

HOUSE BILL REPORT

E2SHB 1599

As Amended by the Senate

Title: An act relating to promoting career and college readiness through modified high school graduation requirements.

Brief Description: Promoting career and college readiness through modified high school graduation requirements.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Stonier, Harris, Dolan, Ortiz-Self, MacEwen, Kilduff, Young, Valdez, Wylie, Volz, Bergquist, Stanford, Tharinger, Lekanoff, Pollet, Slatter and Ormsby).

Brief History:

Committee Activity:

Education: 2/12/19, 2/21/19 [DPS];

Appropriations: 2/25/19, 2/28/19 [DP2S(w/o sub ED)].

Floor Activity:

Passed House: 3/8/19, 91-4.

Senate Amended.

Passed Senate: 4/15/19, 48-0.

Brief Summary of Engrossed Second Substitute Bill

- Removes the direct linkage between statewide assessments and graduation requirements by discontinuing the Certificate of Academic Achievement after the graduating class of 2019, and discontinuing the Certificate of Individual Achievement after the graduating class of 2021.
- Requires graduating students in the class of 2020 and subsequent classes to demonstrate career and college readiness through one of eight pathway options that must align with a student's High School and Beyond Plan (HSBP).
- Extends an appeals process that allows the Superintendent of Public Instruction to waive certain graduation requirements for qualifying students in the graduating class of 2019.
- Directs the Office of the Superintendent of Public Instruction to contract with a vendor to implement a statewide online electronic platform for HSbps that will be available to students beginning in the 2020-21 school year.

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.

- Directs the State Board of Education (SBE) to convene and staff a mastery-based learning work group.

HOUSE COMMITTEE ON EDUCATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 13 members: Representatives Santos, Chair; Dolan, Vice Chair; Paul, Vice Chair; Steele, Ranking Minority Member; Bergquist, Caldier, Harris, Kilduff, Rude, Stonier, Thai, Valdez and Ybarra.

Minority Report: Without recommendation. Signed by 4 members: Representatives Callan, Corry, Kraft and Ortiz-Self.

Minority Report: Do not pass. Signed by 1 member: Representative McCaslin, Assistant Ranking Minority Member.

Staff: Ethan Moreno (786-7386).

HOUSE COMMITTEE ON APPROPRIATIONS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass and do not pass the substitute bill by Committee on Education. Signed by 22 members: Representatives Ormsby, Chair; Bergquist, 2nd Vice Chair; Robinson, 1st Vice Chair; MacEwen, Assistant Ranking Minority Member; Rude, Assistant Ranking Minority Member; Cody, Dolan, Fitzgibbon, Hansen, Hudgins, Jinkins, Macri, Pettigrew, Pollet, Ryu, Senn, Springer, Stanford, Sullivan, Tarleton, Tharinger and Ybarra.

Minority Report: Do not pass. Signed by 8 members: Representatives Stokesbary, Ranking Minority Member; Caldier, Chandler, Dye, Hoff, Mosbrucker, Steele and Sutherland.

Minority Report: Without recommendation. Signed by 1 member: Representative Kraft.

Staff: James Mackison (786-7104).

Background:

Graduation Requirements—Overview.

To qualify for graduation from a public high school in Washington, students must satisfy minimum course credit requirements, meet standards on required statewide assessments or approved alternatives, complete a high school and beyond plan, and satisfy any graduation requirements adopted by the local school district.

Credits Required for Graduation, Waivers and Pre-High School Credit.

Beginning with the graduating class of 2019, students must complete 24 credits in specified subject areas as determined by the State Board of Education (SBE). The SBE adopts rules to

implement the 24-credit graduation requirement, and those rules must include authorizations for school districts to waive up to two credits for individual students based on unusual circumstances. The waivers of districts must be issued in accordance with written policies adopted by the applicable school district board of directors.

If requested by the student and his or her family, a student who completed high school courses before attending high school must be given high school credit that is applied to fulfilling graduation requirements. To qualify for this credit, the academic level of the course must exceed the requirements for grades 7 and 8, and other specified criteria must be met.

Statewide Student Assessment System.

The Superintendent of Public Instruction (SPI), in consultation with the SBE, is authorized to maintain and revise a statewide academic assessment system to measure student knowledge and skills on state learning standards and to use it for purposes of state and federal accountability. The state assessment system must cover the content areas of reading, writing, mathematics, and science for elementary, middle, and high school years.

The federal Every Student Succeeds Act (ESSA) requires states to assess students based on state learning standards in reading and mathematics in each of grades 3 through 8 and one high school grade. The ESSA also requires states to assess students in science at least once in each of three grade spans: grades 3 through 5; grades 6 through 9; and grades 10 through 12.

Students must earn a Certificate of Academic Achievement (CAA) or a Certificate of Individual Achievement (CIA) to qualify for graduation from a public high school. To obtain a CAA, a student must meet state standard on required statewide assessments administered in grade 10. Students requiring special education who are not appropriately assessed by the state assessment system, even with accommodations, may earn a CIA through a variety of ways to demonstrate skills and abilities commensurate with their individual education programs.

Students in the graduating class of 2019 and in subsequent classes must meet the state standard on the English Language Arts (ELA) SBAC and mathematics assessments. (Washington is part of the Smarter Balanced Assessment Consortium, known as the SBAC, a multistate consortium that developed student assessment in ELA and mathematics.) Beginning with the graduating class of 2021, graduating students must also meet the science standard on the Next Generation Science Standards assessment.

The SBE is responsible for establishing the performance scores that students must meet on state assessments. The scores established for purposes of graduation may be different from the scores used for the purpose of determining career and college readiness.

Objective Alternative Assessment Options.

If a student does not meet standard on an assessment required for graduation, he or she may utilize one or more objective alternative assessment options (alternative assessments) if the student has taken the applicable standard assessment or assessments at least once. The alternative assessments must be comparable in rigor to the skills and knowledge that the student must demonstrate on statewide student assessments, and must be objective in their

determination of student achievement of state standards. If a student meets the state standard on the alternative assessment, he or she earns a CAA. The alternative assessments include:

- grade comparison, provided the student has a sufficient grade point average;
- earning a high enough score on the SAT or ACT;
- earning a high enough score on an Advanced Placement/International Baccalaureate exam;
- earning college credit by completing a dual credit course in ELA or mathematics; and
- taking and passing a locally determined course and associated assessment.

Limited Waiver Options for Certificates of Academic and Individual Achievement.

Legislation adopted in 2017 (chapter 31, Laws of 2017 3rd sp. sess., enacted as Engrossed Substitute House Bill 2224), made numerous changes to provisions governing and affecting graduation requirements. Among other changes, the legislation established an expedited appeals process authorizing the SPI, following local approval, to waive requirements for the CAAs and the CIAs for qualifying students in the graduating classes of 2014 through 2018 who have not met standard on ELA assessments, mathematics assessments, or both.

School districts may also waive specific requirements pertaining to the CAA for students who transferred to a Washington public school in their junior or senior year or who have special, unavoidable circumstances.

High School and Beyond Plans.

Students qualifying for graduation must complete a high school and beyond plan (HSBP). The purpose of the HSBP is to guide the student's high school experience and to prepare the student for postsecondary education and career opportunities. The HSBP must be initiated for each student during grade 7 or 8 and must include specific elements established in statute, including the identification of career and education goals, information about dual credit programs, and a four-year plan for high school courses. The HSBP must be updated to reflect student results on statewide assessments and revised as necessary for changing interests, goals, and needs.

Summary of Engrossed Second Substitute Bill:

Discontinuing the Direct Linkage Between Assessments and Graduation Requirements.

The requirement that graduating students earn a Certificate of Academic Achievement (CAA) to demonstrate meeting standard on statewide assessments is discontinued after the graduating class of 2019. The requirement that qualifying students earn a Certificate of Individual Achievement (CIA) as a prerequisite to graduation is discontinued after the graduating class of 2021.

The Superintendent of Public Instruction (SPI) and the State Board of Education (SBE) remain obligated to maintain and continue to develop and revise a statewide assessment system for students in the content areas of reading, writing, mathematics, and science, but numerous provisions related to assessments and the earning of a CAA are modified or scheduled for repeal to reflect the discontinuation of the CAA and the CIA. For example:

- all alternative assessment options for earning a CAA are discontinued after the graduating class of 2019;

- a temporary provision governing end-of-course assessments for high school mathematics is discontinued; and
- references to CAAs (or CIAs) in provisions that govern International Baccalaureate diplomas, the Running Start Program, high school transcripts, and private schools are modified to reflect the discontinuation of the CAA and the CIA.

The statewide assessment system is expressly required to include the Washington Access to Instruction and Measurement Assessment for students with significant cognitive challenges.

Graduation Pathways for the Graduating Class of 2020 and Subsequent Classes.

Beginning with the class of 2020, graduation from a public high school and the earning of a high school diploma must include:

- satisfying the graduation requirements established by the SBE and any graduation requirements established by the applicable public high school or school district;
- satisfying credit requirements for graduation;
- demonstrating career and college readiness through completion of the HSBP; and
- meeting the requirements of at least one graduation pathway option. A student may choose to pursue more than one pathway option, but any option used by a student to demonstrate career and college readiness must be in alignment with the student's HSBP.

The graduation pathway options are as follows:

- meet or exceed the graduation standard established by the SBE on the statewide high school assessments in English language arts (ELA) and mathematics;
- complete and qualify for college credit in dual credit courses in ELA and mathematics;
- earn high school credit in a high school transition course that meets specific requirements in ELA and mathematics;
- earn high school credit, with a C+ grade or equivalent, in specified AP, International Baccalaureate, or Cambridge international courses in ELA and mathematics;
- meet or exceed the scores established by the SBE for the mathematics portion and the reading, English, or writing portion of the SAT or ACT;
- meet any combination of at least one ELA option and at least one mathematics option established in the previous bullets;
- meet standard in the armed services vocational aptitude battery; and
- complete a sequence of career and technical education courses, including those leading to workforce entry, state or nationally approved apprenticeships, or postsecondary education, that meet specific statutory criteria.

School districts are encouraged to make all graduation pathway options available to their students, and to expand their list of options until all are offered, but districts are granted discretion in determining which options they offer to students. Additionally, the SBE is directed to adopt rules to implement the graduation pathway options.

Limited Waiver Options for Students in the Graduating Class of 2019.

The expedited appeals process that allows the SPI, following approval by the local school district, to waive requirements for the CAAs and the CIAs for qualifying students is extended by one-year to apply to eligible students in the graduating class of 2019.

Graduation Requirements and Selected Credit Waivers.

Requirements directing rules of the SBE to include authorizations that allow school districts to waive up to two credits for individual students based on unusual circumstances are modified to specify that the waiver must be based on a student's circumstances, and that none of the waived credits may be ones identified as mandatory by the SBE.

Application of Pre-High School Credit to High School Requirements.

Opt-in provisions for earning pre-high school credit are changed to opt-out provisions. Unless requested otherwise by the student and the student's family, a student who completed high school courses before attending high school must be given high school credit that applies to high school graduation requirements.

High School and Beyond Plans.

Numerous modifications are made to provisions governing the HSBPs. The stated purpose of the HSBP is revised to specify that an HSBP is intended to guide the student's high school experience and inform course taking that is aligned with the student's goals for education or training and career after high school. Also, each student's HSBP must be updated to inform junior year course taking.

Other changes provide that if a student has an individualized education program (IEP), the written plan that guides the delivery of special education services, the HSBP must be developed in alignment with their IEP. For students with IEPs, their HSBP must be updated in alignment with their school to postschool transition plan.

The four-year plan for high school course taking that is part of a student's HSBP must identify a course sequence to inform academic acceleration that meets specified requirements. Additionally, each student's HSBP must include evidence that the student has received specific information about federal and state financial aid programs that provide financial assistance for postsecondary education programs.

Online Platform for High School and Beyond Plans.

The Office of the Superintendent of Public Instruction (OSPI), subject to specific legislative funding, is directed to select and contract with a vendor to develop and implement a statewide online electronic platform (platform) for the HSBPs of students. Beginning in the 2020-21 school year, the platform must be available to all students who are required to have an HSBP. The platform must meet specified minimum requirements, and the OSPI is authorized to adopt and revise rules related to the development and administration of the platform.

Mastery-Based Learning Work Group.

By June 1, 2019, the SBE is directed to convene and staff work group to inform the Governor, the Legislature, and the public about barriers to mastery-based learning in Washington whereby:

- students advance upon demonstrated mastery of content;
- competencies include explicit, measurable, transferable learning objectives that empower students;
- assessments are meaningful and a positive learning experience for students;

- students receive rapid, differentiated support based on their individual learning needs; and
- learning outcomes emphasize competencies that include application and creation of knowledge along with the development of important skills and dispositions.

The work group is directed to examine opportunities to increase student access to relevant and robust mastery-based academic pathways aligned to personal career goals and postsecondary education. The work group is also directed to review the role of the HSBP in supporting mastery-based learning, and must consider:

- improvements in the HSBP as an essential tool for mastery-based learning;
- development of mastery-based pathways to the earning of a high school diploma; and
- the expansion of mastery-based credits to meet graduation requirements.

The work group must include four legislators and representatives from specified agencies and organizations, as selected by those agencies and organizations. The SBE must coordinate work group membership to ensure member diversity, including racial, ethnic, gender, geographic, community-size, and expertise diversity.

The SBE must submit an interim report outlining preliminary findings and potential recommendations of the work group to the Governor and the education committees of the House of Representatives and the Senate by December 1, 2019. A final report detailing all findings and recommendations related to the work group's purpose and tasks is due to the same recipients by December 1, 2020.

Continued Application of Preexisting Graduation Requirements to Class of 2018 and Prior Classes.

Specific provisions related to statewide assessments, assessments for special education students, and the earning of the CAA or the CIA that existed on January 1, 2019, continue to apply to students in the graduating class of 2018 and prior graduating classes.

Modifications to Statewide High School Science Assessment.

Requirements for the statewide high school assessment in science are modified to remove and obsolete reference to an end-of-course biology assessment, and to specify that the assessment must be a comprehensive assessment that measures the state standards for the application of science and engineering practices, disciplinary core ideas, and crosscutting concepts in the domains of physical sciences, life sciences, Earth and space sciences, and engineering design.

EFFECT OF SENATE AMENDMENT(S):

The Senate amendment:

1. extends the expedited appeals process that authorizes the Superintendent of Public Instruction (SPI) to waive requirements for Certificates of Academic Achievement (CAAs) and Certificates of Individual Achievement (CIAs) by one additional year (two years beyond current law) thereby applying to eligible students in the graduating class of 2020, and makes the changes to the appeals process effective May 15, 2019, rather than immediately;

2. makes numerous changes to provisions for an online electronic platform for High School and Beyond Plans (HSBPs) proposed in the underlying bill, including: requiring the Office of the Superintendent of Public Instruction (OSPI) to facilitate the creation of a list of available electronic platforms for the HSPB instead of selecting and contracting with a vendor to develop and implement a statewide online electronic platform for HSBPs; requiring school districts, instead of the OSPI, to make a platform available by the beginning of the 2020-21 school year to all students who must have an HSBP; removing a provision specifying that the platform must be capable of being maintained by the OSPI within two years after its initial implementation; and establishing additional requirements for platform options on the OSPI list;
3. adds provisions related to academic acceleration policies (from SSB 5343) and makes numerous changes to existing law, including: requiring (rather than permitting) all districts to adopt academic acceleration policies for high school students by 2021-22 school year; specifying that initial enrollment in an advanced course or program under an acceleration policy is based on exceeding the standard for state assessments administered in eighth grade or in high school; expanding acceleration policies to apply to science courses; and modifying district notification and opt-out provisions;
4. modifies HSBP requirements relating to the mandatory identification of dual credit programs that each HSBP must include by delineating additional examples of dual credit opportunities for students;
5. requires the SPI to consult with the Washington State Special Education Advisory Council (SEAC) when developing guidelines for determining which types of multiple measures for demonstrating skills and abilities are appropriate for use with students that may earn a CIA;
6. requires the SPI, until August 31, 2024, to consult with the SEAC regarding graduation pathways that might be added to support achievement of all students served under special education provisions in Washington law;
7. modifies provisions governing the graduation pathway option relating to the earning high school credit through a qualifying academic performance by establishing additional requirements related to AP and international baccalaureate courses;
8. modifies provisions governing the graduation pathway option relating to completing a sequence of career and technical education courses by specifying that the sequence of courses must be relevant to a student's postsecondary pathway and comply with other requirements;
9. requires the SPI to collect information from school districts about the graduation pathway options they offer and the number of students using each pathway;
10. requires the SPI to annually report the collected graduation pathway information to the education committees of the Legislature, beginning January 10, 2021;
11. requires the State Board of Education (SBE) to survey a sampling of school districts that are unable to offer all graduation pathway options to students for the purpose of identifying implementation barriers, and to provide a related report and recommendations to the Legislature by December 10, 2022;
12. requires the SBE to survey interested parties (some of whom are specifically delineated) about establishing and modifying graduation pathway options, and specifies that the survey results must be provided to the education committees of the Legislature by August 1, 2020;

13. changes the date by which the SBE must convene a mastery-based learning work group (work group) from June 1, 2019, to August 1, 2019, and makes a corresponding change to the effective date for the work group's provisions;
14. requires the work group to consider the results of the competency-based pathways previously approved by the SBE as a learning resource;
15. specifies that, as part of the work group, the SBE, in collaboration with the OSPI, must develop enrollment reporting guidelines to support schools operating with waivers that delay the requirement to implement a 24-credit graduation requirement; and
16. adds, effective August 31, 2022, a new section (section 203) related to academic supports and student learning plans that generally corresponds to current statutory requirements (in section 105) that bill expires on August 31, 2022.

Appropriation: None.

Fiscal Note: Requested on February 23, 2019.

Effective Date: This bill takes effect 90 days after adjournment of the session in which the bill is passed, except for section 102, relating to the extending the expedited appeals process of the SPI, and section 301, relating to a mastery-based learning work group, which take effect immediately. However, the bill is null and void unless funded in the budget.

Staff Summary of Public Testimony (Education):

(In support) United State Senators recognize that the use of state tests can have a negative impact on the ability of teachers to teach. The federal education rules were not intended to bring states to this point, and federal rules have relaxed. It is time for Washington to address the issue of assessments and graduation requirements. This bill represents the efforts of stakeholders to create a future workforce. Amendments are forthcoming and a proposed substitute bill is being developed.

The Legislature has made progress in creating flexibility with graduation standards. It is time to delink assessments from graduation requirements. The bill delinks assessments from graduation requirements and makes the HSBP come alive by building a plan for students' junior and senior years that leads them to a postsecondary outcome.

Support exists for fully decoupling assessments from graduation requirements, and mandating robust HSBPs that connect with postsecondary pathways. There is urgency for the class of 2019 and the decoupling provisions must apply to them. Care should be taken to ensure that districts can honor the pathway options established in the bill.

Statewide tests were not intended to determine whether the student can graduate—this is not reasonable or fair. Statewide tests are designed to assess student knowledge and to improve teaching. Bright students are not graduating because they cannot pass an SBAC assessment, and test scores are a barrier to a college education. Delinking assessments from graduation requirements will help redirect resources to support all students. The bill should have more funding for counselors, as academic counselors play an important role in the graduation process.

School principals are divided on the topic of assessments and high school graduation requirements, as they see student and system stress, but also successes in aligning standards and improving learning. The bill provides meaning and relevancy to HSBPs and student learning plans, but the system needs additional staffing and counselors to make it work. The bill is supported by education and business stakeholders.

(Opposed) The section that requires students to complete graduation pathways is concerning. Some districts may not be able to offer all of the pathways and this may lead to a limiting of graduation options for some students.

(Other) The expedited appeal provisions for the class of 2019 that are in the bill are critical, as the students in that class should not be used for political leverage. The bill requires the completing of a pathway through numerous options, but the menu of options may not be the correct one. Support exists for multiple and equally legitimate pathways to one diploma.

The bill shares components and common spirit with House Bill 1121. The HSBP provisions in the bill, especially those relating to alignment with individualized education programs, are appreciated.

No single test should hold a student back and deny that student a diploma. There are concerns about the multiple pathways called for in the bill. The bill includes two important pathways that are only available to students in the graduating classes of 2020 and 2021, but those pathways should be available to students in all classes.

The current assessment system tests knowledge levels for achieving a minimum grade 9 standard. The current system is working and graduation requirements have risen since testing requirements were established. The bill moves the graduation requirements from a competency-based system to a pathways-based system. The concept of a pathway-based system is something the business community can work with, but the legislation needs additional work and amendments are being discussed.

Staff Summary of Public Testimony (Appropriations):

(In support) A number of superintendents and organizations in southwest Washington support the bill.

This bill addresses three priorities: decoupling assessments from graduation requirements, supporting HSBPs, and creating successful pathways after high school that link to HSBPs.

As work on the bill continues, additional guidance counselors are needed to support HSBPs. Also, every school district should be able to support any pathway for students. There is also urgency for the class of 2019 with the ending of the expedited appeals process.

This issue has been worked on for a long time. The focus has been on a four-year path after high school, but not other paths. Most jobs may not require a four-year degree but do require something more than high school. This moves toward student-centered pathways to graduation, rather than a debate between delinking or rigorous assessments. Many students

will look at more than one pathway after high school. This bill is a start to create a system that works for all students.

(Opposed) None.

(Other) There is support for the components of the bill delinking assessments and graduation, offering assessments at no cost to students, establishing the work group and requiring an online HSBP portal. There are concerns about the new pathways required in the bill, as not every district will have access to the same pathways.

The SBE supports the intent of the bill, which matches the board's priorities, and the competency-based work group. There are concerns about the section of the bill imposing new pathway requirements for graduation, and additional concerns around equity, access, and rigor. Pathways should be subject to the same SBE rulemaking authority as other graduation requirements. There should also be options for additional pathways.

A single test should not be a barrier to high school graduation. The bill does not include needed funding for more guidance counselors and family engagement staff to implement the new pathways and conduct outreach. Without additional staff, a straight delinking approach is preferred, trusting district determinations of 24-credit diplomas.

Persons Testifying (Education): (In support) Representative Stonier, prime sponsor; Chris Reykdal, Office of the Superintendent of Public Instruction; Jessica Vavrus; Washington State School Directors' Association; Alicia Chua; Jade McQuire; Rhonda Litzenberger, Eatonville School Board; Roz Thompson, Association of Washington School Principals; and Melissa Gombosky, Evergreen and Vancouver Public Schools.

(Opposed) Simone Boe, Washington Education Association.

(Other) Harium Martin-Morris and Kaaren Heikes, State Board of Education; Marie Sullivan, Washington State Parent Teacher Association; and Neil Sterge, Washington Roundtable.

Persons Testifying (Appropriations): (In support) Melissa Gombosky, Evergreen Public Schools, Vancouver Public Schools, and Education Service District 112; Jessica Vavrus, Washington State School Directors' Association; and Dave Mastin, Office of Superintendent of Public Instruction.

(Other) Simone Boe, Washington Education Association; Randy Spaulding, State Board of Education; and Robin Zaback, Washington State Parent Teacher Association.

Persons Signed In To Testify But Not Testifying (Education): None.

Persons Signed In To Testify But Not Testifying (Appropriations): None.