

# SENATE BILL REPORT

## ESSB 6023

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As Amended by House, April 22, 2007

**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:** Early Learning & K-12 Education: 2/15/07, 2/26/07 [DPS, DNP].  
Passed Senate: 3/12/07, 43-4.

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### SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

**Majority Report:** That Substitute Senate Bill No. 6023 be substituted therefor, and the substitute bill do pass.

Signed by Senators McAuliffe, Chair; Tom, Vice Chair; Eide, Hobbs, Kauffman, Oemig, Rasmussen and Weinstein.

**Minority Report:** Do not pass.

Signed by Senators Holmquist, Ranking Minority Member; Brandland and Clements.

**Staff:** Susan Mielke (786-7422)

**Background:** Beginning with the graduating class of 2008, students must meet the state standard on the Washington Assessment of Student Learning (WASL), or a legislatively approved alternative assessment, to achieve a Certificate of Academic Achievement (CAA), which is required to graduate from high school. Students must retake the WASL at least once prior to taking an approved alternative assessment. Three alternative assessments have received legislative approval: the Grade Point Average/WASL cohort comparison, the Collection of Evidence (COE), and the PSAT/SAT/ACT Mathematics Equivalent. Alternative assessments are required to be comparable in rigor to the skills and knowledge that the student must demonstrate on the WASL for each content area.

Students who do not meet the state standard on the WASL, beginning in fifth grade, must have a student learning plan created and updated annually. The plan must include the actions the school intends to take to improve the student's skills in the relevant content area(s), and for eight through twelfth grade students, it must include other steps needed to be taken by the student to meet state standards and stay on track for graduation.

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*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.*

Students who are not appropriately assessed by the WASL, even with accommodations, may earn a Certificate of Individual Achievement (CIA), instead of a CAA, to graduate from high school. To earn the CIA, the student must demonstrate skills and abilities commensurate with the student's individual education program.

The state high school graduation requirements also include the requirement for each student to have an education plan for their high school experience, including what they expect to do the year following graduation.

**Summary of Engrossed Substitute Bill:** Changes are made to the use of the WASL as a graduation requirement.

Additional alternative assessments to the WASL to earn a CAA are authorized and must be funded by the state. Authorization to use specified PSAT/SAT/ACT assessments as an alternative is expanded to apply to reading and writing. Specified Advance Placement examinations are authorized as alternatives for reading, writing, and mathematics. By September 1, 2007, the SBE must choose three tenth grade standardized norm-referenced student assessments in each content area to be used as alternatives. The Superintendent of Public Instruction (SPI) must adopt rules to implement the alternative assessments. Students do not have to retake the WASL prior to accessing an alternative. An English language learner (ELL) who scores at level two or below on the state English proficiency test does not have to take the WASL, except for federal purposes and for graduation purposes.

SBE, with the SPI will select end-of-course (EOC) assessments in mathematics (algebra I and geometry) and science (biology). The EOC assessments will be scored outside of the school district, unless the assessments rely on multiple-choice questions. Multiple choice question assessments may be administered on-line and scored at the district level. The algebra I EOC assessment must be available as an alternative assessment to the WASL beginning in the 2008-09 school year and will become the mathematics WASL beginning with the graduating class of 2013. The geometry EOC assessment must be available as an alternative to the WASL beginning in the 2009-10 school year and, with the algebra I EOC assessment, will become the mathematics WASL beginning with the graduating class of 2014. The biology EOC assessment must be available as an alternative to the WASL beginning in the 2009-10 school year and will become the science WASL beginning with the graduating class of 2013. The SBE must report on whether the EOC assessment timelines are feasible.

A conditional delay of the WASL as a graduation requirement in mathematics is created for the graduating classes of 2008 and 2009, to graduate without a CAA. Students who do not meet standard on the mathematics WASL are required to continue to take classes that increase the student's math proficiency toward meeting or exceeding the math standards. The students must earn at least a C grade in the course. Additionally, the students must continue to take the WASL or an appropriate mathematics alternative annually until graduation. The science WASL is delayed as a graduation requirement until 2011.

An appeals panel of educators is created at each Educational Service District (ESD) for students to demonstrate that the student has a level of understanding of a content area sufficient to meet the standard but did not meet standard on the WASL. The SBE will establish criteria for the panels to use to make the determinations. Students are eligible to appeal if the student has retaken the WASL or has taken an alternative. The ESDs must

report to the Legislature regarding the number and types of appeals received and approved. The SBE must adopt rules to implement the appeals process.

Student learning plans are renamed "student success plans." Eighth grade students and older who do not meet the standard on the WASL must have a plan that includes semi-annual benchmarks. The plan must require the student to take a class or classes in the content area in which the student did not meet the standard. The plan may require a test preparation class, before- or after-school sessions, Saturday school, and/or summer school. More intense plans must be developed for students who do not meet the semiannual benchmarks in consecutive periods. The SBE will develop a tiered intervention plan that provides a graduated series of increasingly intensive intervention strategies for any district where at least 10 percent of the students with a plan are not meeting benchmarks. An English language learner (ELL) who scores at level two or below on the state English proficiency test must have a student success plan to assist the student in continued progress towards English and academic proficiency.

The SBE must report to the Governor and Legislature regarding whether the timelines in the bill can be met.

There are two null and void clauses – section 2 addressing the ESD appeals panel and section 5 addressing student success plans.

**Appropriation:** None.

**Fiscal Note:** Original requested on February 13, 2007; substitute requested on February 27, 2007.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** The bill contains an emergency clause and takes effect immediately.

**Staff Summary of Public Testimony on Proposed Substitute Bill:** PRO: This bill creates an temporary alternative pathway for students to increase their skills and be prepared to be successful after high school. There are thousands of students who have not passed reading and writing. The system has not prepared these students. Other alternatives are not really in place yet. Technically we cannot implement the GPA cohort alternative and we need to train teachers to assist with the collection of evidence alternative. Other states are doing this differently and we need to try some different approaches too. The WASL is failing our students and being used inappropriately. It is not a diagnostic test but it is the basis of student plans. We appreciate the system measures of progress. We like that students can access this alternative sooner and are not required to fail the WASL twice before they can do this. The focus of this bill is the student's future aspirations and that is the correct focus. This process appropriately recognizes professional judgement of guidance counselors. High expectations for students should not mean that we have to fail them.

CON: We do not support a delay for reading and writing. We need to ensure we graduate students with skills. This delay will move us away from that. These are fundamental skills for our students' future. If you do this, then the expectation that is communicated to our children will not accurately reflect the economic world that they will be entering when they leave school. This fails to set a standard of achievement across the board for all students and will be varied from student to student, and it does not meet the alternative assessment test of rigor and reliability.

OTHER: Most students are successful or very close to meeting standard except in math so we understand the delay in mathematics but not the other subjects. This kind of pathway should be permanent and not temporary. You should recognize career and technical education in the bill because all the remediation being required for the WASL will keep kids out of our classes.

**Persons Testifying:** PRO: Juanita Doyon, Rachel DeBellis, Parent Empowerment Network.

CON: Nancy Atwood, American Electronics Association; Dan Steele, Washington State School Directors' Association.

OTHER: Wend Rader-Konofalski, Washington Education Association; Mary Lindquist; Jessica Upton, former teacher in Federal Way school district; Jerry Bender, Association of Washington School Principals.

**House Amendment(s):** Strikes all provisions of the underlying bill. Allows students in the graduating classes of 2008 through no later than 2012 to graduate without a Certificate of Academic Achievement as a result of not passing the math WASL if they meet other graduation requirements, take additional math courses, and continue taking the appropriate assessment. Authorizes the State Board of Education (SBE) to adopt a rule ending this provision before the class of 2012 if the rule is adopted by September 1 of the freshman school year of the affected class. Moves the requirement for students to pass the science WASL to no later than the class of 2013. Authorizes SBE to adopt a rule applying this requirement before the class of 2013 if the rule is adopted by September 1 of the freshman school year of the affected class.

Allows students to access alternative assessments after taking the WASL once rather than twice. Expands use of the SAT/ACT as an alternative to include the reading and writing content areas. Terminates use of the PSAT as an alternative for mathematics in August 2008. Authorizes use of specified Advance Placement exams as alternatives. Limits the GPA/Cohort alternative to students with a 3.2 GPA. Directs SBE to examine norm-referenced tests and the ACT ASSET and COMPASS tests as possible alternatives.

Creates an appeals process in each Educational Service District for students who have the level of understanding to meet the state learning standards but have been unable to demonstrate it on the WASL or alternative assessment. Specifies eligibility criteria to submit an appeal and directs SBE to adopt rules and criteria for determining appeals by August 1, 2007.

Declares legislative intent to make significant improvements in the high school WASL in math and science, and a belief that end-of-course assessments would be a superior assessment system. States that end-of-course assessments in math should cover at least Algebra I and Geometry, and assessments in science should cover at least Biology, but also address other content areas. Acknowledges that replacing the WASL represents a significant change that should be carefully evaluated. Directs SBE to examine and make recommendations for changes to the WASL. Requires the primary change examined to be replacing the high school WASL with end-of-course assessments in mathematics and science. Specifies topics to be covered in the examination. Requires SBE to submit findings, recommendations, and an expedited timeline for implementation of changes by January 2008. States that the legislative intent is that recommended changes are able to be implemented no later than the 2010-11

school year in order to apply to the graduating class of 2013. Specifies that if SBE finds this intent cannot feasibly be met, SBE must recommend a revised timeline.