

# HOUSE BILL REPORT

## ESHB 2115

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**As Passed House:**  
May 13, 2011

**Title:** An act relating to legislative review of performance standards for the statewide student assessment.

**Brief Description:** Concerning legislative review of performance standards for the statewide student assessment.

**Sponsors:** House Committee on Education (originally sponsored by Representatives Haigh and Dammeier).

**Brief History:**

**Committee Activity:**

Education: 5/9/11 [DPS].

**First Special Session**

**Floor Activity:**

Passed House: 5/13/11, 85-4.

**Brief Summary of Engrossed Substitute Bill**

- Provides that the Legislature must be advised of the initial performance standards established by the State Board of Education (SBE) for the high school statewide assessment, rather than requiring that the initial standards be presented to the education committees by November 30 of the year they take effect.
- Requires that the SBE provide an explanation of performance standards when they are established, and if changes are made, the Office of the Superintendent of Public Instruction must recalculate the results from that assessment for the previous 10 years and post a comparison of the results on the agency website.

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### HOUSE COMMITTEE ON EDUCATION

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 18 members: Representatives Santos, Chair; Lytton, Vice Chair; Dammeier, Ranking Minority Member; Anderson, Assistant Ranking Minority Member; Ahern, Angel,

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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.*

Billig, Fagan, Finn, Haigh, Hargrove, Hunt, Ladenburg, Lias, Maxwell, McCoy, Probst and Wilcox.

**Minority Report:** Do not pass. Signed by 3 members: Representatives Dahlquist, Klippert and Kretz.

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

**Background:**

It is the responsibility of the State Board of Education (SBE) to identify the scores that students must achieve on the statewide student assessments in order to meet the state standard of performance for purposes of school accountability and, in the case of high school students, for graduation. The SBE sets these performance standards in consultation with the Office of the Superintendent of Public Instruction (OSPI) and considers recommendations of technical and advisory groups.

Under current law the initial performance standards for the high school assessment and any changes to them must be presented to the education committees of the Legislature by November 30 of the school year that the changes take effect, and the Legislature must be permitted to take statutory action if desired before the changes are implemented. For the elementary and middle school assessments, the Legislature must merely be advised of the initial performance standards and any changes.

In the spring of 2011, the OSPI is administering two new mathematics end-of-course assessments as required by statute. In the case of a newly developed assessment, it is not technically possible to set the performance standards until the actual range of student scores is known, which will not occur until late spring of the 2010-11 school year.

**Summary of Engrossed Substitute Bill:**

Rather than requiring the SBE to submit initial high school performance standards to the education committees by November 30 of the school year in which they take effect, the Legislature must be advised of the initial performance standards.

For all grade levels of the statewide student assessment, the SBE must provide an explanation and rationale for initial performance standards and any changes. If the SBE changes any performance standards, the OSPI must recalculate the results from the previous 10 years of administering that assessment and post a comparison of the original and recalculated results on the agency website.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This is a late-breaking policy that has only recently surfaced. It poses a problem for the state's new mathematics end-of-course assessments. The cut scores need to be set for this year's classes, but the scores will not be known until after the students take the test. If the Legislature does not amend the current policy, the SBE and the OSPI will be out of compliance with the law. The real question is the appropriate level of supervision and oversight by the Legislature on this issue. There are two options to consider; either would be acceptable to the SBE.

(Opposed) None.

**Persons Testifying:** Representative Santos; and Aaron Wyatt, Washington State Board of Education.

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