
SENATE BILL 6553

State of Washington

61st Legislature

2010 Regular Session

By Senators McAuliffe and Shin; by request of Superintendent of Public Instruction

Read first time 01/18/10. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to high school mathematics and science graduation
2 requirements; amending RCW 28A.655.0611, 28A.305.130, and 28A.655.061;
3 adding a new section to chapter 28A.655 RCW; and creating new sections.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that major changes
6 recently have been made in the state's K-12 mathematics and science
7 standards and assessments. These changes will require significant
8 adjustments to what teachers must teach, to expectations of what
9 students should know, to which instructional materials should be used,
10 and to how students are assessed.

11 The legislature further finds that the new mathematics end-of-
12 course tests are under development and will not be administered until
13 spring 2011. Many students in the classes of 2013 and 2014 will have
14 already taken algebra I or integrated mathematics I at least one or two
15 years before these tests are available.

16 The legislature further finds that a decision has not yet been made
17 whether to continue with a comprehensive science assessment or move to
18 end-of-course assessments. This decision is fundamental to the

1 timeline and instructional strategies needed for implementing the
2 science graduation requirement.

3 The legislature further finds that the courts have consistently
4 ruled that states may require students to pass state-level assessments
5 to graduate, but must ensure that the assessments are reliable and
6 valid and that students have had an adequate opportunity to learn the
7 skills and knowledge being assessed.

8 It is therefore the intent of the legislature to postpone when high
9 school students must meet the high school mathematics and science
10 standards as a graduation requirement. This postponement will allow
11 time for teachers to understand and apply the new standards and to
12 obtain and use aligned instructional materials. It will also provide
13 the time required for the assessments to be developed and administered
14 in the year in which students actually complete the specific
15 mathematics or science course being assessed, and ensure students will
16 have an opportunity to learn the mathematics and science assessments
17 being assessed.

18 **PART I**

19 **MATHEMATICS GRADUATION REQUIREMENT**

20 **Sec. 101.** RCW 28A.655.0611 and 2009 c 17 s 1 are each amended to
21 read as follows:

22 (1) Beginning with the graduating class of 2008 and through no
23 later than the graduating class of ((2012)) 2014, students may graduate
24 from high school without earning a certificate of academic achievement
25 or a certificate of individual achievement if they:

26 (a) Have not successfully met the mathematics standard on the high
27 school Washington assessment of student learning, an approved objective
28 alternative assessment, or an alternate assessment developed for
29 eligible special education students;

30 (b) Have successfully met the state standard in the other content
31 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

32 (c) Have met all other state and school district graduation
33 requirements; and

34 (d)(i) For the graduating class of 2008, successfully earn one high
35 school mathematics credit or career and technical course equivalent,
36 including courses offered at skill centers, after the student's

1 eleventh grade year intended to increase the student's mathematics
2 proficiency toward meeting or exceeding the mathematics standards
3 assessed on the high school Washington assessment of student learning;
4 and

5 (ii) For the remaining graduating classes under this section,
6 successfully earn two mathematics credits or career and technical
7 course equivalent, including courses offered at skill centers, after
8 the student's tenth grade year intended to increase the student's
9 mathematics proficiency toward meeting or exceeding the mathematics
10 standards assessed on the high school Washington assessment of student
11 learning.

12 ~~(2) ((The state board of education may adopt a rule that ends the~~
13 ~~application of this section with a graduating class before the~~
14 ~~graduating class of 2012, if the state board of education adopts the~~
15 ~~rule by September 1st of the freshman school year of the graduating~~
16 ~~class to which the provisions of this section no longer apply. The~~
17 ~~state board of education's authority under this section does not alter~~
18 ~~the requirement that any change in performance standards for the tenth~~
19 ~~grade assessment must comply with RCW 28A.305.130.~~

20 ~~(3) This section expires August 31, 2013.))~~ Beginning with the
21 graduating class of 2015, students may graduate from high school
22 without earning a certificate of academic achievement or a certificate
23 of individual achievement if they:

24 (a) Have met or exceeded the basic level of performance as
25 established under RCW 28A.305.130 on the high school mathematics end-
26 of-course assessments or on the corresponding retake assessment;

27 (b) Have successfully met the state standard in the other content
28 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

29 (c) Have met all other state and school district graduation
30 requirements; and

31 (d) Successfully earn four mathematics credits, or career and
32 technical course equivalents, including courses offered at skill
33 centers, intended to increase the student's mathematics proficiency
34 toward meeting or exceeding the mathematics standards assessed on the
35 high school Washington assessment of student learning.

36 **Sec. 102.** RCW 28A.305.130 and 2009 c 548 s 502 are each amended to
37 read as follows:

1 The purpose of the state board of education is to provide advocacy
2 and strategic oversight of public education; implement a standards-
3 based accountability framework that creates a unified system of
4 increasing levels of support for schools in order to improve student
5 academic achievement; provide leadership in the creation of a system
6 that personalizes education for each student and respects diverse
7 cultures, abilities, and learning styles; and promote achievement of
8 the goals of RCW 28A.150.210. In addition to any other powers and
9 duties as provided by law, the state board of education shall:

10 (1) Hold regularly scheduled meetings at such time and place within
11 the state as the board shall determine and may hold such special
12 meetings as may be deemed necessary for the transaction of public
13 business;

14 (2) Form committees as necessary to effectively and efficiently
15 conduct the work of the board;

16 (3) Seek advice from the public and interested parties regarding
17 the work of the board;

18 (4) For purposes of statewide accountability:

19 (a) Adopt and revise performance improvement goals in reading,
20 writing, science, and mathematics, by subject and grade level, once
21 assessments in these subjects are required statewide; academic and
22 technical skills, as appropriate, in secondary career and technical
23 education programs; and student attendance, as the board deems
24 appropriate to improve student learning. The goals shall be consistent
25 with student privacy protection provisions of RCW 28A.655.090(7) and
26 shall not conflict with requirements contained in Title I of the
27 federal elementary and secondary education act of 1965, or the
28 requirements of the Carl D. Perkins vocational education act of 1998,
29 each as amended. The goals may be established for all students,
30 economically disadvantaged students, limited English proficient
31 students, students with disabilities, and students from
32 disproportionately academically underachieving racial and ethnic
33 backgrounds. The board may establish school and school district goals
34 addressing high school graduation rates and dropout reduction goals for
35 students in grades seven through twelve. The board shall adopt the
36 goals by rule. However, before each goal is implemented, the board
37 shall present the goal to the education committees of the house of
38 representatives and the senate for the committees' review and comment

1 in a time frame that will permit the legislature to take statutory
2 action on the goal if such action is deemed warranted by the
3 legislature;

4 (b) Identify the scores students must achieve in order to meet the
5 standard on the Washington assessment of student learning and, for high
6 school students, to obtain a certificate of academic achievement. The
7 board shall also determine student scores that identify levels of
8 student performance below and beyond the standard. (~~The board shall
9 consider the incorporation of the standard error of measurement into
10 the decision regarding the award of the certificates.~~) For purposes of
11 graduation, the board also shall establish basic levels of performance
12 on the mathematics and science end-of-course assessments. The board
13 shall set such performance standards and levels in consultation with
14 the superintendent of public instruction and after consideration of any
15 recommendations that may be developed by any advisory committees that
16 may be established for this purpose. The process and decision criteria
17 for establishing the initial performance standards and any changes
18 recommended by the board in the performance standards for the (~~tenth
19 grade~~) high school assessments shall be presented to the education
20 committees of the house of representatives and the senate by November
21 30th of the school year in which the changes will take place to permit
22 the legislature to take statutory action before the changes are
23 implemented if such action is deemed warranted by the legislature. The
24 legislature shall be advised of the initial performance standards and
25 any changes made to the elementary level performance standards and the
26 middle school level performance standards;

27 (c) Annually review the assessment reporting system to ensure
28 fairness, accuracy, timeliness, and equity of opportunity, especially
29 with regard to schools with special circumstances and unique
30 populations of students, and a recommendation to the superintendent of
31 public instruction of any improvements needed to the system; and

32 (d) Include in the biennial report required under RCW 28A.305.035,
33 information on the progress that has been made in achieving goals
34 adopted by the board;

35 (5) Accredite, subject to such accreditation standards and
36 procedures as may be established by the state board of education, all
37 private schools that apply for accreditation, and approve, subject to
38 the provisions of RCW 28A.195.010, private schools carrying out a

1 program for any or all of the grades kindergarten through twelve:
2 PROVIDED, That no private school may be approved that operates a
3 kindergarten program only: PROVIDED FURTHER, That no private schools
4 shall be placed upon the list of accredited schools so long as secret
5 societies are knowingly allowed to exist among its students by school
6 officials;

7 (6) Articulate with the institutions of higher education, workforce
8 representatives, and early learning policymakers and providers to
9 coordinate and unify the work of the public school system;

10 (7) Hire an executive director and an administrative assistant to
11 reside in the office of the superintendent of public instruction for
12 administrative purposes. Any other personnel of the board shall be
13 appointed as provided by RCW 28A.300.020. The board may delegate to
14 the executive director by resolution such duties as deemed necessary to
15 efficiently carry on the business of the board including, but not
16 limited to, the authority to employ necessary personnel and the
17 authority to enter into, amend, and terminate contracts on behalf of
18 the board. The executive director, administrative assistant, and all
19 but one of the other personnel of the board are exempt from civil
20 service, together with other staff as now or hereafter designated as
21 exempt in accordance with chapter 41.06 RCW; and

22 (8) Adopt a seal that shall be kept in the office of the
23 superintendent of public instruction.

24 **PART II**
25 **SCIENCE GRADUATION REQUIREMENT**

26 **Sec. 201.** RCW 28A.655.061 and 2009 c 524 s 5 are each amended to
27 read as follows:

28 (1) The high school assessment system shall include but need not be
29 limited to the Washington assessment of student learning, opportunities
30 for a student to retake the content areas of the assessment in which
31 the student was not successful, and if approved by the legislature
32 pursuant to subsection (10) of this section, one or more objective
33 alternative assessments for a student to demonstrate achievement of
34 state academic standards. The objective alternative assessments for
35 each content area shall be comparable in rigor to the skills and

1 knowledge that the student must demonstrate on the Washington
2 assessment of student learning for each content area.

3 (2) Subject to the conditions in this section, a certificate of
4 academic achievement shall be obtained by most students at about the
5 age of sixteen, and is evidence that the students have successfully met
6 the state standard in the content areas included in the certificate.
7 With the exception of students satisfying the provisions of RCW
8 28A.155.045 or 28A.655.0611, acquisition of the certificate is required
9 for graduation from a public high school but is not the only
10 requirement for graduation.

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

30 (4) Beginning no later than with the graduating class of ((2013))
31 2017, a student must meet the state standards in science at the basic
32 level on at least two of the science end-of-course assessments in
33 section 202 of this act in addition to the other content areas required
34 under subsection (3) of this section on the Washington assessment of
35 student learning or the objective alternative assessments in order to
36 earn a certificate of academic achievement. ((The state board of
37 education may adopt a rule that implements the requirements of this
38 subsection (4) beginning with a graduating class before the graduating

1 ~~class of 2013, if the state board of education adopts the rule by~~
2 ~~September 1st of the freshman school year of the graduating class to~~
3 ~~which the requirements of this subsection (4) apply. The state board~~
4 ~~of education's authority under this subsection (4) does not alter the~~
5 ~~requirement that any change in performance standards for the tenth~~
6 ~~grade assessment must comply with RCW 28A.305.130.)~~)

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

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

14 (7) School districts must make available to students the following
15 options:

16 (a) To retake the Washington assessment of student learning (~~up to~~
17 ~~four times~~) twice per year in the content areas in which the student
18 did not meet the state standards if the student is enrolled in a public
19 school; or

20 (b) To retake the Washington assessment of student learning (~~up to~~
21 ~~four times~~) twice per year in the content areas in which the student
22 did not meet the state standards if the student is enrolled in a high
23 school completion program at a community or technical college. The
24 superintendent of public instruction and the state board for community
25 and technical colleges shall jointly identify means by which students
26 in these programs can be assessed.

27 (8) Students who achieve the standard in a content area of the high
28 school assessment but who wish to improve their results shall pay for
29 retaking the assessment, using a uniform cost determined by the
30 superintendent of public instruction.

31 (9) Opportunities to retake the assessment at least twice a year
32 shall be available to each school district.

33 (10)(a) The office of the superintendent of public instruction
34 shall develop options for implementing objective alternative
35 assessments, which may include an appeals process for students' scores,
36 for students to demonstrate achievement of the state academic
37 standards. The objective alternative assessments shall be comparable
38 in rigor to the skills and knowledge that the student must demonstrate

1 on the Washington assessment of student learning and be objective in
2 its determination of student achievement of the state standards.
3 Before any objective alternative assessments in addition to those
4 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
5 student to demonstrate that the student has met the state standards in
6 a content area required to obtain a certificate, the legislature shall
7 formally approve the use of any objective alternative assessments
8 through the omnibus appropriations act or by statute or concurrent
9 resolution.

10 (b)(i) A student's score on the mathematics, reading or English, or
11 writing portion of the SAT or the ACT may be used as an objective
12 alternative assessment under this section for demonstrating that a
13 student has met or exceeded the state standards for the certificate of
14 academic achievement. The state board of education shall identify the
15 scores students must achieve on the relevant portion of the SAT or ACT
16 to meet or exceed the state standard in the relevant content area on
17 the Washington assessment of student learning. The state board of
18 education shall identify the first scores by December 1, 2007. After
19 the first scores are established, the state board may increase but not
20 decrease the scores required for students to meet or exceed the state
21 standards.

22 (ii) Until August 31, 2008, a student's score on the mathematics
23 portion of the PSAT may be used as an objective alternative assessment
24 under this section for demonstrating that a student has met or exceeded
25 the state standard for the certificate of academic achievement. The
26 state board of education shall identify the score students must achieve
27 on the mathematics portion of the PSAT to meet or exceed the state
28 standard in that content area on the Washington assessment of student
29 learning.

30 (iii) A student who scores at least a three on the grading scale of
31 one to five for selected AP examinations may use the score as an
32 objective alternative assessment under this section for demonstrating
33 that a student has met or exceeded state standards for the certificate
34 of academic achievement. A score of three on the AP examinations in
35 calculus or statistics may be used as an alternative assessment for the
36 mathematics portion of the Washington assessment of student learning.
37 A score of three on the AP examinations in English language and
38 composition may be used as an alternative assessment for the writing

1 portion of the Washington assessment of student learning. A score of
2 three on the AP examinations in English literature and composition,
3 macroeconomics, microeconomics, psychology, United States history,
4 world history, United States government and politics, or comparative
5 government and politics may be used as an alternative assessment for
6 the reading portion of the Washington assessment of student learning.
7 A score of three on the AP examinations in biology, chemistry, physics,
8 or environmental sciences may be used as an alternative assessment for
9 the science portion of the Washington assessment of student learning.

10 ~~(11) ((By December 15, 2004, the house of representatives and~~
11 ~~senate education committees shall obtain information and conclusions~~
12 ~~from recognized, independent, national assessment experts regarding the~~
13 ~~validity and reliability of the high school Washington assessment of~~
14 ~~student learning for making individual student high school graduation~~
15 ~~determinations.~~

16 ~~(12))~~ To help assure continued progress in academic achievement as
17 a foundation for high school graduation and to assure that students are
18 on track for high school graduation, each school district shall prepare
19 plans for and notify students and their parents or legal guardians as
20 provided in this subsection ~~((12))~~ (11).

21 (a) Student learning plans are required for eighth through twelfth
22 grade students who were not successful on any or all of the content
23 areas of the Washington assessment for student learning during the
24 previous school year or who may not be on track to graduate due to
25 credit deficiencies or absences. The parent or legal guardian shall be
26 notified about the information in the student learning plan, preferably
27 through a parent conference and at least annually. To the extent
28 feasible, schools serving English language learner students and their
29 parents shall translate the plan into the primary language of the
30 family. The plan shall include the following information as
31 applicable:

32 (i) The student's results on the Washington assessment of student
33 learning;

34 (ii) If the student is in the transitional bilingual program, the
35 score on his or her Washington language proficiency test II;

36 (iii) Any credit deficiencies;

37 (iv) The student's attendance rates over the previous two years;

1 (v) The student's progress toward meeting state and local
2 graduation requirements;

3 (vi) The courses, competencies, and other steps needed to be taken
4 by the student to meet state academic standards and stay on track for
5 graduation;

6 (vii) Remediation strategies and alternative education options
7 available to students, including informing students of the option to
8 continue to receive instructional services after grade twelve or until
9 the age of twenty-one;

10 (viii) The alternative assessment options available to students
11 under this section and RCW 28A.655.065;

12 (ix) School district programs, high school courses, and career and
13 technical education options available for students to meet graduation
14 requirements; and

15 (x) Available programs offered through skill centers or community
16 and technical colleges, including the college high school diploma
17 options under RCW 28B.50.535.

18 (b) All fifth grade students who were not successful in one or more
19 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 the student shall be notified,
22 preferably through a parent conference, of the student's results on the
23 Washington assessment of student learning, actions the school intends
24 to take to improve the student's skills in any content area in which
25 the student was unsuccessful, and provide strategies to help them
26 improve their student's skills.

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

30 NEW SECTION. **Sec. 202.** A new section is added to chapter 28A.655
31 RCW to read as follows:

32 In consultation with the state board of education, the
33 superintendent of public instruction shall develop statewide end-of-
34 course assessments for biology, physical sciences, and earth sciences
35 that measure student achievement of the state science standards in
36 these content areas and in the cross-cutting principles that pertain to
37 all science disciplines, such as systems, inquiry, and application.

1 The superintendent shall take steps to ensure that the language of the
2 assessments is responsive to a diverse student population. The first
3 two of these assessments shall be implemented statewide in the 2011-12
4 school year. The third of these assessments shall be implemented
5 statewide in the 2012-13 school year.

6 NEW SECTION. **Sec. 203.** By December 1, 2013, the superintendent of
7 public instruction, in consultation with the state board of education,
8 shall submit a report to the governor and education committees of the
9 house of representatives and senate on the implementation of the
10 science standards and the end-of-course science assessments. The
11 report shall include the actions that were taken to disseminate the
12 high school science standards to high school science teachers, to what
13 extent teachers and students had access to aligned instructional
14 materials, and the results of the assessments. In addition, the report
15 shall include whether, in the judgment of the superintendent, the
16 assessments will be sufficiently valid and reliable and whether
17 students in the class of 2017 will have a reasonable opportunity to
18 learn the standards being measured on the assessments. Based on these
19 findings, the superintendent shall make a recommendation whether
20 students in the class of 2017 should be required to meet one or more of
21 the standards on the science assessments to graduate or whether the
22 requirement should be postponed.

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