
SENATE BILL 5459

State of Washington

61st Legislature

2009 Regular Session

By Senators Hobbs, Pridemore, and McAuliffe

Read first time 01/22/09. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to using multiple measures to meet high school
2 graduation requirements; amending RCW 28A.655.061, 28A.655.0611,
3 28A.155.045, and 28A.230.090; adding a new section to chapter 28A.655
4 RCW; creating a new section; and declaring an emergency.

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

6 NEW SECTION. **Sec. 1.** It is the intent of the legislature to
7 account for a student's entire high school academic history by
8 implementing an assessment system that evaluates a student's readiness
9 to graduate based on multiple measures. This method recognizes all of
10 the state's graduation requirements, considers the academic impact and
11 benefit of each, and puts all in proper perspective. It honors a well-
12 rounded, rigorous, and challenging educational experience that prepares
13 students for a changing and complex twenty-first century. It
14 recognizes that while all students can learn at high levels, each
15 student is unique in his or her learning style. Students demonstrate
16 competencies through their own strengths, learning styles, and
17 different formats, and academically develop at different rates over
18 time. In this system, the academic standards expected to be mastered
19 remain constant but the time and manner by which a student demonstrates

1 those standards can change. This system upholds all of the state's
2 four learning goals throughout a student's high school tenure. It
3 provides the opportunity for students to develop, grasp, and
4 demonstrate many learning objectives, including those beyond the tenth
5 grade.

6 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.655
7 RCW to read as follows:

8 (1) Beginning with the class of 2010, every student shall have the
9 opportunity to graduate with a high school diploma by obtaining a set
10 weighted graduation score, as established by the state board of
11 education, in relation to his or her performance in the entire multiple
12 measures high school assessment system, as calculated under subsection
13 (2) of this section. To qualify for graduation, a student must
14 complete each of the five components in the high school assessment
15 system. A student who graduates using this multiple measures approach
16 does not receive a certificate of academic achievement or certificate
17 of individual achievement. The multiple measures high school
18 assessment system is comprised of the following five components:

19 (a) Computation of the average grade point for those courses
20 required for graduation as determined by the state board of education;

21 (b) Computation of the average grade point for those courses
22 required locally for graduation;

23 (c) Completion of the high school and beyond plan;

24 (d) Completion of a culminating project; and

25 (e) Student scores on the assessments or alternative assessments
26 established under RCW 28A.655.061 or 28A.155.045.

27 (2)(a) Each component shall be evaluated using a four-point grading
28 system and each component shall be assigned a different percentage
29 weight for purposes of calculating the student's weighted graduation
30 score. The purpose of the differently weighted components is to allow
31 a high score on certain components to offset lower scores on other
32 components. The state board of education shall establish:

33 (i) The weighted average graduation score, on a scale of one to
34 four, that is necessary for a student to graduate;

35 (ii) Guidelines for schools on how to establish the point values to
36 be assigned to each of the five components of the high school
37 assessment system; and

1 (iii) Guidelines to assist schools in understanding how to
2 calculate the weighted graduation score.

3 (b) In creating the guidelines, the state board of education shall
4 use the minimum criteria in this subsection (2)(b) but may establish
5 additional requirements for each component:

6 (i) For the components in subsection (1)(a) and (b) of this
7 section, students must attain a minimum achievement of a passing grade
8 on every course required for graduation in order to receive a numerical
9 score. The components in subsection (1)(a) and (b) of this section
10 shall, in total, have a forty percent weight of the whole on a one
11 hundred percent scale.

12 (ii) Students must take the Washington assessment of student
13 learning at least once. The score for the component in subsection
14 (1)(e) of this section shall have a forty percent weight of the whole
15 on a one hundred percent scale.

16 (iii) The components in subsection (1)(c) and (d) of this section
17 shall each have a ten percent weight of the whole on a one hundred
18 percent scale.

19 **Sec. 3.** RCW 28A.655.061 and 2008 c 321 s 2 are each amended to
20 read as follows:

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

31 (2) Subject to the conditions in this section, a certificate of
32 academic achievement ~~((shall be obtained by most students at about the
33 age of sixteen, and))~~ is evidence that the students have successfully
34 met the state standard in the content areas included in the
35 certificate. With the exception of students satisfying the provisions
36 of section 2 of this act, RCW 28A.155.045, or 28A.655.0611, acquisition

1 of the certificate is required for graduation from a public high school
2 but is not the only requirement for graduation.

3 (3) Beginning with the graduating class of 2008, with the exception
4 of students satisfying the provisions of RCW 28A.155.045, a student who
5 meets the state standards on the reading, writing, and mathematics
6 content areas of the high school Washington assessment of student
7 learning shall earn a certificate of academic achievement. If a
8 student does not successfully meet the state standards in one or more
9 content areas required for the certificate of academic achievement,
10 then the student may retake the assessment in the content area up to
11 four times at no cost to the student. If the student successfully
12 meets the state standards on a retake of the assessment then the
13 student shall earn a certificate of academic achievement. Once
14 objective alternative assessments are authorized pursuant to subsection
15 (10) of this section, a student may use the objective alternative
16 assessments to demonstrate that the student successfully meets the
17 state standards for that content area if the student has taken the
18 Washington assessment of student learning at least once. If the
19 student successfully meets the state standards on the objective
20 alternative assessments then the student shall earn a certificate of
21 academic achievement.

22 (4) Beginning no later than with the graduating class of 2013, a
23 student must meet the state standards in science in addition to the
24 other content areas required under subsection (3) of this section on
25 the Washington assessment of student learning or the objective
26 alternative assessments in order to earn a certificate of academic
27 achievement. The state board of education may adopt a rule that
28 implements the requirements of this subsection (4) beginning with a
29 graduating class before the graduating class of 2013, if the state
30 board of education adopts the rule by September 1st of the freshman
31 school year of the graduating class to which the requirements of this
32 subsection (4) apply. The state board of education's authority under
33 this subsection (4) does not alter the requirement that any change in
34 performance standards for the tenth grade assessment must comply with
35 RCW 28A.305.130.

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

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

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

36 (11) By December 15, 2004, the house of representatives and senate
37 education committees shall obtain information and conclusions from
38 recognized, independent, national assessment experts regarding the

1 validity and reliability of the high school Washington assessment of
2 student learning for making individual student high school graduation
3 determinations.

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

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

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

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

24 (iii) Any credit deficiencies;

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

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

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

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

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

37 (ix) School district programs, high school courses, and career and

1 technical education options available for students to meet graduation
2 requirements; and

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

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

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

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

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

19 (1) In addition to the students meeting the requirements of section
20 2 of this act, beginning with the graduating class of 2008 and through
21 no later than the graduating class of 2012, students may graduate from
22 high school without earning a certificate of academic achievement or a
23 certificate of individual achievement if they:

24 (a) Have not successfully met the mathematics standard on the high
25 school Washington assessment of student learning, an approved objective
26 alternative assessment, or an alternate assessment developed for
27 eligible special education students;

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

30 (c) Have met all other state and school district graduation
31 requirements; and

32 (d)(i) For the graduating class of 2008, successfully earn one
33 additional high school mathematics credit or career and technical
34 course equivalent, including courses offered at skill centers, after
35 the student's eleventh grade year intended to increase the student's
36 mathematics proficiency toward meeting or exceeding the mathematics

1 standards assessed on the high school Washington assessment of student
2 learning and continue to take the appropriate mathematics assessment at
3 least once annually until graduation; and

4 (ii) For the remaining graduating classes under this section,
5 successfully earn two additional mathematics credits or career and
6 technical course equivalent, including courses offered at skill
7 centers, after the student's tenth grade year intended to increase the
8 student's mathematics proficiency toward meeting or exceeding the
9 mathematics standards assessed on the high school Washington assessment
10 of student learning and continue to take the appropriate mathematics
11 assessment at least once annually until graduation.

12 (2) The state board of education may adopt a rule that ends the
13 application of this section with a graduating class before the
14 graduating class of 2012, if the state board of education adopts the
15 rule by September 1st of the freshman school year of the graduating
16 class to which the provisions of this section no longer apply. The
17 state board of education's authority under this section does not alter
18 the requirement that any change in performance standards for the tenth
19 grade assessment must comply with RCW 28A.305.130.

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

21 **Sec. 5.** RCW 28A.155.045 and 2007 c 354 s 3 are each amended to
22 read as follows:

23 Beginning with the graduating class of 2008, students served under
24 this chapter, who are not appropriately assessed by the high school
25 Washington assessment system as defined in RCW 28A.655.061, even with
26 accommodations, may earn a certificate of individual achievement. The
27 certificate may be earned using multiple ways to demonstrate skills and
28 abilities commensurate with their individual education programs. The
29 determination of whether the high school assessment system is
30 appropriate shall be made by the student's individual education program
31 team. Except as provided in RCW 28A.655.0611 or section 2 of this act,
32 for these students, the certificate of individual achievement is
33 required for graduation from a public high school, but need not be the
34 only requirement for graduation. When measures other than the high
35 school assessment system as defined in RCW 28A.655.061 are used, the
36 measures shall be in agreement with the appropriate educational
37 opportunity provided for the student as required by this chapter. The

1 superintendent of public instruction shall develop the guidelines for
2 determining which students should not be required to participate in the
3 high school assessment system and which types of assessments are
4 appropriate to use.

5 When measures other than the high school assessment system as
6 defined in RCW 28A.655.061 are used for high school graduation
7 purposes, the student's high school transcript shall note whether that
8 student has earned a certificate of individual achievement.

9 Nothing in this section shall be construed to deny a student the
10 right to participation in the high school assessment system as defined
11 in RCW 28A.655.061, and, upon successfully meeting the high school
12 standard, receipt of the certificate of academic achievement.

13 **Sec. 6.** RCW 28A.230.090 and 2006 c 114 s 3 are each amended to
14 read as follows:

15 (1) The state board of education shall establish high school
16 graduation requirements or equivalencies for students, except those
17 equivalencies established by local high schools or school districts
18 under RCW 28A.230.097.

19 (a) Any course in Washington state history and government used to
20 fulfill high school graduation requirements shall consider including
21 information on the culture, history, and government of the American
22 Indian peoples who were the first inhabitants of the state.

23 (b) Students must meet the certificate of academic achievement
24 requirements under RCW 28A.655.061 (~~(or)~~), the certificate of
25 individual achievement requirements under RCW 28A.155.045 (~~are~~
26 required for graduation)), or the requirements of the multiple measures
27 high school assessment system as established in section 2 of this act
28 in order to graduate from a public high school (~~(but)~~). These are not
29 the only requirements for graduation.

30 (c) Any decision on whether a student has met the state board's
31 high school graduation requirements for a high school and beyond plan
32 shall remain at the local level.

33 (2) In recognition of the statutory authority of the state board of
34 education to establish and enforce minimum high school graduation
35 requirements, the state board shall periodically reevaluate the
36 graduation requirements and shall report such findings to the
37 legislature in a timely manner as determined by the state board. The

1 state board shall reevaluate the graduation requirements for students
2 enrolled in vocationally intensive and rigorous career and technical
3 education programs, particularly those programs that lead to a
4 certificate or credential that is state or nationally recognized. The
5 purpose of the evaluation is to ensure that students enrolled in these
6 programs have sufficient opportunity to earn a certificate of academic
7 achievement, complete the program and earn the program's certificate or
8 credential, and complete other state and local graduation requirements.
9 The board shall (~~reports—[report]~~) report its findings and
10 recommendations for additional flexibility in graduation requirements,
11 if necessary, to the legislature by December 1, 2007.

12 (3) Pursuant to any requirement for instruction in languages other
13 than English established by the state board of education or a local
14 school district, or both, for purposes of high school graduation,
15 students who receive instruction in American sign language or one or
16 more American Indian languages shall be considered to have satisfied
17 the state or local school district graduation requirement for
18 instruction in one or more languages other than English.

19 (4) If requested by the student and his or her family, a student
20 who has completed high school courses before attending high school
21 shall be given high school credit which shall be applied to fulfilling
22 high school graduation requirements if:

23 (a) The course was taken with high school students, if the academic
24 level of the course exceeds the requirements for seventh and eighth
25 grade classes, and the student has successfully passed by completing
26 the same course requirements and examinations as the high school
27 students enrolled in the class; or

28 (b) The academic level of the course exceeds the requirements for
29 seventh and eighth grade classes and the course would qualify for high
30 school credit, because the course is similar or equivalent to a course
31 offered at a high school in the district as determined by the school
32 district board of directors.

33 (5) Students who have taken and successfully completed high school
34 courses under the circumstances in subsection (4) of this section shall
35 not be required to take an additional competency examination or perform
36 any other additional assignment to receive credit.

37 (6) At the college or university level, five quarter or three
38 semester hours equals one high school credit.

1 NEW SECTION. **Sec. 7.** This act is necessary for the immediate
2 preservation of the public peace, health, or safety, or support of the
3 state government and its existing public institutions, and takes effect
4 immediately.

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