
SUBSTITUTE HOUSE BILL 2489

State of Washington 59th Legislature 2006 Regular Session

By House Committee on Education (originally sponsored by Representatives Hunter, Jarrett, P. Sullivan, Springer, Morrell, Tom, Simpson, Miloscia, O'Brien, Roberts and Green)

READ FIRST TIME 2/3/06.

1 AN ACT Relating to providing assistance to students who are not on
2 track to graduate from high school on time; amending RCW 28A.230.195,
3 28A.655.061, and 28A.655.070; adding new sections to chapter 28A.655
4 RCW; recodifying RCW 28A.230.195; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 28A.655
7 RCW to read as follows:

8 For each high school student who was not successful on any or all
9 of the content areas of the high school Washington assessment of
10 student learning, either initially or after subsequent retakes of the
11 assessment:

12 (1) The school district shall prepare the student learning plan
13 required under RCW 28A.655.061 before the end of the school year in
14 which the assessment scores are returned;

15 (2) The school district shall arrange a student-led conference for
16 the student's parent or guardian to discuss the remedial extended
17 learning activities the district will provide under section 2 of this
18 act and explain the student's level of risk of not graduating on time
19 if the student does not participate in remediation assistance. To the

1 maximum extent possible, student-led conferences shall be facilitated
2 by a teacher or counselor who has been assigned as the student's mentor
3 for the duration of the student's enrollment in the school;

4 (3) If the student is in out-of-home care as defined by RCW
5 13.34.030, the school district shall include the student's social
6 worker assigned from the department of social and health services in
7 the student-led conference.

8 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.655
9 RCW to read as follows:

10 (1) Moneys appropriated for the purpose of providing remediation
11 for students who were not successful on any or all of the content areas
12 of the high school Washington assessment of student learning shall be
13 allocated to school districts by the superintendent of public
14 instruction in accordance with the biennial appropriations act. School
15 districts shall expend the funds on remedial extended learning
16 activities as provided in this section.

17 (a) Remedial extended learning activities may include summer
18 school, before and after school programs, Saturday classes, skill
19 seminars, assessment preparation, intensive courses during the school
20 year, and in-school or out-of-school tutoring.

21 (b) Remedial extended learning activities may occur on the school
22 campus, via the internet using the digital learning commons or other
23 providers of online courses and materials, or at other locations and
24 times that meet student needs.

25 (c) Within available funds, any student who was not successful on
26 any or all of the content areas of the high school Washington
27 assessment of student learning may participate in remedial extended
28 learning activities.

29 (d) Funding shall be provided based on students served in remedial
30 extended learning activities. Expenditures for planning and
31 preparatory time are permitted only in accordance with the omnibus
32 appropriations act.

33 (e) The superintendent of public instruction shall distribute
34 school year allocations of funds appropriated for the purposes of this
35 section according to the monthly apportionment schedule in RCW
36 28A.510.250.

1 (2) School districts shall administer prerediation and
2 postremediation assessments to students served in remedial extended
3 learning activities under this section. Districts shall collect
4 student-level data on prerediation and postremediation assessment
5 results, the student's subsequent results on the Washington assessment
6 of student learning or alternative assessment, and relevant student
7 characteristics to permit analysis of the effectiveness of remedial
8 extended learning activities. The office of the superintendent shall
9 issue data collection guidelines to assist school districts.

10 **Sec. 3.** RCW 28A.230.195 and 2005 c 217 s 1 are each amended to
11 read as follows:

12 (1) If students' scores on the test or assessments under RCW
13 28A.655.070 indicate that students need help in identified areas, the
14 school district shall evaluate its instructional practices and make
15 appropriate adjustments.

16 (2) Each school district shall notify the parents or guardians of
17 each student of their child's performance on the test and assessments
18 conducted under this chapter. If a student is in out-of-home care as
19 defined by RCW 13.34.030, the district shall also notify the assigned
20 social worker from the department of social and health services.

21 (3) Notification to the parent, guardian, or assigned social worker
22 of the assessment results for a student who was not successful on any
23 or all of the content areas of the high school Washington assessment of
24 student learning shall include the following additional information:

25 (a) A description of the specific skill areas in which the student
26 needs improvement;

27 (b) The student's level of risk of not graduating on time;

28 (c) The availability and importance of remedial extended learning
29 activities and how to access these programs;

30 (d) Information about the next available opportunity for the
31 student to retake the assessment, possible alternative assessments, and
32 other options for high school completion;

33 (e) Information about how the parent or guardian can view a copy of
34 the assessment and compare it to the student's results; and

35 (f) Contact information for an individual at the student's school
36 who can provide assistance and answer questions.

1 **Sec. 4.** RCW 28A.655.061 and 2004 c 19 s 101 are each amended to
2 read as follows:

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

13 (2) Subject to the conditions in this section, a certificate of
14 academic achievement shall be obtained by most students at about the
15 age of sixteen, and is evidence that the students have successfully met
16 the state standard in the content areas included in the certificate.
17 With the exception of students satisfying the provisions of RCW
18 28A.155.045, acquisition of the certificate is required for graduation
19 from a public high school but is not the only requirement for
20 graduation.

21 (3) Beginning with the graduating class of 2008, with the exception
22 of students satisfying the provisions of RCW 28A.155.045, a student who
23 meets the state standards on the reading, writing, and mathematics
24 content areas of the high school Washington assessment of student
25 learning shall earn a certificate of academic achievement. If a
26 student does not successfully meet the state standards in one or more
27 content areas required for the certificate of academic achievement,
28 then the student may retake the assessment in the content area up to
29 four times at no cost to the student. If the student successfully
30 meets the state standards on a retake of the assessment then the
31 student shall earn a certificate of academic achievement. Once
32 objective alternative assessments are authorized pursuant to subsection
33 (11) of this section, a student may use the objective alternative
34 assessments to demonstrate that the student successfully meets the
35 state standards for that content area if the student has retaken the
36 Washington assessment of student learning at least once. If the
37 student successfully meets the state standards on the objective
38 alternative assessments then the student shall earn a certificate of

1 academic achievement. The student's transcript shall note whether the
2 certificate of academic achievement was acquired by means of the
3 Washington assessment of student learning or by an alternative
4 assessment.

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

10 (5) The state board of education may not require the acquisition of
11 the certificate of academic achievement for students in home-based
12 instruction under chapter 28A.200 RCW, for students enrolled in private
13 schools under chapter 28A.195 RCW, or for students satisfying the
14 provisions of RCW 28A.155.045.

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

17 (7) Beginning with the graduating class of 2006, the highest scale
18 score and level achieved in each content area on the high school
19 Washington assessment of student learning shall be displayed on a
20 student's transcript. In addition, beginning with the graduating class
21 of 2008, each student shall receive a scholar's designation on his or
22 her transcript for each content area in which the student achieves
23 level four the first time the student takes that content area
24 assessment.

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

27 (a) To retake the Washington assessment of student learning up to
28 four times in the content areas in which the student did not meet the
29 state standards if the student is enrolled in a public school; or

30 (b) To retake the Washington assessment of student learning up to
31 four times in the content areas in which the student did not meet the
32 state standards if the student is enrolled in a high school completion
33 program at a community or technical college. The superintendent of
34 public instruction and the state board for community and technical
35 colleges shall jointly identify means by which students in these
36 programs can be assessed.

37 (9) Students who achieve the standard in a content area of the high

1 school assessment but who wish to improve their results shall pay for
2 retaking the assessment, using a uniform cost determined by the
3 superintendent of public instruction.

4 (10) Subject to available funding, the superintendent shall pilot
5 opportunities for retaking the high school assessment beginning in the
6 2004-05 school year. Beginning no later than September 2006,
7 opportunities to retake the assessment at least twice a year shall be
8 available to each school district.

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

22 (12) By December 15, 2004, the house of representatives and senate
23 education committees shall obtain information and conclusions from
24 recognized, independent, national assessment experts regarding the
25 validity and reliability of the high school Washington assessment of
26 student learning for making individual student high school graduation
27 determinations.

28 (13) To help assure continued progress in academic achievement as
29 a foundation for high school graduation and to assure that students are
30 on track for high school graduation, each school district shall prepare
31 plans for students as provided in this subsection (13) and section 1 of
32 this act.

33 (a) Student learning plans are required for eighth through twelfth
34 grade students who were not successful on any or all of the content
35 areas of the Washington assessment for student learning during the
36 previous school year. The plan shall include the courses,
37 competencies, and other steps needed to be taken by the student to meet

1 state academic standards and stay on track for graduation. This
2 requirement shall be phased in as follows:

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

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

8 (iii) The parent or guardian shall be notified, preferably through
9 a parent conference, of the student's results on the Washington
10 assessment of student learning, actions the school intends to take to
11 improve the student's skills in any content area in which the student
12 was unsuccessful, strategies to help them improve their student's
13 skills, and the content of the student's plan.

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

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

21 (i) The parent or guardian of a student described in this
22 subsection (13)(b) shall be notified, preferably through a parent
23 conference, of the student's results on the Washington assessment of
24 student learning, actions the school intends to take to improve the
25 student's skills in any content area in which the student was
26 unsuccessful, and provide strategies to help them improve their
27 student's skills.

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

31 **Sec. 5.** RCW 28A.655.070 and 2005 c 497 s 106 are each amended to
32 read as follows:

33 (1) The superintendent of public instruction shall develop
34 essential academic learning requirements that identify the knowledge
35 and skills all public school students need to know and be able to do
36 based on the student learning goals in RCW 28A.150.210, develop student

1 assessments, and implement the accountability recommendations and
2 requests regarding assistance, rewards, and recognition of the state
3 board of education.

4 (2) The superintendent of public instruction shall:

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

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

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

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

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

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

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

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

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

31 (b) A collection of diagnostic tools that educators may use to
32 evaluate the academic status of individual students particularly
33 students who were not successful on one or more of the content areas of
34 the high school Washington assessment of student learning. The tools
35 shall be designed to be inexpensive, easily administered, and quickly
36 and easily scored, with results provided in a format that may be easily
37 shared with parents and students.

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

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

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

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

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

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

19 NEW SECTION. **Sec. 6.** RCW 28A.230.195 is recodified as a new
20 section in chapter 28A.655 RCW.

21 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
22 preservation of the public peace, health, or safety, or support of the
23 state government and its existing public institutions, and takes effect
24 immediately.

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