

SENATE BILL REPORT

SB 5951

As of June 13, 2017

Title: An act relating to providing flexibility in high school graduation requirements and supporting student success during the transition to a federal every student succeeds act-compliant accountability system.

Brief Description: Providing flexibility in high school graduation requirements and supporting student success during the transition to a federal every student succeeds act-compliant accountability system.

Sponsors: Senators Rolfes and Rivers; by request of Superintendent of Public Instruction.

Brief History:

Committee Activity: Early Learning & K-12 Education:

Brief Summary of Bill

- Provides intent language to move the state assessments in English language arts and mathematics to the 10th-grade.
- Maintains the requirement for high school students to earn a Certificate of Academic Achievement (CAA) but adds multiple new options for earning the CAA.
- Maintains the biology end-of-course to meet the federal science assessment requirements but not for high school graduation requirements.
- Eliminates all current alternative assessments, except the SAT and ACT.
- Provides additional state-level requirements for the High School and Beyond Plan.

SENATE COMMITTEE ON EARLY LEARNING & K-12 EDUCATION

Staff: Susan Mielke (786-7422)

Background: Federal High School Assessment Requirements. Under federal law, states must assess student achievement on the English language arts, mathematics, and science state essential academic learning requirements (EALRs) at least once in the high school grades.

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.

Washington State High School Assessment Requirements. Since 2008, Washington's minimum high school graduation requirements have included a requirement that students must meet the state standard on the statewide assessments in reading and writing, or English language arts (ELA), and mathematics to earn a Certificate of Academic Achievement (CAA). Washington is currently transitioning to an 11th-grade assessment in ELA and mathematics.

Students receiving special education who are not appropriately assessed by the statewide assessments may instead earn a Certificate of Individual Achievement (CIA) to graduate from high school. A student's individual education program team makes the determination of whether the state assessment is appropriate for a student receiving special education. Students enrolled in a private school and students in home-based instruction do not have to earn a CAA.

Meeting the state standard on the state science assessment was scheduled to become a CAA and graduation requirement for the graduating Class of 2015; however, the Legislature acted in 2015 to delay adding the science assessment as a graduation requirement. Current law requires the graduating Class of 2017 to meet the state standard on the state science assessment. The state science assessment is an end-of-course (EOC) biology assessment. The biology EOC assessment is based on Washington's 2009 science EALRs. Washington adopted new science EALRs in 2013. A new comprehensive science assessment of the 2013 science learning standards will be administered for the first time in spring 2018.

School districts must provide students who did not meet the state standard on the state assessments the opportunity to retake the assessment, at no cost to the student, a least once a year in the relevant content area. Students who wish to improve their scores may retake the assessment but must be assessed a uniform charge determined by the Superintendent of Public Instruction (SPI).

The State Board of Education (SBE) identifies the score a student must achieve on the state assessments to meet the state standard and earn a CAA.

Alternative State Assessments. The Ninth Circuit federal court found that when a state requires students to meet the state standard on a state assessment as a high school graduation requirement then the state must also provide alternative ways for students to demonstrate they have met the state standard if the student fails to meet the state standard on the state assessment.

In Washington, high school students must take the state assessment at least once before accessing an alternative. The alternatives must be comparable in rigor to the state assessments. School districts must provide the following legislatively-approved alternative assessments for a student to earn a CAA if the student did not meet the state standard on the state assessments:

- Collection of Evidence (COE)—a state evaluation of academic work samples prepared by the student with instructional support from a teacher;

- Grade Point Average (GPA) comparison—the grades of a student in their 12th-grade year who has an overall GPA of 3.2 but did not meet the state standard on the state assessment are compared with the grades of students who took the same courses and met the state standard on the state assessment; and
- College Admission/AP/IB Tests—students may use their English language arts and mathematics scores on the SAT; their English language arts, mathematics, and science scores on the ACT; scores on specified Advanced Placement (AP) exams; and scores on the International Baccalaureate (IB) exams.

Other States' High School Assessment Requirements. The Education Commission of the States reports that 15 states require students in the graduating Class of 2017 to pass a state assessment to graduate: Florida, Idaho, Indiana, Louisiana, Maryland, Massachusetts, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Texas, Virginia, and Washington.

High School and Beyond Plan (HSBP). Since 2009, the HSBP has been a high school graduation requirement. Starting in middle schools, students create a HSBP for their high school experience, including what they expect to do the year following graduation. Each school district determines the guidelines for the HSBP and whether the student has met this graduation requirement. If a student successfully completes career and technical education (CTE) courses needed for industry certification, college credit, or pre-apprenticeship, then the certificate must be part of the student's HSBP.

Twenty-four credits for High School Graduation. Beginning with the high school graduating class of 2019, school districts must provide students the opportunity to complete twenty-four credits for high school graduation, unless a district receives a waiver from the SBE to delay the implementation of twenty-four credits until the graduating class of 2020 or 2021.

Summary of Bill: Washington State High School Assessment Requirements. The state assessment in science will remain the Biology EOC to meet federal requirements but will not be used as a graduation requirement. All test-based graduation requirements are suspended for the high school graduating classes of 2017 and 2018.

An intent to move the state high school assessments in reading, writing, and mathematics is provided. The requirement for students to earn a CAA to graduate from high school is maintained but with new multiple options for earning the CAA. High school students are no longer required to take the state assessment at least once before accessing any of the options.

Beginning with the high school graduating class of 2019, a student earns a CAA if the student:

- Earns a score of three or four on the state ELA or mathematics assessments or a retake;
- Prior to the beginning of the student's senior year, achieves a score identified by the SBE as meeting the state standard on the mathematics, reading, English, or writing portion of the SAT or ACT;
- Takes a locally determined course in ELA or mathematics and obtains a passing score on a locally determined assessment. The course must be rigorous and consistent with the student's HSBP. The course may be a high school transition course offered at a high school in ELA, mathematics or science that will ensure the student college-level

- placement at participating Washington State institutions of higher education; and satisfies high school graduation requirements established by the SBE;
- Completes a dual credit course in ELA or mathematics in which the student earns college credit; or
 - Passes a college placement test that would result in placement at the college level.

By the end of 2017-18 school year, SBE establishes cut scores to meet the state standard for the ELA and mathematics state assessments. For the graduating class of 2018 and beyond, SBE shall establish cut scores for the purposes of graduation as well as determining a 10th grader's expectation for achieving career and college readiness. These scores may be different.

The SPI and the State Board for Community and Technical Colleges shall jointly identify the means by which students in high school completion programs at a community or technical college can be assessed.

Beginning in the 2018-19 school year, students who have not earned a CAA before beginning grade eleven must take and pass a locally determined course in the state assessment content area in which the student was unsuccessful. Schools must give these students priority for enrollment in high school transition courses.

Retakes of the State Assessments. The retake opportunities are unchanged.

Alternative State Assessments. The alternative state assessment statutes are repealed.

Course Taking Requirements. Beginning in the 2018-19 school year, students not earning a CAA before the beginning of 11th grade must take and pass a locally determined course in the content area in which the student did not meet standard. The course must be rigorous and may include CTE equivalencies. Schools should prioritize enrolling these students in high school transition courses, which is a course that will ensure student college-level placement but does not entitle the student to be admitted to an Washington college or university.

In school districts that are implementing 24 credits for high school graduation, ninth grade students who did not pass the middle school mathematics assessment must update their HSBP to ensure that the student takes one or more credits of mathematics coursework in grades nine, ten, and eleven. The coursework may include CTE equivalencies.

High School and Beyond Plan (HSBP). Beginning in seventh or eighth grade, each student must have a HSBP. Students must take a career interest and skills inventory to be used to identify career and education goals in the HSBP. The HSBP must also include a four-year plan for course-taking. By the 12th-grade a student's HSBP must include a resume or activity log. The HSBP must be updated to reflect changing interests, goals, and needs. Schools are encouraged to involve parents in the process of developing and updating the HSBP. The determination of whether a student has met this graduation requirement remains with the school district. A district may establish additional local requirements for the HSBP.

Appropriation: None.

Fiscal Note: Requested on June 9, 2017.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains several effective dates. Please refer to the bill.

Staff Summary of Public Testimony on Draft Bill (Second Special Session 2017): PRO: Class of 2017 students are graduating this month and some are prohibited from receiving a high school diploma because they cannot pass a standardized test. This increases the urgency for a solution for those students. Several states used to have assessment requirements for graduation but many states have moved away from such requirements. This bill is fair and will not needlessly deny students graduation. The current alternatives are not sufficient to help students get over the bar. This bill creates greater flexibility in the system. Principals and teachers have high expectations for students and we should trust the system. This does not mean we support lower standards. The Legislature has taken actions to put more rigor into the system by increasing the number of credits required for high school graduation to 24 credits.

OTHER: We do not want to see a single student in Washington not graduate from high school but that needs to be balanced with the damage that is done to students when they graduate unprepared for the workplace or postsecondary education. We support many aspects of this legislation, include increasing the state support for struggling students, expanding the alternative ways students can show that they meet the state standard including dual credit and transition courses, bolstering the HSBP, and the delay in the science assessment as a graduation requirement. But we do not support eliminating all test-based graduation requirements for two graduating classes. We have questions about the structure of the locally determined course. We are concerned that students can bypass the state assessments and earn the CAA using one of the other methods because this may cause problems with the state's compliance on the required level of student participation in the state assessment required by federal law. We would like to maintain the current alternatives to provide additional flexibility. Please act promptly to pass a bill that delays the science assessment and take up these other ideas—some of which are complex and some which we support—at another time because those issues deserve a longer conversation.

Persons Testifying: PRO: Senator Christine Rolfes, Prime Sponsor; Representative Paul Harris; Micheala Miller, Office of Superintendent of Public Instruction; Deb Came, Office of Superintendent of Public Instruction; Jim Kowalkowski, Davenport School District; Krestin Bahr, citizen.

OTHER: Ben Rarick, SBE; Dan Steele, WA Association of School Administrators; Marie Sullivan, Quinault Indian Nation, Pasco, Richland School Districts, WSPTA, EWA Quality Schools Coalition; Jessica Vavrus, WA School Directors' Association; Charlie Brown, Tacoma School District; Dave Powell, Stand for Children.

Persons Signed In To Testify But Not Testifying: No one.