
HOUSE BILL 2167

State of Washington

64th Legislature

2015 Regular Session

By Representatives Scott, Sells, Shea, Taylor, G. Hunt, Takko, and Pollet

Read first time 02/23/15. Referred to Committee on Education.

1 AN ACT Relating to giving parents and guardians an unrestricted
2 right to excuse their children from taking statewide assessments; and
3 amending RCW 28A.655.005, 28A.655.061, and 28A.655.070.

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

5 **Sec. 1.** RCW 28A.655.005 and 1999 c 388 s 1 are each amended to
6 read as follows:

7 The legislature finds that the purpose of Washington's
8 accountability system is to improve student learning and student
9 achievement of the essential academic learning requirement standards
10 so that each individual student will be given the opportunity to
11 become a responsible citizen and successfully live, learn, and work
12 in the twenty-first century. To achieve this purpose, the
13 accountability system should be based on student achievement and
14 continuous improvement at all levels of Washington's education system
15 and on a fundamental principle that all public school students have
16 access to curriculum and instruction that is aligned to the
17 standards.

18 The legislature further finds that the accountability system
19 should rely on local responsibility and leadership. Districts and
20 schools should be expected to improve and be evaluated based on their

1 improvement over time. Districts should recognize exceptional
2 progress and work closely with schools needing assistance.

3 The legislature further finds that the accountability system must
4 be simple to use and understand. Consequences must be predictable and
5 fair. Differences among students, schools, and districts should be
6 recognized and respected as the system is implemented. There should
7 be a balance of each student's right to privacy and the public's
8 right to know the overall levels of learning and achievement at the
9 school, district, and state levels. In addition, the accountability
10 system should be continuously reviewed and improved as more is
11 learned about how schools operate to meet the learning needs of
12 Washington's students.

13 The legislature further finds that parents and guardians have an
14 unrestricted right to excuse their children from taking statewide
15 assessments.

16 **Sec. 2.** RCW 28A.655.061 and 2013 2nd sp.s. c 22 s 2 are each
17 amended to read as follows:

18 (1) The high school assessment system shall include but need not
19 be limited to the statewide student assessment, opportunities for a
20 student to retake the content areas of the assessment in which the
21 student was not successful, and, if approved by the legislature
22 pursuant to subsection (10) of this section, one or more objective
23 alternative assessments for a student to demonstrate achievement of
24 state academic standards. The objective alternative assessments for
25 each content area shall be comparable in rigor to the skills and
26 knowledge that the student must demonstrate on the statewide student
27 assessment for each content area.

28 (2) Subject to the conditions in this section, a certificate of
29 academic achievement shall be obtained and is evidence that the
30 students have successfully met the state standard in the content
31 areas included in the certificate. With the exception of students
32 satisfying the provisions of RCW 28A.155.045 or 28A.655.0611,
33 acquisition of the certificate is required for graduation from a
34 public high school but is not the only requirement for graduation.

35 (3)(a) Beginning with the graduating class of 2008 through the
36 graduating class of 2015, with the exception of students satisfying
37 the provisions of RCW 28A.155.045, a student who meets the state
38 standards on the reading, writing, and mathematics high school
39 statewide student assessment shall earn a certificate of academic

1 achievement. The mathematics assessment shall be the end-of-course
2 assessment for the first year of high school mathematics that
3 assesses the standards common to algebra I and integrated mathematics
4 I or the end-of-course assessment for the second year of high school
5 mathematics that assesses standards common to geometry and integrated
6 mathematics II.

7 (b) As the state transitions from reading and writing assessments
8 to an English language arts assessment and from end-of-course
9 assessments to a comprehensive assessment for high school
10 mathematics, a student in a graduating class of 2016 through 2018
11 shall earn a certificate of academic achievement if the student meets
12 the state standard as follows:

13 (i) Students in the graduating class of 2016 may use the results
14 from:

15 (A) The reading and writing assessment or the English language
16 arts assessment developed with the multistate consortium; and

17 (B) The end-of-course assessment for the first year of high
18 school mathematics, the end-of-course assessment for the second year
19 of high school mathematics, or the comprehensive mathematics
20 assessment developed with the multistate consortium.

21 (ii) Students in the graduating classes of 2017 and 2018 may use
22 the results from:

23 (A) The tenth grade English language arts assessment developed by
24 the superintendent of public instruction using resources from the
25 multistate consortium or the English language arts assessment
26 developed with the multistate consortium; and

27 (B) The end-of-course assessment for the first year of high
28 school mathematics, the end-of-course assessment for the second year
29 of high school mathematics, or the comprehensive mathematics
30 assessment developed with the multistate consortium.

31 (c) Beginning with the graduating class of 2019, a student who
32 meets the state standards on the high school English language arts
33 assessment developed with the multistate consortium and the
34 comprehensive mathematics assessment developed with the multistate
35 consortium shall earn a certificate of academic achievement.

36 (d) If a student does not successfully meet the state standards
37 in one or more content areas required for the certificate of academic
38 achievement, then the student may retake the assessment in the
39 content area at least twice a year at no cost to the student. If the
40 student successfully meets the state standards on a retake of the

1 assessment then the student shall earn a certificate of academic
2 achievement. Once objective alternative assessments are authorized
3 pursuant to subsection (10) of this section, a student may use the
4 objective alternative assessments to demonstrate that the student
5 successfully meets the state standards for that content area if the
6 student has taken the statewide student assessment at least once. If
7 the student successfully meets the state standards on the objective
8 alternative assessments then the student shall earn a certificate of
9 academic achievement.

10 (4) Beginning with the graduating class of 2015, a student must
11 meet the state standards in science in addition to the other content
12 areas required under subsection (3) of this section on the statewide
13 student assessment, a retake, or the objective alternative
14 assessments in order to earn a certificate of academic achievement.

15 (5) The state board of education may not require the acquisition
16 of the certificate of academic achievement for students in home-based
17 instruction under chapter 28A.200 RCW, for students enrolled in
18 private schools under chapter 28A.195 RCW, or for students satisfying
19 the provisions of RCW 28A.155.045.

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

22 (7) School districts must make available to students the
23 following options:

24 (a) To retake the statewide student assessment at least twice a
25 year in the content areas in which the student did not meet the state
26 standards if the student is enrolled in a public school; or

27 (b) To retake the statewide student assessment at least twice a
28 year in the content areas in which the student did not meet the state
29 standards if the student is enrolled in a high school completion
30 program at a community or technical college. The superintendent of
31 public instruction and the state board for community and technical
32 colleges shall jointly identify means by which students in these
33 programs can be assessed.

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

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

1 (10)(a) The office of the superintendent of public instruction
2 shall develop options for implementing objective alternative
3 assessments, which may include an appeals process for students'
4 scores, for students to demonstrate achievement of the state academic
5 standards. These options must be made available to students whose
6 parents or guardians have excused them from taking one or more
7 statewide assessments, and the opportunity to access these options by
8 such students may not be conditioned upon their first taking a
9 statewide assessment. The objective alternative assessments shall be
10 comparable in rigor to the skills and knowledge that the student must
11 demonstrate on the statewide student assessment and be objective in
12 its determination of student achievement of the state standards.
13 Before any objective alternative assessments in addition to those
14 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
15 student to demonstrate that the student has met the state standards
16 in a content area required to obtain a certificate, the legislature
17 shall formally approve the use of any objective alternative
18 assessments through the omnibus appropriations act or by statute or
19 concurrent resolution.

20 (b)(i) A student's score on the mathematics, reading or English,
21 or writing portion of the SAT or the ACT may be used as an objective
22 alternative assessment under this section for demonstrating that a
23 student has met or exceeded the state standards for the certificate
24 of academic achievement. The state board of education shall identify
25 the scores students must achieve on the relevant portion of the SAT
26 or ACT to meet or exceed the state standard in the relevant content
27 area on the statewide student assessment. A student's score on the
28 science portion of the ACT or the science subject area tests of the
29 SAT may be used as an objective alternative assessment under this
30 section as soon as the state board of education determines that
31 sufficient data is available to identify reliable equivalent scores
32 for the science content area of the statewide student assessment.
33 After the first scores are established, the state board may increase
34 but not decrease the scores required for students to meet or exceed
35 the state standards.

36 (ii) A student who scores at least a three on the grading scale
37 of one to five for selected AP examinations may use the score as an
38 objective alternative assessment under this section for demonstrating
39 that a student has met or exceeded state standards for the
40 certificate of academic achievement. A score of three on the AP

1 examinations in calculus or statistics may be used as an alternative
2 assessment for the mathematics portion of the statewide student
3 assessment. A score of three on the AP examinations in English
4 language and composition may be used as an alternative assessment for
5 the writing portion of the statewide student assessment; and for the
6 English language arts portion of the assessment developed with the
7 multistate consortium, once established in the 2014-15 school year. A
8 score of three on the AP examinations in English literature and
9 composition, macroeconomics, microeconomics, psychology, United
10 States history, world history, United States government and politics,
11 or comparative government and politics may be used as an alternative
12 assessment for the reading portion of the statewide student
13 assessment; and for the English language arts portion of the
14 assessment developed with the multistate consortium, once established
15 in the 2014-15 school year. A score of three on the AP examination in
16 biology, physics, chemistry, or environmental science may be used as
17 an alternative assessment for the science portion of the statewide
18 student assessment.

19 (iii) A student who scores at least a four on selected externally
20 administered international baccalaureate (IB) examinations may use
21 the score as an objective alternative assessment under this section
22 for demonstrating that the student has met or exceeded state
23 standards for the certificate of academic achievement. A score of
24 four on the higher level IB examinations for any of the IB English
25 language and literature courses or for any of the IB individuals and
26 societies courses may be used as an alternative assessment for the
27 reading, writing, or English language arts portions of the statewide
28 student assessment. A score of four on the higher level IB
29 examinations for any of the IB mathematics courses may be used as an
30 alternative assessment for the mathematics portion of the statewide
31 student assessment. A score of four on the higher level IB
32 examinations for IB biology, chemistry, or physics may be used as an
33 alternative assessment for the science portion of the statewide
34 student assessment.

35 (11) To help assure continued progress in academic achievement as
36 a foundation for high school graduation and to assure that students
37 are on track for high school graduation, each school district shall
38 prepare plans for and notify students and their parents or legal
39 guardians as provided in this subsection. Student learning plans are
40 required for eighth grade students who were not successful on any or

1 all of the content areas of the state assessment during the previous
2 school year or who may not be on track to graduate due to credit
3 deficiencies or absences. The parent or legal guardian shall be
4 notified about the information in the student learning plan,
5 preferably through a parent conference and at least annually. To the
6 extent feasible, schools serving English language learner students
7 and their parents shall translate the plan into the primary language
8 of the family. The plan shall include the following information as
9 applicable:

10 (a) The student's results on the state assessment;

11 (b) If the student is in the transitional bilingual program, the
12 score on his or her Washington language proficiency test II;

13 (c) Any credit deficiencies;

14 (d) The student's attendance rates over the previous two years;

15 (e) The student's progress toward meeting state and local
16 graduation requirements;

17 (f) The courses, competencies, and other steps needed to be taken
18 by the student to meet state academic standards and stay on track for
19 graduation;

20 (g) Remediation strategies and alternative education options
21 available to students, including informing students of the option to
22 continue to receive instructional services after grade twelve or
23 until the age of twenty-one;

24 (h) The alternative assessment options available to students
25 under this section and RCW 28A.655.065;

26 (i) School district programs, high school courses, and career and
27 technical education options available for students to meet graduation
28 requirements; ~~((and))~~

29 (j) Available programs offered through skill centers or community
30 and technical colleges, including the college high school diploma
31 options under RCW 28B.50.535; and

32 (k) The unrestricted right of a parent or guardian to excuse his
33 or her student from taking statewide assessments, and the objective
34 alternatives available.

35 **Sec. 3.** RCW 28A.655.070 and 2013 2nd sp.s. c 22 s 5 are each
36 amended to read as follows:

37 (1) The superintendent of public instruction shall develop
38 essential academic learning requirements that identify the knowledge
39 and skills all public school students need to know and be able to do

1 based on the student learning goals in RCW 28A.150.210, develop
2 student assessments, and implement the accountability recommendations
3 and requests regarding assistance, rewards, and recognition of the
4 state board of education.

5 (2) The superintendent of public instruction shall:

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

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

27 (3)(a) 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
31 in the elementary, middle, and high school years designed to
32 determine if each student has mastered the essential academic
33 learning requirements identified in subsection (1) of this section.
34 School districts shall administer the assessments under guidelines
35 adopted by the superintendent of public instruction. The academic
36 assessment system may include a variety of assessment methods,
37 including criterion-referenced and performance-based measures.
38 Parents and guardians of students have an unrestricted right to
39 excuse their children from taking any and all statewide assessments.

1 (b) Effective with the 2009 administration of the Washington
2 assessment of student learning and continuing with the statewide
3 student assessment, the superintendent shall redesign the assessment
4 in the content areas of reading, mathematics, and science in all
5 grades except high school by shortening test administration and
6 reducing the number of short answer and extended response questions.

7 (c) By the 2014-15 school year, the superintendent of public
8 instruction, in consultation with the state board of education, shall
9 modify the statewide student assessment system to transition to
10 assessments developed with a multistate consortium, as provided in
11 this subsection:

12 (i) The assessments developed with a multistate consortium to
13 assess student proficiency in English language arts and mathematics
14 shall be administered beginning in the 2014-15 school year. The
15 reading and writing assessments shall not be administered by the
16 superintendent of public instruction or schools after the 2013-14
17 school year.

18 (ii) The high school assessments in English language arts and
19 mathematics in (c)(i) of this subsection shall be used for the
20 purposes of earning a certificate of academic achievement for high
21 school graduation under the timeline established in RCW 28A.655.061
22 and for assessing student career and college readiness.

23 (iii) During the transition period specified in RCW 28A.655.061,
24 the superintendent of public instruction shall use test items and
25 other resources from the consortium assessment to develop and
26 administer a tenth grade high school English language arts
27 assessment, an end-of-course mathematics assessment to assess the
28 standards common to algebra I and integrated mathematics I, and an
29 end-of-course mathematics assessment to assess the standards common
30 to geometry and integrated mathematics II.

31 (4) If the superintendent proposes any modification to the
32 essential academic learning requirements or the statewide
33 assessments, then the superintendent shall, upon request, provide
34 opportunities for the education committees of the house of
35 representatives and the senate to review the assessments and proposed
36 modifications to the essential academic learning requirements before
37 the modifications are adopted.

38 (5) The assessment system shall be designed so that the results
39 under the assessment system are used by educators as tools to
40 evaluate instructional practices, and to initiate appropriate

1 educational support for students who have not mastered the essential
2 academic learning requirements at the appropriate periods in the
3 student's educational development.

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

8 (7) To assist parents and teachers in their efforts to provide
9 educational support to individual students, the superintendent of
10 public instruction shall provide as much individual student
11 performance information as possible within the constraints of the
12 assessment system's item bank. The superintendent shall also provide
13 to school districts:

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

17 (b) A collection of diagnostic tools that educators may use to
18 evaluate the academic status of individual students. The tools shall
19 be designed to be inexpensive, easily administered, and quickly and
20 easily scored, with results provided in a format that may be easily
21 shared with parents and students.

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

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

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

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

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

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

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