
THIRD ENGROSSED SUBSTITUTE HOUSE BILL 2195 - CC

State of Washington

58th Legislature

2004 Regular Session

By House Committee on Education (originally sponsored by Representatives McDermott, Talcott, Quall, Tom and Haigh)

READ FIRST TIME 03/05/03.

1 AN ACT Relating to state academic standards; amending RCW
2 28A.230.090, 28A.195.010, 28A.200.010, 28A.230.120, 28A.305.220,
3 28A.655.070, and 28A.655.030; adding a new section to chapter 28A.655
4 RCW; adding a new section to chapter 28A.155 RCW; adding new sections
5 to chapter 28A.180 RCW; adding a new section to chapter 28A.230 RCW;
6 creating new sections; repealing RCW 28A.655.060; and declaring an
7 emergency.

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

9 **PART 1**

10 **CERTIFICATE OF ACADEMIC ACHIEVEMENT**

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

13 CERTIFICATE REQUIREMENTS. (1) The high school assessment system
14 shall include but need not be limited to the Washington assessment of
15 student learning, opportunities for a student to retake the content
16 areas of the assessment in which the student was not successful, and
17 one or more alternative means for a student to demonstrate achievement
18 of state academic standards. The alternative means for each content

1 area shall be comparable in rigor to the skills and knowledge that the
2 student must demonstrate on the Washington assessment of student
3 learning for each content area.

4 (2) Subject to the conditions in this section, beginning with the
5 graduating class of 2008, successful completion of the reading,
6 writing, and mathematics content areas of the high school Washington
7 assessment of student learning, or of an approved alternative means in
8 those content areas as provided in subsection (10) of this section,
9 shall lead to a certificate of academic achievement. The certificate
10 of academic achievement shall be obtained by most students at about the
11 age of sixteen, and is evidence that the students have successfully met
12 the state standard in the content areas included in the certificate.
13 With the exception of students satisfying the provisions of section 104
14 of this act, the certificate of academic achievement is required for
15 graduation from a public high school but is not the only requirement
16 for graduation.

17 (3) Beginning with the graduating class of 2010, with the exception
18 of students satisfying the provisions of section 104 of this act,
19 successful completion of the reading, writing, mathematics, and science
20 content areas of the high school Washington assessment of student
21 learning, or of an approved alternative means in those content areas,
22 is required for graduation from a public high school in the state of
23 Washington and shall lead to a certificate of academic achievement.

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

29 (5) A student may retain and use the highest result from each
30 successfully completed content area of the high school assessment.

31 (6) Beginning with the graduating class of 2005, the highest scale
32 score and level achieved in each content area on the high school
33 Washington assessment of student learning shall be displayed on a
34 student's transcript. In addition, beginning with the graduating class
35 of 2008, each student shall receive a scholar's designation on his or
36 her transcript for each content area in which the student achieves
37 level four.

1 (7) Beginning with the graduating class of 2008, if a student takes
2 the high school assessment but is not successful in one or more content
3 areas required for the certificate of academic achievement, the student
4 may retake the assessment in that content area one or more times at no
5 cost to the student. School districts must make available to students
6 the following options:

7 (a) To retake the assessment in that content area at least twice a
8 year if the student is enrolled in a public school;

9 (b) To retake the assessment in that content area if the student is
10 enrolled in a high school completion program at a community or
11 technical college. The superintendent of public instruction and the
12 state board for community and technical colleges shall jointly identify
13 means by which students in these programs can be assessed; or

14 (c) To use an alternative means developed and approved by the
15 superintendent of public instruction and authorized pursuant to
16 subsection (10) of this section to demonstrate achievement of the
17 standards for that content area if the student has retaken the
18 assessment in that content area at least once.

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

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

28 (10) Beginning no later than spring 2007, subject to formal
29 legislative approval of the alternative means, alternative means shall
30 be in place to demonstrate achievement of the state standards in a
31 content area in which the student was unsuccessful on the Washington
32 assessment of student learning. Through the omnibus appropriations
33 act, or by statute or concurrent resolution, the legislature shall
34 formally approve the use of any alternative means, including appeals,
35 before its implementation as part of the high school assessment system.

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

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

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

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

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

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

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

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

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

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

1 NEW SECTION. **Sec. 102.** CERTIFICATE REPORTS REQUIRED ON THE CUT
2 SCORES REQUIRED TO ACHIEVE THE CERTIFICATE, ALTERNATIVE MEANS, AND
3 ISSUES RELATED TO VALIDITY AND RELIABILITY. (1) Before the results of
4 the 2004 high school assessment of student learning are reported to
5 school districts, the academic achievement and accountability
6 commission shall review and adjust, if necessary, the performance
7 standards needed to meet the high school standards and obtain a
8 certificate of academic achievement as provided in section 101 of this
9 act. The commission shall include in its review consideration of
10 various conjunctive and compensatory score models, including the use of
11 the standard error of measurement, into the decision regarding the
12 award of the certificate of academic achievement. To assist in its
13 deliberations, the commission shall seek advice from a committee that
14 includes parents, practicing classroom teachers and principals,
15 administrators, staff, and other interested parties.

16 (2) The office of the superintendent of public instruction shall
17 develop options for implementing alternative means for students to
18 demonstrate achievement of the state academic standards, one of which
19 shall be an appeals option. The alternative means shall be comparable
20 in rigor to the skills and knowledge that the student must demonstrate
21 on the Washington assessment of student learning and be objective in
22 its determination of student achievement of the state standards.

23 (a) By July 1, 2004, the office of the superintendent of public
24 instruction shall report its recommendations for alternative means,
25 including the use of appeals, to the governor, the state board of
26 education, and the house of representatives and senate education
27 committees.

28 (b) In its deliberations, the office of the superintendent of
29 public instruction shall consult with parents, administrators,
30 practicing classroom teachers including teachers in career and
31 technical education, practicing principals, appropriate agencies,
32 professional organizations, assessment experts, and other interested
33 parties.

34 (c) Through the omnibus appropriations act, or by statute or
35 concurrent resolution, the legislature shall formally approve the use
36 of any alternative means, including any appeals process, before its
37 implementation as a part of the high school assessment system.

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

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

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

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

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

23 (b) The certificate of academic achievement requirements under
24 section 101 of this act or the certificate of completion requirements
25 under section 104 of this act are required for graduation from a public
26 high school but are not the only requirements for graduation.

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

30 (2) In recognition of the statutory authority of the state board of
31 education to establish and enforce minimum high school graduation
32 requirements, the state board shall periodically reevaluate the
33 graduation requirements and shall report such findings to the
34 legislature in a timely manner as determined by the state board.

35 (3) Pursuant to any requirement for instruction in languages other
36 than English established by the state board of education or a local
37 school district, or both, for purposes of high school graduation,

1 students who receive instruction in American sign language or one or
2 more American Indian languages shall be considered to have satisfied
3 the state or local school district graduation requirement for
4 instruction in one or more languages other than English.

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

9 (a) The course was taken with high school students, if the academic
10 level of the course exceeds the requirements for seventh and eighth
11 grade classes, and the student has successfully passed by completing
12 the same course requirements and examinations as the high school
13 students enrolled in the class; or

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

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

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

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

29 CERTIFICATE OF COMPLETION. Students served under this chapter, who
30 cannot participate in the high school Washington assessment of student
31 learning including alternative means, even with accommodations, may
32 earn a certificate of completion using multiple ways to demonstrate
33 skills and abilities commensurate with their individual education
34 plans. For these students, the certificate of completion is required
35 for graduation from a public high school, but need not be the only
36 requirement for graduation. When measures other than the high school
37 Washington assessment of student learning are used, the measures shall

1 be in agreement with the appropriate educational opportunity provided
2 for the student as required by this chapter. The superintendent of
3 public instruction shall develop the criteria for determining which
4 students cannot participate in the assessment and shall be eligible to
5 obtain a certificate of completion.

6 When measures other than the high school Washington assessment of
7 student learning are used for high school graduation purposes, the
8 student's high school diploma shall state that the student has earned
9 a certificate of completion.

10 Nothing in this section shall be construed to deny a student the
11 right to participation in the program of assessment known as the high
12 school Washington assessment of student learning, and, upon
13 successfully meeting the high school standard, receipt of the
14 certificate of academic achievement.

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

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

31 NEW SECTION. **Sec. 106.** A new section is added to chapter 28A.180
32 RCW to read as follows:

33 (1) Students who are eligible for the state transitional bilingual
34 instruction program and who have limited English proficiency shall have
35 access to the following:

36 (a) The learning plans under section 101 of this act;

1 (b) Multiple opportunities to retake the high school assessment of
2 student learning offered during the eleventh and twelfth grades through
3 the school district until the student reaches the age of twenty-one or
4 through a high school completion program offered in a community college
5 or technical college; and

6 (c) The opportunity to demonstrate academic achievement through an
7 alternative means or appeals, as provided under section 101 of this
8 act.

9 (2) School districts shall provide assistance to these students
10 through the transitional bilingual instruction program and through
11 other programs supported with state, federal, or local funds.

12 **Sec. 107.** RCW 28A.195.010 and 1993 c 336 s 1101 are each amended
13 to read as follows:

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

22 Principals of private schools or superintendents of private school
23 districts shall file each year with the state superintendent of public
24 instruction a statement certifying that the minimum requirements
25 hereinafter set forth are being met, noting any deviations. After
26 review of the statement, the state superintendent will notify schools
27 or school districts of those deviations which must be corrected. In
28 case of major deviations, the school or school district may request and
29 the state board of education may grant provisional status for one year
30 in order that the school or school district may take action to meet the
31 requirements. Minimum requirements shall be as follows:

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

36 (2) The school day shall be the same as that required in RCW
37 28A.150.030 and 28A.150.220, except that the percentages of total

1 program hour offerings as prescribed in RCW 28A.150.220 for basic
2 skills, work skills, and optional subjects and activities shall not
3 apply to private schools or private sectarian schools.

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

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

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

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

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

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

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

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

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

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

33 (6) The physical facilities of the school or district shall be
34 adequate to meet the program offered by the school or district:
35 PROVIDED, That each school building shall meet reasonable health and
36 fire safety requirements. However, the state board shall not require
37 private school students to meet the student learning goals, obtain a
38 certificate of (~~mastery~~) academic achievement to graduate from high

1 school, to master the essential academic learning requirements, or to
2 be assessed pursuant to (~~RCW 28A.630.885~~) section 101 of this act.
3 However, private schools may choose, on a voluntary basis, to have
4 their students master these essential academic learning requirements,
5 take these assessments, and obtain certificates of (~~mastery~~) academic
6 achievement. A residential dwelling of the parent, guardian, or
7 custodian shall be deemed to be an adequate physical facility when a
8 parent, guardian, or person having legal custody is instructing his or
9 her child under subsection (4) of this section.

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

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

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

24 **Sec. 108.** RCW 28A.200.010 and 1995 c 52 s 1 are each amended to
25 read as follows:

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

29 (~~(1)~~) (a) File annually a signed declaration of intent that he or
30 she is planning to cause his or her child to receive home-based
31 instruction. The statement shall include the name and age of the
32 child, shall specify whether a certificated person will be supervising
33 the instruction, and shall be written in a format prescribed by the
34 superintendent of public instruction. Each parent shall file the
35 statement by September 15th of the school year or within two weeks of
36 the beginning of any public school quarter, trimester, or semester with
37 the superintendent of the public school district within which the

1 parent resides or the district that accepts the transfer, and the
2 student shall be deemed a transfer student of the nonresident district.
3 Parents may apply for transfer under RCW 28A.225.220;

4 ~~((+2))~~ (b) Ensure that test scores or annual academic progress
5 assessments and immunization records, together with any other records
6 that are kept relating to the instructional and educational activities
7 provided, are forwarded to any other public or private school to which
8 the child transfers. At the time of a transfer to a public school, the
9 superintendent of the local school district in which the child enrolls
10 may require a standardized achievement test to be administered and
11 shall have the authority to determine the appropriate grade and course
12 level placement of the child after consultation with parents and review
13 of the child's records; and

14 ~~((+3))~~ (c) Ensure that a standardized achievement test approved by
15 the state board of education is administered annually to the child by
16 a qualified individual or that an annual assessment of the student's
17 academic progress is written by a certificated person who is currently
18 working in the field of education. The state board of education shall
19 not require these children to meet the student learning goals, master
20 the essential academic learning requirements, to take the assessments,
21 or to obtain a certificate of ~~((mastery))~~ academic achievement pursuant
22 to ~~((RCW 28A.630.885))~~ section 101 of this act. The standardized test
23 administered or the annual academic progress assessment written shall
24 be made a part of the child's permanent records. If, as a result of
25 the annual test or assessment, it is determined that the child is not
26 making reasonable progress consistent with his or her age or stage of
27 development, the parent shall make a good faith effort to remedy any
28 deficiency.

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

34 **Sec. 109.** RCW 28A.230.120 and 2003 c 234 s 1 are each amended to
35 read as follows:

36 HIGH SCHOOL DIPLOMAS--ISSUANCE--OPTION TO RECEIVE FINAL
37 TRANSCRIPTS--NOTICE. (1) School districts shall issue diplomas to

1 students signifying graduation from high school upon the students'
2 satisfactory completion of all local and state graduation requirements.
3 Diplomas shall include one of the following statements: (a)
4 "Certificate of Academic Achievement earned," or (b) "Certificate of
5 Completion earned." Districts shall grant students the option of
6 receiving a final transcript in addition to the regular diploma.

7 (2) School districts or schools of attendance shall establish
8 policies and procedures to notify senior students of the transcript
9 option and shall direct students to indicate their decisions in a
10 timely manner. School districts shall make appropriate provisions to
11 assure that students who choose to receive a copy of their final
12 transcript shall receive such transcript after graduation.

13 (3)(a) A school district may issue a high school diploma to a
14 person who:

15 (i) Is an honorably discharged member of the armed forces of the
16 United States;

17 (ii) Was scheduled to graduate from high school in the years 1940
18 through 1955; and

19 (iii) Left high school before graduation to serve in World War II
20 or the Korean conflict.

21 (b) A school district may issue a diploma to or on behalf of a
22 person otherwise eligible under (a) of this subsection notwithstanding
23 the fact that the person holds a high school equivalency certification
24 or is deceased.

25 (c) The superintendent of public instruction shall adopt a form for
26 a diploma application to be used by a veteran or a person acting on
27 behalf of a deceased veteran under this subsection (3). The
28 superintendent of public instruction shall specify what constitutes
29 acceptable evidence of eligibility for a diploma.

30 **Sec. 110.** RCW 28A.305.220 and 1984 c 178 s 1 are each amended to
31 read as follows:

32 DEVELOPMENT OF STANDARDIZED HIGH SCHOOL TRANSCRIPTS--SCHOOL
33 DISTRICTS TO INFORM STUDENTS OF IMPORTANCE. (1) The state board of
34 education shall develop for use by all public school districts a
35 standardized high school transcript. The state board of education
36 shall establish clear definitions for the terms "credits" and "hours"

1 so that school programs operating on the quarter, semester, or
2 trimester system can be compared.

3 (2) The standardized high school transcript shall include the
4 highest scale score and level achieved in each content area on the high
5 school Washington assessment of student learning or other high school
6 measures successfully completed by the student as provided by section
7 104 of this act. Additionally, the transcript shall record all scholar
8 designations as provided by section 101 of this act.

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

20 NEW SECTION. Sec. 111. The superintendent of public instruction
21 shall study the effect of the certificate of academic achievement
22 requirement on dropout rates and report the findings to the legislature
23 and the academic achievement and accountability commission by October
24 1, 2010. The superintendent of public instruction shall include any
25 related recommendations for decreasing the dropout rate in the report.

26 PART 2

27 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS

28 NEW SECTION. Sec. 201. ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
29 AND ASSESSMENTS - REPORT REQUIRED ON ASSESSMENTS AND OTHER OPTIONS FOR
30 MEETING THE ESSENTIAL ACADEMIC LEARNING REQUIREMENTS IN SOCIAL STUDIES,
31 THE ARTS, AND HEALTH AND FITNESS. (1) A comprehensive education
32 involves the entire domain of human knowledge to participate
33 productively in our democratic society. All Washington students should
34 have some appreciation of mathematical and scientific principles and

1 structures, a broad awareness of social, economic, and political
2 systems and developments and an appreciation of the arts and
3 humanities, and the elements of good personal health.

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

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

21 (b) Plans for staff development; and

22 (c) The funding resources necessary to fully implement the
23 recommendations.

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

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

29 NEW SECTION. **Sec. 202.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
30 AND ASSESSMENTS - REPORTS REQUIRED ON THE ESSENTIAL ACADEMIC LEARNING
31 REQUIREMENTS, THE RESULTS OF INDEPENDENT RESEARCH ON ALIGNMENT AND
32 TECHNICAL REVIEW, AND THE FEASIBILITY OF RETURNING ASSESSMENT BEFORE
33 THE END OF THE SCHOOL YEAR. (1) Subject to available funding, the
34 superintendent of public instruction shall report to the governor, the
35 state board of education, and the house of representatives and senate
36 education committees on the results of independent research on the
37 alignment and technical review of the reading, writing, and science

1 content areas of the Washington assessment of student learning for
2 elementary and middle grades and for high school. The review shall be
3 comparable to the research conducted on the mathematics assessments and
4 shall be reported in accordance with the following timelines:

5 (a) In the content areas of reading and writing by November 1,
6 2005; and

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

8 (2) The superintendent of public instruction shall report to the
9 governor, the state board of education, and the house of
10 representatives and senate education committees on the review,
11 prioritization, and identification of the essential academic learning
12 requirements and grade level content expectations in accordance with
13 the following timelines:

14 (a) In the content areas of reading, writing, math, and science by
15 November 1, 2004;

16 (b) In the content area of social studies by November 1, 2005;

17 (c) In the content area of the arts by November 1, 2006; and

18 (d) In the content area of health and fitness by November 1, 2007.

19 (3) By November 30, 2004, the superintendent of public instruction
20 shall report to the governor, the state board of education, and the
21 house of representatives and senate education committees on the
22 feasibility of returning the results of the Washington assessment of
23 student learning, including individual student performance information,
24 to schools, teachers, and parents in the same school year in which the
25 assessment is administered.

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

28 ESSENTIAL ACADEMIC LEARNING REQUIREMENTS AND ASSESSMENTS. By the
29 end of the 2008-09 school year, school districts shall have in place in
30 elementary schools, middle schools, and high schools assessments or
31 other strategies to assure that students have an opportunity to learn
32 the essential academic learning requirements in social studies, the
33 arts, and health and fitness. Beginning with the 2008-09 school year,
34 school districts shall annually submit an implementation verification
35 report to the office of the superintendent of public instruction.

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

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

12 (2) The superintendent of public instruction shall:

13 (a) Periodically revise the essential academic learning
14 requirements, as needed, based on the student learning goals in RCW
15 28A.150.210. Goals one and two shall be considered primary. To the
16 maximum extent possible, the superintendent shall integrate goal four
17 and the knowledge and skill areas in the other goals in the essential
18 academic learning requirements; and

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

35 (3) In consultation with the academic achievement and
36 accountability commission, the superintendent of public instruction
37 shall maintain and continue to develop and revise a statewide academic
38 assessment system in the content areas of reading, writing,

1 mathematics, and science for use in the elementary, middle, and high
2 school years designed to determine if each student has mastered the
3 essential academic learning requirements identified in subsection (1)
4 of this section. School districts shall administer the assessments
5 under guidelines adopted by the superintendent of public instruction.

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

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

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

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

26 (6) By September 2006, the results for reading and mathematics
27 shall be reported in a format that will allow parents and teachers to
28 determine the academic gain a student has acquired in those content
29 areas from one school year to the next.

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

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

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

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

8 ~~((+6))~~ (9) Assessments for goals three and four of RCW 28A.150.210
9 shall be integrated in the essential academic learning requirements and
10 assessments for goals one and two.

11 ~~((+7))~~ (10) The superintendent shall develop assessments that are
12 directly related to the essential academic learning requirements, and
13 are not biased toward persons with different learning styles, racial or
14 ethnic backgrounds, or on the basis of gender.

15 ~~((+8))~~ (11) The superintendent shall consider methods to address
16 the unique needs of special education students when developing the
17 assessments under this section.

18 ~~((+9))~~ (12) The superintendent shall consider methods to address
19 the unique needs of highly capable students when developing the
20 assessments under this section.

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

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

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

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

31 (a) Adopt and revise performance improvement goals in reading,
32 writing, science, and mathematics by subject and grade level as the
33 commission deems appropriate to improve student learning, once
34 assessments in these subjects are required statewide. The goals shall
35 be consistent with student privacy protection provisions of RCW
36 28A.655.090(7) and shall not conflict with requirements contained in
37 Title I of the federal elementary and secondary education act of 1965,

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

16 (b) Identify the scores students must achieve in order to meet the
17 standard on the Washington assessment of student learning and, for high
18 school students, obtain a certificate of academic achievement. The
19 commission shall also determine student scores that identify levels of
20 student performance below and beyond the standard. The commission
21 shall consider the incorporation of the standard error of measurement
22 into the decision regarding the award of the certificate of academic
23 achievement. The commission shall set such performance standards and
24 levels in consultation with the superintendent of public instruction
25 and after consideration of any recommendations that may be developed by
26 any advisory committees that may be established for this purpose.
27 Beginning in 2004, if the commission makes any adjustment of the
28 student performance standards, then the commission shall present the
29 recommended performance standard to the education committees of the
30 house of representatives and the senate by November 30th of the year
31 before the school year in which the changes will take place to permit
32 the legislature to take statutory action before the changes are
33 implemented if such action is deemed warranted by the legislature;

34 (c) Adopt objective, systematic criteria to identify successful
35 schools and school districts and recommend to the superintendent of
36 public instruction schools and districts to be recognized for two types
37 of accomplishments, student achievement and improvements in student

1 achievement. Recognition for improvements in student achievement shall
2 include consideration of one or more of the following accomplishments:

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

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

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

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

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

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

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

34 (g) Annually review the assessment reporting system to ensure
35 fairness, accuracy, timeliness, and equity of opportunity, especially
36 with regard to schools with special circumstances and unique
37 populations of students, and a recommendation to the superintendent of
38 public instruction of any improvements needed to the system;

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

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

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

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

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

17 (2) Holding meetings and public hearings, which may include
18 regional meetings and hearings;

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

31 (4) Receiving per diem and travel allowances as permitted under RCW
32 43.03.050 and 43.03.060.

33 NEW SECTION. **Sec. 206.** ESSENTIAL ACADEMIC LEARNING REQUIREMENTS
34 AND ASSESSMENTS - RCW 28A.655.060 REPEALED. RCW 28A.655.060 (Essential
35 academic learning requirements--Statewide academic assessment system--
36 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.

--- END ---