
SUBSTITUTE HOUSE BILL 1646

State of Washington 61st Legislature 2009 Regular Session

By House Education (originally sponsored by Representatives Sullivan, Priest, Kenney, Morrell, and Ormsby)

READ FIRST TIME 02/23/09.

1 AN ACT Relating to making adjustments pertaining to the high school
2 Washington assessment of student learning in mathematics and science;
3 amending RCW 28A.655.0611, 28A.655.066, and 28A.655.061; and creating
4 new sections.

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

6 NEW SECTION. **Sec. 1.** In 2008, the legislature required that the
7 high school Washington assessment of student learning in mathematics be
8 changed to a series of end-of-course assessments and specified a
9 timeline for that change. At the same time but in separate
10 legislation, the legislature determined that additional work was needed
11 to revise and perfect the high school mathematics standards. The
12 result of the two policies is an implementation timeline for the new
13 mathematics end-of-course assessment that is incongruous with other
14 statutory timelines for using the assessment as a high school
15 graduation requirement. The legislature further finds that, although
16 the current assessment has been determined to be technically valid and
17 reliable for use as a high stakes test, adequate time and opportunity
18 for review must be provided to make the same assurance for the new end-
19 of-course assessment. Finally, the legislature finds that the issue of

1 whether revisions should be made to the high school science assessment,
2 including the timeline for requiring students to meet state standards
3 on the assessment for graduation, has not been resolved. Further
4 examination is timely because the science standards have been revised
5 and are ready for final adoption.

6 **Sec. 2.** RCW 28A.655.0611 and 2007 c 354 s 4 are each amended to
7 read as follows:

8 (1) Unless extended by the state board of education under
9 subsection (2) of this section, beginning with the graduating class of
10 2008 and through ((no later than the graduating class)) the graduating
11 class of 2012, students may graduate from high school without earning
12 a certificate of academic achievement or a certificate of individual
13 achievement if they:

14 (a) Have not successfully met the mathematics standard on the high
15 school Washington assessment of student learning or the sequence of
16 end-of-course assessments in mathematics under RCW 28A.655.066, an
17 approved objective alternative assessment, or an alternate assessment
18 developed for eligible special education students;

19 (b) Have successfully met the state standard in the other content
20 areas required for a certificate under RCW 28A.655.061 or 28A.155.045;

21 (c) Have met all other state and school district graduation
22 requirements; and

23 (d)(i) For the graduating class of 2008, successfully earn one
24 additional high school mathematics credit or career and technical
25 course equivalent, including courses offered at skill centers, after
26 the student's eleventh grade year intended to increase the student's
27 mathematics proficiency toward meeting or exceeding the mathematics
28 standards assessed on the high school Washington assessment of student
29 learning and continue to take the appropriate mathematics assessment at
30 least once annually until graduation; and

31 (ii) For the remaining graduating classes under this section,
32 successfully earn two additional mathematics credits or career and
33 technical course equivalent, including courses offered at skill
34 centers, after the student's tenth grade year intended to increase the
35 student's mathematics proficiency toward meeting or exceeding the
36 mathematics standards assessed on the high school Washington assessment

1 of student learning and continue to take the appropriate mathematics
2 assessment at least once annually until graduation.

3 (2) The state board of education may adopt a rule that (~~ends the~~
4 ~~application of this section with a graduating class before the~~
5 ~~graduating class of 2012, if the state board of education adopts the~~
6 ~~rule by September 1st of the freshman school year of the graduating~~
7 ~~class to which the provisions of this section no longer apply~~) extends
8 the application of this section to a graduating class or classes after
9 the graduating class of 2012 if the board determines that additional
10 time is needed before students are required to meet the state standard
11 on the high school mathematics assessment for purposes of high school
12 graduation. The determination of the state board under this subsection
13 shall be based primarily on an examination of the reliability and
14 validity of the mathematics end-of-course assessments for use as a high
15 stakes test for graduation purposes, but may include other
16 considerations. The state board of education's authority under this
17 section does not alter the requirement that any change in performance
18 standards for the tenth grade assessment must comply with RCW
19 28A.305.130.

20 (~~(3) This section expires August 31, 2013.~~)

21 **Sec. 3.** RCW 28A.655.066 and 2008 c 163 s 3 are each amended to
22 read as follows:

23 (1) In consultation with the state board of education, the
24 superintendent of public instruction shall develop statewide end-of-
25 course assessments for high school mathematics that measure student
26 achievement of the state mathematics standards. The superintendent
27 shall take steps to ensure that the language of the assessments is
28 responsive to a diverse student population. The superintendent shall
29 develop end-of-course assessments in algebra I, geometry, integrated
30 mathematics I, and integrated mathematics II(~~(. The superintendent~~
31 ~~shall make the algebra I and integrated mathematics I end-of-course~~
32 ~~assessments available to school districts on an optional basis in the~~
33 ~~2009-10 school year. The end-of-course assessments in algebra I,~~
34 ~~geometry, integrated mathematics I, and integrated mathematics II)~~),
35 and the assessments shall be implemented statewide in the 2010-11
36 school year.

1 (2) (~~For the graduating class of 2013 and for purposes of the~~
2 ~~certificate of academic achievement under RCW 28A.655.061, results from~~
3 ~~the algebra I end-of-course assessment plus the geometry end-of-course~~
4 ~~assessment or results from the integrated mathematics I end-of-course~~
5 ~~assessment plus the integrated mathematics II end-of-course assessment~~
6 ~~may be used to demonstrate that a student meets the state standard on~~
7 ~~the mathematics content area of the high school Washington assessment~~
8 ~~of student learning.~~

9 (3)) Beginning with the (~~graduating class of 2014 and for~~
10 ~~purposes of the certificate of academic achievement under RCW~~
11 ~~28A.655.061)) 2010-11 school year, the mathematics content area of the
12 Washington assessment of student learning shall be assessed using
13 either the algebra I end-of-course assessment plus the geometry end-of-
14 course assessment or the integrated mathematics I end-of-course
15 assessment plus the integrated mathematics II end-of-course assessment.
16 All of the objective alternative assessments available to students
17 under RCW 28A.655.061 and 28A.655.065 shall be available to any student
18 who has taken the sequence of end-of-course assessments once but does
19 not meet the state mathematics standard on the sequence of end-of-
20 course assessments.~~

21 (~~(4)~~) (3) The superintendent of public instruction shall report
22 at least annually or more often if necessary to keep the education
23 committees of the legislature informed on each step of the development
24 and implementation process under this section.

25 NEW SECTION. **Sec. 4.** (1) The office of the superintendent of
26 public instruction, in consultation with the state board of education
27 and the professional educator standards board, must identify strategies
28 and develop an implementation plan intended to assure that all students
29 have the opportunity to learn the new mathematics and science
30 standards.

31 (2) The plan must include at least the following components:

32 (a) Strategies to help districts improve the alignment of
33 curriculum and instruction to the new standards;

34 (b) Provision of instructional models to help teachers; and

35 (c) Identification of effective intervention programs and
36 strategies for struggling students.

1 (3) The office of the superintendent of public instruction, in
2 consultation with the state board of education, shall also recommend
3 whether to use a comprehensive assessment or end-of-course assessments
4 for the high school assessment for students to demonstrate that they
5 have achieved proficiency on the state science standards. The office
6 shall also identify the costs for developing and implementing
7 end-of-course assessments in science.

8 (4) The office of the superintendent of public instruction shall
9 report to the governor and the legislature by December 1, 2009, on the
10 mathematics and science implementation plan as well as the recommended
11 method of assessment for science.

12 **Sec. 5.** RCW 28A.655.061 and 2008 c 321 s 2 are each amended to
13 read as follows:

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

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

32 (3) Beginning with the graduating class of 2008, with the exception
33 of students satisfying the provisions of RCW 28A.155.045, a student who
34 meets the state standards on the reading, writing, and mathematics
35 content areas of the high school Washington assessment of student
36 learning shall earn a certificate of academic achievement. If a
37 student does not successfully meet the state standards in one or more

1 content areas required for the certificate of academic achievement,
2 then the student may retake the assessment in the content area up to
3 four times at no cost to the student. If the student successfully
4 meets the state standards on a retake of the assessment then the
5 student shall earn a certificate of academic achievement. Once
6 objective alternative assessments are authorized pursuant to subsection
7 (10) of this section, a student may use the objective alternative
8 assessments to demonstrate that the student successfully meets the
9 state standards for that content area if the student has taken the
10 Washington assessment of student learning at least once. If the
11 student successfully meets the state standards on the objective
12 alternative assessments then the student shall earn a certificate of
13 academic achievement.

14 (4) Beginning (~~(no later than)~~) with the graduating class of 2013,
15 a student must meet the state standards in science in addition to the
16 other content areas required under subsection (3) of this section on
17 the Washington assessment of student learning or the objective
18 alternative assessments in order to earn a certificate of academic
19 achievement. (~~(The state board of education may adopt a rule that
20 implements the requirements of this subsection (4) beginning with a
21 graduating class before the graduating class of 2013, if the state
22 board of education adopts the rule by September 1st of the freshman
23 school year of the graduating class to which the requirements of this
24 subsection (4) apply.)~~) However, the state board of education may
25 adopt a rule that implements the requirements of this subsection
26 beginning with a graduating class after the class of 2013, if the board
27 determines that additional time is needed before students are required
28 to meet the state standard on the high school science assessment for
29 purposes of high school graduation. The determination of the state
30 board under this subsection shall be based primarily on an examination
31 of the reliability and validity of the science assessments for use as
32 a high stakes test for graduation purposes, but may include other
33 considerations. The state board of education's authority under this
34 subsection (~~((+4))~~) does not alter the requirement that any change in
35 performance standards for the tenth grade assessment must comply with
36 RCW 28A.305.130.

37 (5) The state board of education may not require the acquisition of
38 the certificate of academic achievement for students in home-based

1 instruction under chapter 28A.200 RCW, for students enrolled in private
2 schools under chapter 28A.195 RCW, or for students satisfying the
3 provisions of RCW 28A.155.045.

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

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

8 (a) To retake the Washington assessment of student learning up to
9 four times in the content areas in which the student did not meet the
10 state standards if the student is enrolled in a public school; or

11 (b) To retake the Washington assessment of student learning up to
12 four times in the content areas in which the student did not meet the
13 state standards if the student is enrolled in a high school completion
14 program at a community or technical college. The superintendent of
15 public instruction and the state board for community and technical
16 colleges shall jointly identify means by which students in these
17 programs can be assessed.

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

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

24 (10)(a) The office of the superintendent of public instruction
25 shall develop options for implementing objective alternative
26 assessments, which may include an appeals process for students' scores,
27 for students to demonstrate achievement of the state academic
28 standards. The objective alternative assessments shall be comparable
29 in rigor to the skills and knowledge that the student must demonstrate
30 on the Washington assessment of student learning and be objective in
31 its determination of student achievement of the state standards.
32 Before any objective alternative assessments in addition to those
33 authorized in RCW 28A.655.065 or (b) of this subsection are used by a
34 student to demonstrate that the student has met the state standards in
35 a content area required to obtain a certificate, the legislature shall
36 formally approve the use of any objective alternative assessments
37 through the omnibus appropriations act or by statute or concurrent
38 resolution.

1 (b)(i) A student's score on the mathematics, reading or English, or
2 writing portion of the (~~scholastic assessment test~~)SAT(+) or the
3 (~~American college test~~)ACT(+) may be used as an objective
4 alternative assessment under this section for demonstrating that a
5 student has met or exceeded the state standards for the certificate of
6 academic achievement. The state board of education shall identify the
7 scores students must achieve on the relevant portion of the SAT or ACT
8 to meet or exceed the state standard in the relevant content area on
9 the Washington assessment of student learning. The state board of
10 education shall identify the first scores by December 1, 2007. After
11 the first scores are established, the state board may increase but not
12 decrease the scores required for students to meet or exceed the state
13 standards.

14 (ii) (~~Until August 31, 2008, a student's score on the mathematics~~
15 ~~portion of the preliminary scholastic assessment test (PSAT) may be~~
16 ~~used as an objective alternative assessment under this section for~~
17 ~~demonstrating that a student has met or exceeded the state standard for~~
18 ~~the certificate of academic achievement. The state board of education~~
19 ~~shall identify the score students must achieve on the mathematics~~
20 ~~portion of the PSAT to meet or exceed the state standard in that~~
21 ~~content area on the Washington assessment of student learning.~~

22 (+iii)) A student who scores at least a three on the grading scale
23 of one to five for selected AP examinations may use the score as an
24 objective alternative assessment under this section for demonstrating
25 that a student has met or exceeded state standards for the certificate
26 of academic achievement. A score of three on the AP examinations in
27 calculus or statistics may be used as an alternative assessment for the
28 mathematics portion of the Washington assessment of student learning.
29 A score of three on the AP examinations in English language and
30 composition may be used as an alternative assessment for the writing
31 portion of the Washington assessment of student learning. A score of
32 three on the AP examinations in English literature and composition,
33 macroeconomics, microeconomics, psychology, United States history,
34 world history, United States government and politics, or comparative
35 government and politics may be used as an alternative assessment for
36 the reading portion of the Washington assessment of student learning.

37 (11) By December 15, 2004, the house of representatives and senate
38 education committees shall obtain information and conclusions from

1 recognized, independent, national assessment experts regarding the
2 validity and reliability of the high school Washington assessment of
3 student learning for making individual student high school graduation
4 determinations.

5 (12) To help assure continued progress in academic achievement as
6 a foundation for high school graduation and to assure that students are
7 on track for high school graduation, each school district shall prepare
8 plans for and notify students and their parents or legal guardians as
9 provided in this subsection (12).

10 (a) Student learning plans are required for eighth through twelfth
11 grade students who were not successful on any or all of the content
12 areas of the Washington assessment for student learning during the
13 previous school year or who may not be on track to graduate due to
14 credit deficiencies or absences. The parent or legal guardian shall be
15 notified about the information in the student learning plan, preferably
16 through a parent conference and at least annually. To the extent
17 feasible, schools serving English language learner students and their
18 parents shall translate the plan into the primary language of the
19 family. The plan shall include the following information as
20 applicable:

21 (i) The student's results on the Washington assessment of student
22 learning;

23 (ii) If the student is in the transitional bilingual program, the
24 score on his or her Washington language proficiency test II;

25 (iii) Any credit deficiencies;

26 (iv) The student's attendance rates over the previous two years;

27 (v) The student's progress toward meeting state and local
28 graduation requirements;

29 (vi) The courses, competencies, and other steps needed to be taken
30 by the student to meet state academic standards and stay on track for
31 graduation;

32 (vii) Remediation strategies and alternative education options
33 available to students, including informing students of the option to
34 continue to receive instructional services after grade twelve or until
35 the age of twenty-one;

36 (viii) The alternative assessment options available to students
37 under this section and RCW 28A.655.065;

1 (ix) School district programs, high school courses, and career and
2 technical education options available for students to meet graduation
3 requirements; and

4 (x) Available programs offered through skill centers or community
5 and technical colleges.

6 (b) All fifth grade students who were not successful in one or more
7 of the content areas of the fourth grade Washington assessment of
8 student learning shall have a student learning plan.

9 (i) The parent or guardian of the student shall be notified,
10 preferably through a parent conference, of the student's results on the
11 Washington assessment of student learning, actions the school intends
12 to take to improve the student's skills in any content area in which
13 the student was unsuccessful, and provide strategies to help them
14 improve their student's skills.

15 (ii) Progress made on the student plan shall be reported to the
16 student's parents or guardian at least annually and adjustments to the
17 plan made as necessary.

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