

# HOUSE BILL REPORT

## ESSB 6475

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### As Reported by House Committee On:

Education  
Appropriations

**Title:** An act relating to authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement.

**Brief Description:** Authorizing alternative methods of assessment and appeal processes for the certificate of academic achievement.

**Sponsors:** Senate Committee on Early Learning, K-12 & Higher Education (originally sponsored by Senators McAuliffe, Schmidt, Eide, Weinstein, Haugen, Berkey, Kastama, Shin, Kohl-Welles and Rasmussen; by request of Superintendent of Public Instruction).

### Brief History:

#### Committee Activity:

Education: 2/16/06, 2/22/06 [DPA];  
Appropriations: 2/23/06 [DPA(ED)].

#### Brief Summary of Engrossed Substitute Bill (As Amended by House Committee)

- Authorizes the Superintendent of Public Instruction to implement objective alternative assessment methods for students to demonstrate achievement of state academic standards.
- Establishes the primary alternative method as a comparison of a student's grades in applicable courses to the grades of a cohort of students who took the same courses but who passed the Washington Assessment of Student Learning (WASL).
- For students in small schools or in certain approved career and technical programs, authorizes implementation of a collection of evidence for use as an alternative assessment. Requires Legislative approval before the collection of evidence can be implemented for other students.
- Authorizes a student's score on the mathematics portion of certain college entrance examinations to be used as an alternative assessment to the WASL for high school graduation.

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## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended. Signed by 9 members: Representatives Quall, Chair; Talcott, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Curtis, Haigh, Hunter, Priest, Shabro and Tom.

**Minority Report:** Do not pass. Signed by 4 members: Representatives P. Sullivan, Vice Chair; McDermott, Santos and Wallace.

**Staff:** Barbara McLain (786-7383).

**Background:**

Certificate of Academic Achievement.

Beginning with the graduating class of 2008, most students will be required to earn a Certificate of Academic Achievement (CAA) to obtain a diploma. Students must meet the state standards in reading, writing, and mathematics on the high school Washington Assessment of Student Learning (WASL) to earn a CAA.

In 2004, the Legislature authorized the Superintendent of Public Instruction (SPI) to develop options for objective alternative assessments for high school students to demonstrate they meet the state academic standards instead of relying on the WASL for this purpose. To use an alternative, a student must take the WASL at least twice. The Legislature also authorized development of an appeals process.

The State Board of Education develops a standardized transcript for use by all public school districts. Beginning with the class of 2006, transcripts must display a student's highest WASL scale score and level. A scholar's designation will be added beginning with the class of 2008 for students who achieve level four in a content area on their first attempt. A student's transcript must also note whether the CAA or Certificate of Individual Achievement (CIA) was obtained by means of the WASL or by an alternative assessment.

Alternative Assessments

During 2004 and 2005, the SPI contracted with Dr. David Conley and the Center for Educational Policy Research to conduct a comprehensive review of alternative assessments and appeals in other states, and later an in-depth feasibility study of four possible options. The SPI is recommending two alternative assessments: a comparison of students' grades and WASL scores and a collection of evidence based on student work samples. In addition, the SPI recommends creating separate appeals procedures for students with unusual circumstances. During the spring of 2006, the SPI is working with 20 high schools, skills centers, and Educational Service Districts to field test the collection of evidence by defining and collecting work samples and developing scoring guidelines.

Students in the class of 2008 will take the high school WASL in the spring of 2006. If they do not attain proficiency the first time, their first retake opportunity will be in August of 2006. If they again do not meet the state standards, they could be eligible for an alternative assessment.

However, the Legislature must first formally approve implementation of an alternative assessment.

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### **Summary of Amended Bill:**

#### Alternative Assessment Methods

Beginning in the 2006-07 school year, the SPI must implement three objective alternative assessment methods for students to demonstrate achievement of the state standards in content areas where they were not successful on the high school WASL. A student applying for an alternative assessment must meet the eligibility criteria under current law and other eligibility criteria established by the SPI, including 95 percent minimum attendance and participation in remediation or supplemental instruction as provided in the student learning plan. School districts may waive the attendance and remediation requirement for special, unavoidable circumstances.

- (1) The primary alternative assessment method is a comparison of the applicant's grades in applicable courses to the grades of a cohort of students in the same school who took the same courses, but who met or slightly exceeded the state standard on the high school WASL. If the applicant's grades are above the median grades of the comparison cohort, the applicant is deemed to have met the state standard. This method cannot be used if there are fewer than six students in the cohort.
- (2) The SPI is also directed to develop an alternative assessment method that is an evaluation of a collection of work samples or collection of evidence. The SPI develops guidelines for the type and number of work samples, which can be collected from academic, career and technical, or remedial courses and can include performance tasks as well as written products. Uniform scoring criteria must be developed, and the collections must be scored at the state or regional level using a panel of trained educators.
- (3) For students in an SPI-approved career and technical program, the collection of work samples must also be relevant to the particular program; focus on the application of academic knowledge within the program; include activities or projects that demonstrate academic knowledge; and represent the knowledge and skills that individuals in that field are expected to possess. An approved program is one that leads to a recognized certificate or credential and requires a sequenced progression of intensive and rigorous courses. The applicant must also attain the certificate associated with the program in order to meet the standard on the alternative assessment.

The collection of work samples can be implemented as an alternative assessment for applicants with fewer than six students in their comparison cohort, or for students in an approved career and technical program. The collection can be implemented for other students only if formally approved by the Legislature through the appropriations act, statute, or concurrent resolution.

### Additional Alternatives

A fourth alternative assessment method is also created: a student's score on the mathematics portion of the Preliminary Scholastic Assessment Test (PSAT), Scholastic Assessment Test (SAT), or American College Test (ACT) can be used as an alternative assessment for demonstrating that the student has met the mathematics standards to earn a CAA for high school graduation. The State Board of Education (SBE) identifies the scores students must achieve on these tests to meet the state standard for mathematics.

The SBE must submit the proposed scores to the Legislature for formal approval, with the first scores submitted by December 1, 2006. School districts reimburse students for testing costs if they take the tests in order to use them as an alternative assessment; however this provision is null and void without funding in the budget.

The SPI must study the feasibility of using existing mathematics assessments in languages other than English. The study includes cost estimates for translating the 10th grade assessment and scoring the assessments.

### Appeals

By June 1, 2006, the SPI must implement a process for students to appeal their WASL scores. By January 1, 2007, the SPI must also implement guidelines and appeals processes for waiving CAA requirements for students who transfer to a public school in their junior or senior year or who have special unavoidable circumstances.

### Transcript Information

The requirement that the standardized high school transcript contain a student's highest scale score in each content area of the WASL is removed. The scholar designation for students who achieve level four the first time they take the WASL. The transcript notes whether a student received a CAA or a CIA, but no longer reflects whether these were achieved through the WASL or an alternative assessment.

### Report to Legislature

By September 2006, the SPI must report in detail to the Education Committees of the Legislature on the results of the pilot testing of the alternative assessments, proposed guidelines and protocols, training provided for school districts and teachers, results of the feasibility study for mathematics assessments in other languages, and an updated estimate of the likely number of eligible students.

### **Amended Bill Compared to Engrossed Substitute Bill:**

Additional eligibility criteria are created for students to access one of the three alternative assessment methods: 95 percent minimum attendance and participation in remediation identified in the student's learning plan. School districts may waive these requirements for special circumstances.

The cohort GPA comparison is the primary alternative assessment method. Applicants' scores must be above the median (rather than above the average) of their cohort to meet the standard. The collection of work samples alternative assessment method can only be implemented for applicants with fewer than six students in their comparison cohort and applicants in SPI-approved career and technical programs. Legislative approval is required before implementation for other students.

A fourth alternative assessment method is created where students' scores on the mathematics portion of the PSAT, SAT, or ACT may be used to demonstrate the mathematics standards. Districts reimburse students for taking the tests for this purpose; this provision is null and void without funding in the 2006 supplemental budget. The SPI is not directed to begin development of an alternative assessment for mathematics that is presented in segments.

The amended bill does not create a Certificate of Academic Progress for students who meet eligibility criteria and who have met all state and local high school graduation requirements except the CAA. Requirements that the high school transcript contain a student's highest scale score on the WASL or a scholar designation are removed. The transcript will not reflect whether the CAA or CIA were achieved through the WASL or an alternative assessment.

The status report from the SPI is due in September 2006, rather than January 2007.

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**Appropriation:** None.

**Fiscal Note:** Requested on February 13, 2006.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, Section 5, relating to reimbursement to students for taking the PSAT, SAT, or ACT as an alternative to the math WASL, is null and void unless funded in the budget.

**Testimony For:** (In support) This is the most important piece of legislation in education for the session. Everyone cares about students and wants to help them meet the state standards. The original education reform law anticipated a comprehensive assessment system. Children learn differently. The way they demonstrate achievement should accommodate those differences. Although there are concerns about reliability and validity of the collection of evidence, we need to open this option up for students. Options were the heart of House Bill 2195 from 2004. The cohort comparison is not a true alternative. Creating a whole new option to segment the math assessment would be expensive and difficult. There are schools with long experience in collecting and grading portfolios. The collection of evidence method can be equal in rigor and match the integrity expected for a high stakes assessment. Students need the opportunity to do standards-level work in a different venue. If we believe the collection is appropriate for some students, then it should be broadly available to all students. This is a promise to students that if they aim high, we will find ways to help them succeed. Career and technical courses have strong academic content that can be used for work samples. The collection of evidence should be available to all students.

(With concerns) The Certificate of Academic Progress should be a local option. The studies of mathematics alternatives should be part of a broader study directed in other legislation. Teachers are going to need support, time, and help with curriculum. Funding will be needed to support students.

**Testimony Against:** In concept, alternatives are good. But portfolios are cumbersome and costly. We should return to simpler norm-referenced assessments that test basic skills for \$3 per student. The WASL drives curriculum; we should return to a knowledge-based test. Students are not widgets that will willingly go through multiple assessments. They will fail once, maybe twice, and then drop out of school.

**Persons Testifying:** (In support) Senator McAuliffe, prime sponsor; Terry Bergeson, Superintendent of Public Instruction; Sue Longstrength, Bremerton School District; Marsha Fritz, Issaquah School District; Doug Meyer, Washington Association for Career and Technical Education; Gary King, Washington Education Association; Barbara Mertens, Washington Association of School Administrators; and Don Rash, Association of Washington School Principals.

(With concerns) Mary Kenfield, Washington Parent Teacher Association; and John Malmin, Peninsula Education Association.

(Opposed) Joyce Fiess, Citizens United for Responsible Education.

**Persons Signed In To Testify But Not Testifying:** None.

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## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Education. Signed by 23 members: Representatives Sommers, Chair; Fromhold, Vice Chair; Anderson, Assistant Ranking Minority Member; McDonald, Assistant Ranking Minority Member; Buri, Clements, Cody, Conway, Darneille, Dunshee, Haigh, Hinkle, Hunter, Kagi, Kenney, Kessler, McIntire, Miloscia, Pearson, Priest, Schual-Berke, Talcott and Walsh.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Alexander, Ranking Minority Member; McDermott and P. Sullivan.

**Staff:** Ben Rarick (786-7349).

### **Summary of Recommendation of Committee On Appropriations Compared to Recommendation of Committee On Education:**

No new changes were recommended.

**Appropriation:** None.

**Fiscal Note:** Available.

**Effective Date of Amended Bill:** The bill takes effect 90 days after adjournment of session in which bill is passed. However, section 5, relating to reimbursement to students for taking the PSAT, SAT, or ACT as an alternative to the math WASL, is null and void unless funded in the budget.

**Testimony For:** (In support) We are going to pass this bill in its original form over in the Senate. Some students will be able to show that they meet standards through the use of a portfolio, so it is an important option. If the original bill is passed, it returns to the higher cost reflected in the original fiscal note, and the amendment that restricts collection of evidence is what brings the costs down. The fiscal costs are driven by the number of kids who are projected to use the 'collection of evidence' method, and the original fiscal note projected 642 collections. Please move this bill so we can go into conference and discuss the best way to handle this issue.

(With concerns) The OSPI came up with the cost projection for this bill based on the percentage of students who are estimated to pass the initial test, and then how many will take the retake in the summer and how many of those will actually pass. Of the group that remains, the OSPI projected how many would likely apply for collection of evidence. The 642 collections of evidence are the basis of the fiscal note that shows a cost of \$1.7 million. The amendment brings that estimate down to approximately 40, and that is why you see the significantly reduced costs. We are concerned with the narrowing of the eligibility criteria for the collection of evidence option in the House bill.

**Testimony Against:** None.

**Persons Testifying:** (In support) Senator McAuliffe, prime sponsor.

(With concerns) Bob Butts, Office of the Superintendent of Public Instruction.

**Persons Signed In To Testify But Not Testifying:** None.