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SENATE BILL 5587

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Litzow, Dammeier, Rivers, Fain, and Tom

Read first time 02/04/13. Referred to Committee on Early Learning & K-12 Education.

1 AN ACT Relating to student assessments; amending RCW 28A.655.061,  
2 28A.655.066, 28A.655.070, 28A.655.071, 28B.105.010, 28B.105.030, and  
3 28B.105.060; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the  
6 superintendent of public instruction was authorized to align the state  
7 essential academic learning requirements for mathematics, reading,  
8 writing, and communication with the common set of standards for  
9 students in grades kindergarten through twelve, known as the common  
10 core state standards, which were developed by a multistate consortium  
11 in which Washington took part. The legislature further finds that  
12 Washington has joined one of two multistate consortia using a federal  
13 grant to develop new language arts and math assessments in grades three  
14 through eight and grade eleven that are, among other factors, aligned  
15 with the common core state standards and test college and career  
16 readiness at the high school level. The legislature further finds that  
17 the assessments are required to be ready for use by the 2014-15 school  
18 year. The legislature intends to make changes to the assessment system

1 in order to use the consortia-developed tests to meet the requirements  
2 of the state and federal accountability requirements.

3 **Sec. 2.** RCW 28A.655.061 and 2011 1st sp.s. c 22 s 2 are each  
4 amended to read as follows:

5 (1) The high school assessment system shall include but need not be  
6 limited to the statewide student assessment, opportunities for a  
7 student to retake the content areas of the assessment in which the  
8 student was not successful, and, if approved by the legislature  
9 pursuant to subsection (10) of this section, one or more objective  
10 alternative assessments for a student to demonstrate achievement of  
11 state academic standards. The objective alternative assessments for  
12 each content area shall be comparable in rigor to the skills and  
13 knowledge that the student must demonstrate on the statewide student  
14 assessment for each content area.

15 (2) Subject to the conditions in this section, a certificate of  
16 academic achievement shall be obtained (~~((by most students at about the~~  
17 ~~age of sixteen,))~~) and is evidence that the students have successfully  
18 met the state standard in the content areas included in the  
19 certificate. With the exception of students satisfying the provisions  
20 of RCW 28A.155.045 or 28A.655.0611, acquisition of the certificate is  
21 required for graduation from a public high school but is not the only  
22 requirement for graduation.

23 (3) Beginning with the graduating class of 2008, with the exception  
24 of students satisfying the provisions of RCW 28A.155.045, a student who  
25 meets the state standards on the reading, writing, and mathematics  
26 content areas of the high school statewide student assessment shall  
27 earn a certificate of academic achievement. If a student does not  
28 successfully meet the state standards in one or more content areas  
29 required for the certificate of academic achievement, then the student  
30 may retake the assessment in the content area (~~((up to four times))~~) at  
31 least twice a year at no cost to the student. If the student  
32 successfully meets the state standards on a retake of the assessment  
33 then the student shall earn a certificate of academic achievement.  
34 Once objective alternative assessments are authorized pursuant to  
35 subsection (10) of this section, a student may use the objective  
36 alternative assessments to demonstrate that the student successfully  
37 meets the state standards for that content area if the student has

1 taken the statewide student assessment at least once. If the student  
2 successfully meets the state standards on the objective alternative  
3 assessments then the student shall earn a certificate of academic  
4 achievement.

5 (4) Beginning with the graduating class of 2015, a student must  
6 meet the state standards in English language arts, mathematics, and  
7 science (~~in addition to the other~~) instead of the content areas  
8 required under subsection (3) of this section on the statewide student  
9 assessment or the objective alternative assessments in order to earn a  
10 certificate of academic achievement.

11 (5) The state board of education may not require the acquisition of  
12 the certificate of academic achievement for students in home-based  
13 instruction under chapter 28A.200 RCW, for students enrolled in private  
14 schools under chapter 28A.195 RCW, or for students satisfying the  
15 provisions of RCW 28A.155.045.

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

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

20 (a) To retake the statewide student assessment (~~up to four times~~)  
21 at least twice a year in the content areas in which the student did not  
22 meet the state standards if the student is enrolled in a public school;  
23 or

24 (b) To retake the statewide student assessment (~~up to four times~~)  
25 at least twice a year in the content areas in which the student did not  
26 meet the state standards if the student is enrolled in a high school  
27 completion program at a community or technical college. The  
28 superintendent of public instruction and the state board for community  
29 and technical colleges shall jointly identify means by which students  
30 in these programs can be assessed.

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

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

37 (10)(a) The office of the superintendent of public instruction  
38 shall develop options for implementing objective alternative

1 assessments, which may include an appeals process for students' scores,  
2 for students to demonstrate achievement of the state academic  
3 standards. The objective alternative assessments shall be comparable  
4 in rigor to the skills and knowledge that the student must demonstrate  
5 on the statewide student assessment and be objective in its  
6 determination of student achievement of the state standards. Before  
7 any objective alternative assessments in addition to those authorized  
8 in RCW 28A.655.065 or (b) of this subsection are used by a student to  
9 demonstrate that the student has met the state standards in a content  
10 area required to obtain a certificate, the legislature shall formally  
11 approve the use of any objective alternative assessments through the  
12 omnibus appropriations act or by statute or concurrent resolution.

13 (b)(i) A student's score on the mathematics, reading or English, or  
14 writing portion of the SAT or the ACT may be used as an objective  
15 alternative assessment under this section for demonstrating that a  
16 student has met or exceeded the state standards for the certificate of  
17 academic achievement. By the 2014-15 school year, the state board of  
18 education shall identify the scores students must achieve on the  
19 relevant portion of the SAT or ACT to meet or exceed the state standard  
20 in the relevant content area on the statewide student assessment as  
21 revised under RCW 28A.655.071. A student's score on the science  
22 portion of the ACT or the science subject area tests of the SAT may be  
23 used as an objective alternative assessment under this section as soon  
24 as the state board of education determines that sufficient data is  
25 available to identify reliable equivalent scores for the science  
26 content area of the statewide student assessment. After the first  
27 scores are established, the state board may increase but not decrease  
28 the scores required for students to meet or exceed the state standards.

29 (ii) A student who scores at least a three on the grading scale of  
30 one to five for selected AP examinations may use the score as an  
31 objective alternative assessment under this section for demonstrating  
32 that a student has met or exceeded state standards for the certificate  
33 of academic achievement. A score of three on the AP examinations in  
34 calculus or statistics may be used as an alternative assessment for the  
35 mathematics portion of the statewide student assessment. A score of  
36 three on the AP examinations in English language and composition may be  
37 used as an alternative assessment for the ((writing)) English language  
38 arts portion of the statewide student assessment. A score of three on

1 the AP examinations in English literature and composition,  
2 macroeconomics, microeconomics, psychology, United States history,  
3 world history, United States government and politics, or comparative  
4 government and politics may be used as an alternative assessment for  
5 the ((reading)) English language arts portion of the statewide student  
6 assessment. A score of three on the AP examination in biology,  
7 physics, chemistry, or environmental science may be used as an  
8 alternative assessment for the science portion of the statewide student  
9 assessment.

10 (11) By December 15, 2004, the house of representatives and senate  
11 education committees shall obtain information and conclusions from  
12 recognized, independent, national assessment experts regarding the  
13 validity and reliability of the high school Washington assessment of  
14 student learning for making individual student high school graduation  
15 determinations.

16 (12) To help assure continued progress in academic achievement as  
17 a foundation for high school graduation and to assure that students are  
18 on track for high school graduation, each school district shall prepare  
19 plans for and notify students and their parents or legal guardians as  
20 provided in this subsection. Student learning plans are required for  
21 eighth grade students who were not successful on any or all of the  
22 content areas of the state assessment during the previous school year  
23 or who may not be on track to graduate due to credit deficiencies or  
24 absences. The parent or legal guardian shall be notified about the  
25 information in the student learning plan, preferably through a parent  
26 conference and at least annually. To the extent feasible, schools  
27 serving English language learner students and their parents shall  
28 translate the plan into the primary language of the family. The plan  
29 shall include the following information as applicable:

- 30 (a) The student's results on the state assessment;
- 31 (b) If the student is in the transitional bilingual program, the  
32 score on his or her Washington language proficiency test II;
- 33 (c) Any credit deficiencies;
- 34 (d) The student's attendance rates over the previous two years;
- 35 (e) The student's progress toward meeting state and local  
36 graduation requirements;
- 37 (f) The courses, competencies, and other steps needed to be taken

1 by the student to meet state academic standards and stay on track for  
2 graduation;

3 (g) Remediation strategies and alternative education options  
4 available to students, including informing students of the option to  
5 continue to receive instructional services after grade twelve or until  
6 the age of twenty-one;

7 (h) The alternative assessment options available to students under  
8 this section and RCW 28A.655.065;

9 (i) School district programs, high school courses, and career and  
10 technical education options available for students to meet graduation  
11 requirements; and

12 (j) Available programs offered through skill centers or community  
13 and technical colleges, including the college high school diploma  
14 options under RCW 28B.50.535.

15 **Sec. 3.** RCW 28A.655.066 and 2011 c 25 s 2 are each amended to read  
16 as follows:

17 (1)(a) In consultation with the state board of education, the  
18 superintendent of public instruction shall develop statewide end-of-  
19 course assessments for high school mathematics that measure student  
20 achievement of the state mathematics standards. The superintendent  
21 shall take steps to ensure that the language of the assessments is  
22 responsive to a diverse student population. The assessments shall be  
23 implemented statewide in the 2010-11 school year.

24 (b) The superintendent shall develop end-of-course assessments for  
25 the first year of high school mathematics that include the standards  
26 common to algebra I and integrated mathematics I and for the second  
27 year of high school mathematics that include the standards common to  
28 geometry and integrated mathematics II. The assessments under this  
29 subsection (1)(b) shall be used to demonstrate that a student meets the  
30 state standard on the mathematics content area of the high school  
31 ((Washington)) statewide student assessment ((of student learning)) for  
32 purposes of RCW 28A.655.061.

33 (c) The superintendent of public instruction shall also develop  
34 subtests for the end-of-course assessments that measure standards for  
35 the first two years of high school mathematics that are unique to  
36 algebra I, integrated mathematics I, geometry, and integrated  
37 mathematics II. The results of the subtests shall be reported at the

1 student, teacher, school, and district level. These end-of-course  
2 assessments shall not be administered and shall not be used for state  
3 or federal accountability after the 2012-13 school year.

4 (2) For the graduating (~~classes~~) class of 2013 (~~and 2014~~) and  
5 for purposes of the certificate of academic achievement under RCW  
6 28A.655.061, a student may use: (a) Results from the end-of-course  
7 assessment for the first year of high school mathematics or the results  
8 from the end-of-course assessment for the second year of high school  
9 mathematics if the student completed the second year assessment in the  
10 2012-13 school year or earlier; or (b) results from a high school  
11 mathematics retake assessment.

12 (~~(3) ((Beginning with the graduating class of 2015 and for purposes~~  
13 ~~of the certificate of academic achievement under RCW 28A.655.061, the~~  
14 ~~mathematics content area of the Washington assessment of student~~  
15 ~~learning shall be assessed using the end-of-course assessment for the~~  
16 ~~first year of high school mathematics plus the end-of-course assessment~~  
17 ~~for the second year of high school mathematics, or results from a high~~  
18 ~~school mathematics retake assessment for the end-of-course assessments~~  
19 ~~in which the student did not meet the standard.~~

20 (~~4~~)) All of the objective alternative assessments available to  
21 students under RCW 28A.655.061 and 28A.655.065 shall be available to  
22 any student who has taken the (~~sequence of~~) end-of-course  
23 assessment(~~s~~) once but does not meet the state mathematics standard  
24 on the (~~sequence of~~) end-of-course assessment(~~s~~).

25 (~~(5)~~) (4) The superintendent of public instruction shall report  
26 at least annually or more often if necessary to keep the education  
27 committees of the legislature informed on each step of the development  
28 and implementation process under this section.

29 **Sec. 4.** RCW 28A.655.070 and 2008 c 163 s 2 are each amended to  
30 read as follows:

31 (1) The superintendent of public instruction shall develop  
32 essential academic learning requirements that identify the knowledge  
33 and skills all public school students need to know and be able to do  
34 based on the student learning goals in RCW 28A.150.210, develop student  
35 assessments, and implement the accountability recommendations and  
36 requests regarding assistance, rewards, and recognition of the state  
37 board of education.

1 (2) The superintendent of public instruction shall:

2 (a) Periodically revise the essential academic learning  
3 requirements, as needed, based on the student learning goals in RCW  
4 28A.150.210. Goals one and two shall be considered primary. To the  
5 maximum extent possible, the superintendent shall integrate goal four  
6 and the knowledge and skill areas in the other goals in the essential  
7 academic learning requirements; and

8 (b) Review and prioritize the essential academic learning  
9 requirements and identify, with clear and concise descriptions, the  
10 grade level content expectations to be assessed on the ((Washington))  
11 statewide student assessment ((of student learning)) and used for state  
12 or federal accountability purposes. The review, prioritization, and  
13 identification shall result in more focus and targeting with an  
14 emphasis on depth over breadth in the number of grade level content  
15 expectations assessed at each grade level. Grade level content  
16 expectations shall be articulated over the grades as a sequence of  
17 expectations and performances that are logical, build with increasing  
18 depth after foundational knowledge and skills are acquired, and  
19 reflect, where appropriate, the sequential nature of the discipline.  
20 The office of the superintendent of public instruction, within seven  
21 working days, shall post on its web site any grade level content  
22 expectations provided to an assessment vendor for use in constructing  
23 the ((Washington)) statewide student assessment ((of student  
24 learning)).

25 (3)(a) In consultation with the state board of education, the  
26 superintendent of public instruction shall maintain and continue to  
27 develop and revise a statewide academic assessment system in the  
28 content areas of reading, writing, mathematics, and science for use in  
29 the elementary, middle, and high school years designed to determine if  
30 each student has mastered the essential academic learning requirements  
31 identified in subsection (1) of this section. In accordance with RCW  
32 28A.655.071, by the 2014-15 school year, the reading assessment shall  
33 be changed to an English language arts assessment and the mathematics  
34 assessment shall be revised. School districts shall administer the  
35 assessments under guidelines adopted by the superintendent of public  
36 instruction. The academic assessment system may include a variety of  
37 assessment methods, including criterion-referenced and performance-  
38 based measures.



1 (b) Effective with the 2009 administration of the Washington  
2 assessment of student learning and continuing with the statewide  
3 student assessment, the superintendent shall redesign the assessment in  
4 the content areas of reading, mathematics, and science in all grades  
5 except high school by shortening test administration and reducing the  
6 number of short answer and extended response questions.

7 (4) If the superintendent proposes any modification to the  
8 essential academic learning requirements or the statewide assessments,  
9 then the superintendent shall, upon request, provide opportunities for  
10 the education committees of the house of representatives and the senate  
11 to review the assessments and proposed modifications to the essential  
12 academic learning requirements before the modifications are adopted.

13 (5) The assessment system shall be designed so that the results  
14 under the assessment system are used by educators as tools to evaluate  
15 instructional practices, and to initiate appropriate educational  
16 support for students who have not mastered the essential academic  
17 learning requirements at the appropriate periods in the student's  
18 educational development.

19 (6) By September 2007, the results for reading and mathematics  
20 shall be reported in a format that will allow parents and teachers to  
21 determine the academic gain a student has acquired in those content  
22 areas from one school year to the next.

23 (7) To assist parents and teachers in their efforts to provide  
24 educational support to individual students, the superintendent of  
25 public instruction shall provide as much individual student performance  
26 information as possible within the constraints of the assessment  
27 system's item bank. The superintendent shall also provide to school  
28 districts:

29 (a) Information on classroom-based and other assessments that may  
30 provide additional achievement information for individual students; and

31 (b) A collection of diagnostic tools that educators may use to  
32 evaluate the academic status of individual students. The tools shall  
33 be designed to be inexpensive, easily administered, and quickly and  
34 easily scored, with results provided in a format that may be easily  
35 shared with parents and students.

36 (8) To the maximum extent possible, the superintendent shall  
37 integrate knowledge and skill areas in development of the assessments.

1 (9) Assessments for goals three and four of RCW 28A.150.210 shall  
2 be integrated in the essential academic learning requirements and  
3 assessments for goals one and two.

4 (10) The superintendent shall develop assessments that are directly  
5 related to the essential academic learning requirements, and are not  
6 biased toward persons with different learning styles, racial or ethnic  
7 backgrounds, or on the basis of gender.

8 (11) The superintendent shall consider methods to address the  
9 unique needs of special education students when developing the  
10 assessments under this section.

11 (12) The superintendent shall consider methods to address the  
12 unique needs of highly capable students when developing the assessments  
13 under this section.

14 (13) The superintendent shall post on the superintendent's web site  
15 lists of resources and model assessments in social studies, the arts,  
16 and health and fitness.

17 **Sec. 5.** RCW 28A.655.071 and 2010 c 235 s 601 are each amended to  
18 read as follows:

19 (1) By August 2, 2010, the superintendent of public instruction may  
20 revise the state essential academic learning requirements authorized  
21 under RCW 28A.655.070 for mathematics, reading, writing, and  
22 communication by provisionally adopting a common set of standards for  
23 students in grades kindergarten through twelve. The revised state  
24 essential academic learning requirements may be substantially identical  
25 with the standards developed by a multistate consortium in which  
26 Washington participated, must be consistent with the requirements of  
27 RCW 28A.655.070, and may include additional standards if the additional  
28 standards do not exceed fifteen percent of the standards for each  
29 content area. ~~((However, the superintendent of public instruction  
30 shall not take steps to implement the provisionally adopted standards  
31 until the education committees of the house of representatives and the  
32 senate have an opportunity to review the standards.~~

33 ~~(2) By January 1, 2011, the superintendent of public instruction  
34 shall submit to the education committees of the house of  
35 representatives and the senate:~~

36 ~~(a) A detailed comparison of the provisionally adopted standards~~

1 and the state essential academic learning requirements as of June 10,  
2 2010, including the comparative level of rigor and specificity of the  
3 standards and the implications of any identified differences; and

4 (b) ~~An estimated timeline and costs to the state and to school  
5 districts to implement the provisionally adopted standards, including  
6 providing necessary training, realignment of curriculum, adjustment of  
7 state assessments, and other actions.~~

8 (3) ~~The superintendent may implement the revisions to the essential  
9 academic learning requirements under this section after the 2011  
10 legislative session unless otherwise directed by the legislature.)~~

11 (2) The superintendent of public instruction, in consultation with  
12 the state board of education, shall modify the statewide student  
13 assessment to implement the assessments developed with a multistate  
14 consortium in English language arts and mathematics. The assessments  
15 must be implemented in the 2014-15 school year. Beginning with the  
16 graduating class of 2016, the English language arts and mathematics  
17 assessments are required for graduation from a public high school in  
18 accordance with RCW 28A.655.061. The English language arts and  
19 mathematics assessments must be comprehensive assessments and not end-  
20 of-course assessments.

21 **Sec. 6.** RCW 28B.105.010 and 2007 c 214 s 1 are each amended to  
22 read as follows:

23 (1) The GET ready for math and science scholarship program is  
24 established. The purpose of the program is to provide scholarships to  
25 students who achieve level four on the mathematics or science portions  
26 of the ~~((tenth grade Washington))~~ high school statewide student  
27 assessment ~~((of student learning))~~ or achieve a score in the math  
28 section of the SAT or the math section of the ACT that is above the  
29 ninety-fifth percentile, major in a mathematics, science, or related  
30 field in college, and commit to working in mathematics, science, or a  
31 related field for at least three years in Washington following  
32 completion of their bachelor's degree. The program shall be  
33 administered by the nonprofit organization selected as the private  
34 partner in the public-private partnership.

35 (2) The total annual amount of each GET ready for math and science  
36 scholarship may vary, but shall not exceed the annual cost of resident  
37 undergraduate tuition fees and mandatory fees at the University of

1 Washington. An eligible recipient may receive a GET ready for math and  
2 science scholarship for up to one hundred eighty quarter credits, or  
3 the semester equivalent, or for up to five years, whichever comes  
4 first.

5 (3) Scholarships shall be awarded only to the extent that state  
6 funds and private matching funds are available for that purpose in the  
7 GET ready for math and science (~~([scholarship])~~) scholarship account  
8 established in RCW 28B.105.110.

9 **Sec. 7.** RCW 28B.105.030 and 2007 c 214 s 3 are each amended to  
10 read as follows:

11 (1) An eligible student is a student who:

12 (a) Is eligible for resident tuition and fee rates as defined in  
13 RCW 28B.15.012;

14 (b) Achieved level four on the mathematics or science portion of  
15 the (~~(tenth grade Washington)~~) high school statewide student assessment  
16 (~~(of student learning)~~) or achieved a score in the math section of the  
17 SAT or the math section of the ACT that is above the ninety-fifth  
18 percentile;

19 (c) Has a family income at or below one hundred twenty-five percent  
20 of the state median family income at the time the student applies for  
21 a GET ready for math and science scholarship and for up to the two  
22 previous years;

23 (d) Has declared an intention to complete a qualified program or  
24 qualified major or has entered a qualified program or declared a  
25 qualified major at an institution of higher education;

26 (e) Has declared an intention to work in a mathematics, science, or  
27 related field in Washington for at least three years immediately  
28 following completion of a bachelor's degree or higher degree.

29 (2) An eligible recipient is an eligible student who:

30 (a) Has been awarded a scholarship in accordance with the selection  
31 criteria and process established by the (~~(board)~~) student achievement  
32 council and the program administrator;

33 (b) Enrolls at an institution of higher education within one year  
34 of graduating from high school;

35 (c) Maintains satisfactory academic progress, as defined by the  
36 institution of higher education where the student is enrolled;

1 (d) Takes at least one college-level mathematics or science course  
2 each term since enrolling in an institution of higher education; and  
3 (e) Enters a qualified program or qualified major no later than the  
4 end of the first term in which the student has junior level standing.

5 **Sec. 8.** RCW 28B.105.060 and 2007 c 214 s 6 are each amended to  
6 read as follows:

7 The office of the superintendent of public instruction shall:

8 (1) Notify elementary, middle, junior high, high school, and school  
9 district staff and administrators, and the children's administration of  
10 the department of social and health services about the GET ready for  
11 math and science scholarship program using methods in place for  
12 communicating with schools and school districts; and

13 (2) Provide data showing the race, ethnicity, income, and other  
14 available demographic information of students who achieve level four of  
15 the math and science (~~Washington~~) high school statewide student  
16 assessment (~~of student learning~~) in the tenth grade(~~(-)~~); compare  
17 those data with comparable information on the tenth grade student  
18 population as a whole(~~(-)~~); and submit a report with the analysis to  
19 the committees responsible for education and higher education in the  
20 legislature on December 1st of even-numbered years.

--- END ---