 28A.655.050.~~) The commission
11 shall adopt the goals by rule. However, before each goal is
12 implemented, the commission shall present the goal to the education
13 committees of the house of representatives and the senate for the
14 committees' review and comment in a time frame that will permit the
15 legislature to take statutory action on the goal if such action is
16 deemed warranted by the legislature;

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

38 (c) Adopt objective, systematic criteria to identify successful
39 schools and school districts and recommend to the superintendent of

1 public instruction schools and districts to be recognized for two types
2 of accomplishments, student achievement and improvements in student
3 achievement. Recognition for improvements in student achievement shall
4 include consideration of one or more of the following accomplishments:

5 (i) An increase in the percent of students meeting standards. The
6 level of achievement required for recognition may be based on the
7 achievement goals established by the legislature (~~under RCW~~
8 ~~28A.655.050~~) and by the commission under (a) of this subsection;

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

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

15 When determining the baseline year or years for recognizing
16 individual schools, the commission may use the assessment results from
17 the initial years the assessments were administered, if doing so with
18 individual schools would be appropriate;

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

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

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

36 (g) Annually review the assessment reporting system to ensure
37 fairness, accuracy, timeliness, and equity of opportunity, especially
38 with regard to schools with special circumstances and unique

1 populations of students, and a recommendation to the superintendent of
2 public instruction of any improvements needed to the system;

3 (h) Annually report by December 1st to the legislature, the
4 governor, the superintendent of public instruction, and the state board
5 of education on the progress, findings, and recommendations of the
6 commission. The report may include recommendations of actions to help
7 improve student achievement;

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

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

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

17 (1) Establish advisory committees, which may include persons who
18 are not members of the commission;

19 (2) Holding meetings and public hearings, which may include
20 regional meetings and hearings;

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

33 (4) Receiving per diem and travel allowances as permitted under RCW
34 43.03.050 and 43.03.060.

35 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
36 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential
37 academic learning requirements--Statewide academic assessment system--
38 Certificate of mastery--Educational pathways--Accountability--Reports

1 and recommendations--Washington commission on student learning,
2 creation and expiration) and 2001 2nd sp.s. c 20 s 1, 1999 c 373 s 501,
3 1998 c 225 s 1, & 1997 c 268 s 1 are each repealed.

4 **PART 3**
5 **MISCELLANEOUS**

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

8 NEW SECTION. **Sec. 302.** If any provision of this act or its
9 application to any person or circumstance is held invalid, the
10 remainder of the act or the application of the provision to other
11 persons or circumstances is not affected.

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

3ESHB 2195 - S AMD 785
By Senators Johnson, McAuliffe

ADOPTED 03/04/2004

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

--- END ---