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SENATE BILL 6460

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State of Washington

64th Legislature

2016 Regular Session

By Senator Chase

Read first time 01/21/16. Referred to Committee on Early Learning & K-12 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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