

# HOUSE BILL REPORT

## ESSB 6023

---

### As Reported by House Committee On:

Education  
Appropriations

**Title:** An act relating to the Washington assessment of student learning.

**Brief Description:** Concerning the Washington assessment of student learning.

**Sponsors:** Senate Committee on Early Learning & K-12 Education (originally sponsored by Senators McAuliffe and Rasmussen).

### Brief History:

#### Committee Activity:

Education: 3/23/07, 3/29/07 [DPA];

Appropriations: 3/31/07 [DPA(APP w/o ED)s].

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

- Allows students in the classes of 2008 through 2012 to graduate under certain conditions without a Certificate of Academic Achievement (CAA) as a result of not passing the Washington Assessment of Student Learning (WASL) in mathematics.
- Delays the requirement that students must pass the science WASL to 2013.
- Authorizes the use of PSAT, ACT, and SAT scores as an alternative assessment for reading and writing.
- Directs the State Board of Education to examine and make recommendations for changes to the high school WASL in mathematics and science, including an examination of replacing the WASL with end-of-course assessments.
- Requires an interim report in January 2008 and a final report by December 2008. Requires changes to be able to be implemented for the graduating class of 2013.

---

*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

- Requires the Superintendent of Public Instruction to provide funds for school districts to administer diagnostic assessments, if funds are appropriated.

---

## HOUSE COMMITTEE ON EDUCATION

**Majority Report:** Do pass as amended. Signed by 6 members: Representatives Quall, Chair; Barlow, Vice Chair; Haigh, McDermott, Santos and P. Sullivan.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Priest, Ranking Minority Member; Anderson, Assistant Ranking Minority Member and Roach.

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

### **Background:**

#### Washington Assessment of Student Learning (WASL) and High School Graduation.

Beginning with the class of 2008, most students will be required to meet the state standard on the 10th grade WASL in reading, writing, and mathematics to receive a Certificate of Academic Achievement (CAA). A CAA will be required for high school graduation. Students in special education who are not appropriately assessed using the WASL can earn a Certificate of Individual Achievement (CIA), which is also required for graduation in 2008. Beginning in 2010, students will also have to pass the science WASL for a CAA.

As currently constructed, the WASL is a comprehensive, standards-based test specially designed to measure student achievement of the Essential Academic Learning Requirements. It includes multiple choice and constructed response questions. There is evidence that the WASL is not well-suited as a diagnostic assessment.

Alternative Assessments. In 2006, the Legislature authorized several alternative assessments for students who are unsuccessful on the high school WASL. One alternative allows students to submit scores on the PSAT, SAT, or ACT as an alternative for the mathematics portion of the WASL. Subject to funding, school districts must reimburse students for the cost of taking these tests. To access an alternative, a student must take the WASL twice.

End-of-Course Assessments. There are 24 states in addition to Washington that plan to or currently require students to pass statewide assessments for high school graduation. Seven of these states use a series of "end-of-course" assessments, where students take the test after completing a course that covers the core content to be assessed by the test. In most of these states, the mathematics end-of-course assessment for high school graduation is Algebra. The science end-of-course assessments tend to be Biology.

Other Issues. Funding is provided in the appropriations act for the Promoting Academic Success (PAS) program to provide supplemental instruction for students who do not meet standard on the high school WASL. Scores on the WASL are usually reported in levels, with Levels 1 and 2 being "Well Below Standard" and "Below Standard," respectively. The funding allocation for the PAS provides one amount for students whose scores are a "near

miss" to the standard and a larger amount for students whose scores are a "far miss," which is defined as more than one standard error of measurement from the standard. The "far miss" category contains students in both Levels 1 and 2.

---

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

WASL and High School Graduation. Students in the graduating classes of 2008 through 2012 may graduate from high school without a CAA or CIA if they meet all of the following criteria:

- they have not met the state standard in mathematics on the WASL, an approved alternative assessment, or an alternative for eligible special education students;
- they have met the state standard in the other required content areas;
- they have met all other state and local graduation requirements; and
- they successfully earn two additional high school mathematics credits after their sophomore year, designed to increase their proficiency on the WASL. This requirement is one additional credit after their junior year for students in the class of 2008.

The requirement that students must also pass the science WASL to earn a CAA is delayed to the class of 2013.

Alternative Assessments. Students may access an alternative assessment in mathematics or science after taking the WASL once, rather than twice. Students may use scores on the PSAT, ACT, or SAT in English and reading as an alternative for the reading portion of the WASL. Students may use scores on the writing portion of the ACT or SAT as an alternative for the writing portion of the WASL. The State Board of Education (SBE) sets the required scores by December 1, 2007. Rather than requiring school districts to reimburse students for the costs of taking these tests, if funds are provided, the Superintendent of Public Instruction (SPI) arranges for students to receive a fee waiver or makes other arrangements to compensate students.

End-of Course Assessments. The SBE, in consultation with the SPI, must examine and recommend changes to the high school WASL in mathematics and science. The SBE must address the following issues:

- timeliness of the score results;
- diagnostic value of the score results;
- ease of administration and burden on school districts; and
- opportunities to improve alignment of curriculum, instruction, and the assessment.

One of the changes to be examined by the SBE is replacing the WASL with end-of-course assessments in mathematics and science. This examination must include:

- an objective analysis of the strengths and weaknesses of end-of-course assessments as the primary high school assessment tool for individual and school accountability;
- analysis of the possible impact on curriculum and instruction;

- the appropriate mathematics and science content to be covered by the assessments; and
- implementation timelines and issues to be addressed by replacing the WASL.

In conducting this work, the SBE seeks input from independent national assessment experts, examines the experience of other states, and uses a deliberative public process to ensure input. The SPI must include the possible changes being examined by the SBE in any request for proposals from testing contractors in order to gather additional information.

The SBE must also examine compensatory models for setting the graduation standard for the WASL, as well as current and potential alternative assessments, including the use of norm-referenced standardized tests.

A progress report and preliminary recommendations are due to the education committees of the Legislature by January 10, 2008. A final report is due December 1, 2008, which must include recommendations for changes to the WASL and a timeline for expedited implementation of the changes. Changes to the WASL recommended by the SBE must be able to be implemented no later than the 2010-11 school year in order to apply to the graduating class of 2013.

Other Issues. The SPI must make diagnostic assessments available in elementary and middle school in reading, writing, science, and math and, if funding is appropriated for this purpose, must provide funds for districts to administer diagnostic assessments.

Schools receiving allocations under the PAS program for students whose WASL scores are a "far miss" from the standard must assign more resources per student to support Level 1 students than for Level 2 students.

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

Students in the graduating classes of 2008 through 2012, rather than the classes of 2008 and 2009 only, can graduate without a CAA as a result of not passing the mathematics WASL. These students are not required to achieve a C grade in the additional mathematics courses they must take, nor are they required to keep taking the WASL. They are also not required to meet, along with their parents, with the course instructors. The requirement for students to pass the science WASL is changed to 2013 rather than 2011.

Both bills expand the use of the PSAT, ACT, and SAT as an alternative assessment for reading and writing. The original bill created three additional alternatives: use of specified Advanced Placement (AP) exams, scores on standardized, norm-referenced tests selected by the SBE, and end-of-course assessments in Algebra I, Geometry, and Biology. Provisions are removed that created a regional appeals process at each Educational Service District where students could demonstrate they have the level of understanding necessary to meet the state learning standard, but are unable to demonstrate it on the WASL or an alternative assessment. The amended bill does not expand Student Learning Plans (renamed Student Success Plans or SSP) to include required courses, semi-annual academic growth benchmarks and reporting, and more intensive interventions for students not meeting benchmarks. The SBE does not

develop a tiered intervention plan for districts where more than 10 percent of students are not meeting benchmarks. Provisions are removed that exempted certain English Language Learners (ELL) from taking the WASL except as required by federal law and required an SSP for those students.

The original bill required the SBE to select end-of-course assessments for high school mathematics and science that cover Algebra I, Geometry, and Biology. A timeline was established for their implementation, first as alternative assessments and then as replacements for the WASL. Students in the class of 2013 would have been required to pass the Algebra I assessment for a CAA, and students in the class of 2014 would have been required to pass all three assessments. Instead, the amended bill directs the SBE to examine and make recommendations for changes to the WASL, including an examination of replacing the WASL with end-of-course assessments in mathematics and science. A progress report is due in January 2008, with a final report in December 2008. Recommended changes must be able to be implemented no later than the 2010-11 school year in order to apply to the graduating class of 2013.

Provisions regarding diagnostic assessments and the use of PAS allocations are added to the bill.

---

**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.

**Staff Summary of Public Testimony:**

(In support) The purpose of the WASL is to measure progress on high academic standards. We are not walking away from that commitment. Instead, the purpose of this bill is to provide appropriate alternative assessments for students to demonstrate they meet the standards. Students sometimes have major life circumstances that interfere with their ability to take a test. There should be an appeals process that is accessible for them. We tried to get away from the notion that "it's all about the test." In fact, "it's all about the standards." Kids learn in different ways, so it's important to test them in different ways. The WASL is a very narrative test. We need to move away from arguments about the test by providing alternatives, like SAT, AP, and other norm-referenced tests, that people don't seem to have a problem with.

End-of-course assessments are much closer to instruction. The WASL needs to be fixed. It focuses too much on metacognition and not on basic skills. The bill provides support for vulnerable children by focusing on SSP and provisions for ELL students. Delay of the reading and writing requirements would also be supported. We are excited at the prospect of end-of-course assessments. Off-the-shelf assessments are appropriate for math.

(In support with concerns) It's good to propose using other tests for math, reading, and writing. But there is no need to wait. Maybe someday there will be a true diagnostic assessment system throughout K-12. Somewhere along the way we have lost sight of Goal Four which was intended to provide opportunities for career development pathways out of high school. The focus should be on teaching and learning, not on lowering standards. We need diagnostic tests to guide instruction. We need not to overlook ELL students. Tests do not improve learning; teaching improves learning.

(With concerns) We are facing what every state faces when we look at the test results. The WASL is merely a lightning rod for broader system issues. A lot of money and time has been invested in the WASL, but it has not been matched by an equal investment in teacher professional development, finding math teachers, diagnostic assessments, and leadership. These various alternatives are not going to help Level 1 students. The SBE is happy to look at end-of-course assessments, but you can't have assessments that aren't aligned to the standards. All sections of the WASL should be delayed so there can be a re-examination and fixing of the test, along with funding of the education system. Students should not have to keep taking the WASL. Alternative assessments are good, but the language about them being "equal in rigor" to the WASL should be removed.

There are examples of students with exemplary academic records who are not able to pass the WASL because they recently moved to this country. These students may be earning all A's with the help of bilingual assistants and translators. Why are they forced to take the WASL? It sets them up for failure. It is appropriate to keep the WASL while other alternatives such as end-of-course assessments are identified and pilot-tested. This bill does not go far enough. The entire education system should be reoriented to teach sound basic skills. Somewhere along the line, the test has taken on a life of its own. The WASL has never been deemed valid or reliable by people not already vested in the system. There is no federal requirement to have a graduation test. Objective, off-the-shelf tests such as end-of-course assessments would provide prompt results.

We have made tremendous progress in raising the standards in education, even if there is a long way to go. The end-of-course assessments in specific subjects will distract from the progress being made. Look carefully at the impact on progress that these decisions will have before making them. There should be a delay in the graduation requirement because the system isn't ready. The impact of a recent WASL test item on Hispanic families is of significant concern. It has opened the wounds of the past. This is a high stakes test with great controversy.

The list of alternatives in the bill is much too long, and the SSP is much too prescriptive. This threatens to over-burden the system with administrative functions while reducing the likelihood that students actually get the services they need. A segmented math assessment is funded in the budget; these policies are in conflict and they need to be aligned. We need to set in motion a series of actions to improve the system and stay on course. Clearly something needs to be done to help ELL students. There is support for a temporary delay in the math WASL and keeping the reading and writing requirement.

There are major questions about end-of-course assessments; they are a new direction and untested. We need to take time to review them before implementing them. We are open to the idea of end-of-course, but support them as an alternative assessment first to see if they work. There is concern about the narrowness of the subject matter, particularly Biology only, as well as the limitations of multiple choice-only questions. A survey of principals in other states shows that we don't know very much about end-of-course tests. There is a chance we will end up with a state-mandated curriculum. Everyone else has developed their standards first, and the test then follows. These assessments don't change pass rates for minorities. More study is needed.

(Opposed) There should be a moratorium on the WASL. The example of an inappropriate passage on the reading test raises serious questions about the exam. There is a huge cost to students if they lack a diploma: over \$91,000 in lost income over 10 years. We cannot hold students in the classes of 2008 and 2009 accountable until adults get their act together. The SBE sent a report to the Legislature in 2004 saying that, if the CAA were challenged in court, certain programs would have to be established and funded for the state to offer a successful defense. The Legislature has only this session and next session to respond to the challenge of whether adequate resources have been invested. People want trust in their lawmakers and in their schools. The system seems to be failing our children. The test is a waste of money. Over 70 percent of teachers feel the WASL should not be a graduation requirement. There is no easy fix. A Biology-only assessment is wrong. It is not possible to adequately test with only multiple choice questions. The SAT and the WASL are not the same. Systemic changes are needed.

**Persons Testifying:** : (In support) Senator McAuliffe, prime sponsor; Senator Tom, co-sponsor; Linda Laville, Equitable Opportunity Caucus; Sharon Hanek; Nick Straley, Columbia Legal Services; and Lorraine Wilson, Tacoma Public Schools.

(In support with concerns) Governor Booth Gardner; and Christie Perkins, Washington State Special Education Coalition.

(With concerns) Edie Harding, State Board of Education; Dave Smith; Wendy Rader-Konofalski, Washington Education Association; Kyra Kester, Office of the Superintendent of Public Instruction; Joyce Fiess, Citizens United for Responsible Education; Craig Gabler, Educational Service District 113; Maria Rodriguez-Salazar, League of United Latin American Citizens; Barbara Mertens, Washington Association of School Administrators; Jerry Bender, Association of Washington School Principals; and Martharose Laffey, Washington State School Directors Association.

(Opposed) Juanita Doyon, Parent Empowerment Network; Raul de la Rosa; Rachel Debellis; Nancy Atwood, American Electronics Association; and Ken Luthy and Ralph Harrison, Tacoma School District.

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

---

## HOUSE COMMITTEE ON APPROPRIATIONS

**Majority Report:** Do pass as amended by Committee on Appropriations and without amendment by Committee on Education. Signed by 21 members: Representatives Sommers, Chair; Dunshee, Vice Chair; Cody, Conway, Darneille, Ericks, Fromhold, Grant, Haigh, Hunt, Kagi, Kenney, Kessler, Linville, McDermott, McIntire, Morrell, Pettigrew, Schual-Berke, Seaquist and P. Sullivan.

**Minority Report:** Do not pass. Signed by 12 members: Representatives Alexander, Ranking Minority Member; Bailey, Assistant Ranking Minority Member; Haler, Assistant Ranking Minority Member; Anderson, Buri, Chandler, Dunn, Hinkle, Hunter, Kretz, McDonald and Priest.

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

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

The Appropriations Committee adds an additional requirement to perform a detailed analysis of the cost effectiveness of adopting end-of-course assessments as compared to strengthening and refining the current WASL test and related supports.

**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.

**Staff Summary of Public Testimony:**

(In support) We strongly supports this bill. We want to move forward with this assessment system. We believe the alternative assessments are a difficult project, and we need to choose those very carefully. We look forward to working with the state board.

(Concerns) There is a lot to like about this bill. Much of the prescriptive language in the original bill was removed. This bill encourages the funding of diagnostic tools in reading, writing, math, and science, and the House budget has already funded that. In terms of evaluating prospective curriculum, we want to emphasize that the process should be independent and objective. We're also concerned that only kids that fail math are given a reprieve from the graduation requirement; there are lots of hard-working and deserving students who fail the reading and writing portion of the WASL who won't be able to graduate.

(Opposed) None.

**Persons Testifying:** (In support) Kyra Kester, Office of the Superintendent of Public Instruction.

(Concerns) Wendy Rader-Konafalski, Washington Education Association.

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