
SECOND SUBSTITUTE HOUSE BILL 1541

State of Washington 64th Legislature 2015 Regular Session

By House Appropriations (originally sponsored by Representatives Santos, Ortiz-Self, Tharinger, Moscoso, Orwall, and Gregerson)

READ FIRST TIME 02/27/15.

1 AN ACT Relating to implementing strategies to close the
2 educational opportunity gap, based on the recommendations of the
3 educational opportunity gap oversight and accountability committee;
4 amending RCW 28A.600.490, 28A.600.015, 28A.600.020, 28A.600.022,
5 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045, 28A.660.050,
6 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505, and 28A.300.507;
7 reenacting and amending RCW 13.50.010; adding a new section to
8 chapter 28A.320 RCW; adding new sections to chapter 28A.345 RCW;
9 adding new sections to chapter 28A.415 RCW; adding new sections to
10 chapter 28A.657 RCW; adding a new section to chapter 43.215 RCW;
11 creating new sections; and providing expiration dates.

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

13 NEW SECTION. **Sec. 1.** (1) The legislature has already
14 established that it is a goal of the state to provide for a public
15 school system that gives all students the opportunity to achieve
16 personal and academic success. This goal contains within it a promise
17 of excellence and opportunity for all students, not just some
18 students. In 2012, in *McCleary v. State of Washington*, the Washington
19 supreme court reaffirmed the positive constitutional right of every
20 student by noting, "No child is excluded." In establishing the
21 educational opportunity gap oversight and accountability committee in

1 2009, the legislature recognized that additional work was needed to
2 fulfill the promise of excellence and opportunity for students of
3 certain demographic groups, including English language learners.

4 (2) In its 2015 report to the legislature, the educational
5 opportunity gap oversight and accountability committee made the
6 following recommendations in keeping with its statutory purpose,
7 which is to recommend specific policies and strategies to close the
8 educational opportunity gap:

9 (a) Reduce the length of time students of color are excluded from
10 school due to suspension and expulsion and provide students support
11 for reengagement plans;

12 (b) Enhance the cultural competence of current and future
13 educators and classified staff;

14 (c) Endorse all educators in English language learner and second
15 language acquisition;

16 (d) Account for the transitional bilingual instruction program
17 instructional services provided to English language learner students;

18 (e) Analyze the opportunity gap through deeper disaggregation of
19 student demographic data;

20 (f) Invest in the recruitment, hiring, and retention of educators
21 of color;

22 (g) Incorporate integrated student services and family
23 engagement; and

24 (h) Strengthen student transitions at each stage of the education
25 development pathway: Early learning to elementary, elementary to
26 secondary, secondary to college and career.

27 (3) The legislature finds that these recommendations represent a
28 holistic approach to making progress toward closing the opportunity
29 gap. The recommendations are interdependent and mutually reinforcing.
30 Closing the opportunity gap requires highly skilled, culturally
31 competent, and diverse educators who understand the communities and
32 cultures that students come from; it requires careful monitoring of
33 not only the academic performance but also the educational
34 environment for all students, at a fine grain of detail to assure
35 adequate accountability; and it requires a robust program of
36 instruction, including appropriately trained educators, to help
37 English language learners gain language proficiency as well as
38 academic proficiency.

39 (4) Therefore, the legislature intends to adopt policies and
40 programs to implement the six recommendations of the educational

1 opportunity gap oversight and accountability committee and fulfill
2 its promise of excellence and opportunity for all students.

3 **PART I**

4 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

5 **Sec. 101.** RCW 28A.600.490 and 2013 2nd sp.s. c 18 s 301 are each
6 amended to read as follows:

7 (1) The office of the superintendent of public instruction shall
8 convene a discipline task force to develop standard definitions for
9 causes of student disciplinary actions taken at the discretion of the
10 school district. The task force must also develop data collection
11 standards for disciplinary actions that are discretionary and for
12 disciplinary actions that result in the exclusion of a student from
13 school. The data collection standards must include data about
14 education services provided while a student is subject to a
15 disciplinary action, the status of petitions for readmission to the
16 school district when a student has been excluded from school, credit
17 retrieval during a period of exclusion, and school dropout as a
18 result of disciplinary action.

19 (2) The discipline task force shall include representatives from
20 the K-12 data governance group, the educational opportunity gap
21 oversight and accountability committee, the state ethnic commissions,
22 the governor's office of Indian affairs, the office of the education
23 (~~ombudsman~~—[~~ombuds~~]) ombuds, school districts, tribal
24 representatives, and other education and advocacy organizations.

25 (3) The office of the superintendent of public instruction and
26 the K-12 data governance group shall revise the statewide student
27 data system to incorporate the student discipline data collection
28 standards recommended by the discipline task force, and begin
29 collecting data based on the revised standards in the 2015-16 school
30 year.

31 NEW SECTION. **Sec. 102.** A new section is added to chapter
32 28A.320 RCW to read as follows:

33 (1) School districts shall annually disseminate discipline
34 policies and procedures to students, families, and the community.

35 (2) School districts shall use disaggregated data collected
36 pursuant to RCW 28A.300.042 to monitor the impact of the school
37 district's discipline policies and procedures.

1 (3) School districts, in consultation with school district staff,
2 students, families, and the community, shall periodically review and
3 update their discipline rules, policies, and procedures.

4 NEW SECTION. **Sec. 103.** A new section is added to chapter
5 28A.345 RCW to read as follows:

6 (1) The Washington state school directors' association shall
7 create model school district discipline policies and procedures and
8 post these models publicly by December 1, 2015. In developing these
9 model policies and procedures, the association shall request
10 technical assistance and guidance from the equity and civil rights
11 office within the office of the superintendent of public instruction
12 and the Washington state human rights commission. The model policies
13 and procedures shall be updated as necessary.

14 (2) School districts shall adopt discipline policies and
15 procedures consistent with the model policy by April 1, 2016.

16 NEW SECTION. **Sec. 104.** A new section is added to chapter
17 28A.415 RCW to read as follows:

18 (1) The office of the superintendent of public instruction shall
19 develop a training program to support the implementation of
20 discipline policies and procedures under chapter 28A.600 RCW.

21 (2) School districts are strongly encouraged to provide the
22 trainings to all school and district staff interacting with students,
23 including instructional staff and noninstructional staff, as well as
24 within a reasonable time following any substantive change to school
25 discipline policies or procedures.

26 (3) To the maximum extent feasible, the trainings must
27 incorporate or adapt existing online training or curriculum,
28 including securing materials or curriculum under contract or purchase
29 agreements within available funds.

30 (4) The trainings must be developed in modules that allow:

31 (a) Access to material over a reasonable number of training
32 sessions;

33 (b) Delivery in person or online; and

34 (c) Use in a self-directed manner.

35 **Sec. 105.** RCW 28A.600.015 and 2013 2nd sp.s. c 18 s 302 are each
36 amended to read as follows:

1 (1) The superintendent of public instruction shall adopt and
2 distribute to all school districts lawful and reasonable rules
3 prescribing the substantive and procedural due process guarantees of
4 pupils in the common schools. Such rules shall authorize a school
5 district to use informal due process procedures in connection with
6 the short-term suspension of students to the extent constitutionally
7 permissible: PROVIDED, That the superintendent of public instruction
8 deems the interest of students to be adequately protected. When a
9 student suspension or expulsion is appealed, the rules shall
10 authorize a school district to impose the suspension or expulsion
11 temporarily after an initial hearing for no more than ten consecutive
12 school days or until the appeal is decided, whichever is earlier. Any
13 days that the student is temporarily suspended or expelled before the
14 appeal is decided shall be applied to the term of the student
15 suspension or expulsion and shall not limit or extend the term of the
16 student suspension or expulsion. An expulsion or suspension of a
17 student may not be for an indefinite period of time.

18 (2) Short-term suspension procedures may be used for suspensions
19 of students up to and including, ten consecutive school days.

20 (3) Emergency expulsions must end or be converted to another form
21 of corrective action within ten school days from the date of the
22 emergency removal from school. Notice and due process rights must be
23 provided when an emergency expulsion is converted to another form of
24 corrective action.

25 (4) School districts may not impose long-term suspension or
26 expulsion as a form of discretionary discipline.

27 (5) As used in this chapter, "discretionary discipline" means a
28 disciplinary action taken by a school district for student behavior
29 that violates rules of student conduct adopted by a school district
30 board of directors under RCW 28A.600.010 and 28A.600.015, but does
31 not constitute action taken in response to any of the following:

32 (a) A violation of RCW 28A.600.420;

33 (b) An offense in RCW 13.04.155; or

34 (c) Two or more violations of RCW 9A.46.120, 9.41.280,
35 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period.

36 (6) Except as provided in RCW 28A.600.420, school districts are
37 not required to impose long-term suspension or expulsion for behavior
38 that constitutes a violation or offense listed under subsection
39 (5)(a) through (c) of this section and should first consider
40 alternative actions.

1 (7) School districts may not suspend the provision of educational
2 services to a student as a disciplinary action. A student may be
3 excluded from a particular classroom or instructional or activity
4 area for the period of suspension or expulsion, but the school
5 district must provide an opportunity for a student to receive
6 educational services during a period of suspension or expulsion.

7 **Sec. 106.** RCW 28A.600.020 and 2013 2nd sp.s. c 18 s 303 are each
8 amended to read as follows:

9 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
10 interpreted to ensure that the optimum learning atmosphere of the
11 classroom is maintained, and that the highest consideration is given
12 to the judgment of qualified certificated educators regarding
13 conditions necessary to maintain the optimum learning atmosphere.

14 (2) Any student who creates a disruption of the educational
15 process in violation of the building disciplinary standards while
16 under a teacher's immediate supervision may be excluded by the
17 teacher from his or her individual classroom and instructional or
18 activity area for all or any portion of the balance of the school
19 day, or up to the following two days, or until the principal or
20 designee and teacher have conferred, whichever occurs first. Except
21 in emergency circumstances, the teacher first must attempt one or
22 more alternative forms of corrective action. In no event without the
23 consent of the teacher may an excluded student return to the class
24 during the balance of that class or activity period or up to the
25 following two days, or until the principal or his or her designee and
26 the teacher have conferred.

27 (3) In order to preserve a beneficial learning environment for
28 all students and to maintain good order and discipline in each
29 classroom, every school district board of directors shall provide
30 that written procedures are developed for administering discipline at
31 each school within the district. Such procedures shall be developed
32 with the participation of parents and the community, and shall
33 provide that the teacher, principal or designee, and other
34 authorities designated by the board of directors, make every
35 reasonable attempt to involve the parent or guardian and the student
36 in the resolution of student discipline problems. Such procedures
37 shall provide that students may be excluded from their individual
38 classes or activities for periods of time in excess of that provided
39 in subsection (2) of this section if such students have repeatedly

1 disrupted the learning of other students. The procedures must be
2 consistent with the rules of the superintendent of public instruction
3 and must provide for early involvement of parents in attempts to
4 improve the student's behavior.

5 (4) The procedures shall assure, pursuant to RCW 28A.400.110,
6 that all staff work cooperatively toward consistent enforcement of
7 proper student behavior throughout each school as well as within each
8 classroom.

9 (5)(a) A principal shall consider imposing long-term suspension
10 or expulsion as a sanction when deciding the appropriate disciplinary
11 action for a student who, after July 27, 1997:

12 (i) Engages in two or more violations within a three-year period
13 of RCW 9A.46.120, (~~(28A.320.135,)~~) 28A.600.455, 28A.600.460,
14 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~(, — or~~
15 ~~28A.320.140))~~); or

16 (ii) Engages in one or more of the offenses listed in RCW
17 13.04.155.

18 (b) The principal shall communicate the disciplinary action taken
19 by the principal to the school personnel who referred the student to
20 the principal for disciplinary action.

21 (6) Any corrective action involving a suspension or expulsion
22 from school for more than ten days must have an end date of not more
23 than (~~(one calendar year))~~ the length of an academic term, as defined
24 by the school board, from the time of corrective action. Districts
25 shall make reasonable efforts to assist students and parents in
26 returning to an educational setting prior to and no later than the
27 end date of the corrective action. Where warranted based on public
28 health or safety, a school may petition the superintendent of the
29 school district, pursuant to policies and procedures adopted by the
30 office of the superintendent of public instruction, for authorization
31 to exceed the (~~(one calendar year))~~ academic term limitation provided
32 in this subsection. The superintendent of public instruction shall
33 adopt rules outlining the limited circumstances in which a school may
34 petition to exceed the (~~(one calendar year))~~ academic term
35 limitation, including safeguards to ensure that the school district
36 has made every effort to plan for the student's return to school.
37 School districts shall report to the office of the superintendent of
38 public instruction the number of petitions made to the school board
39 and the number of petitions granted on an annual basis.

1 (7) Nothing in this section prevents a public school district,
2 educational service district, the Washington state center for
3 childhood deafness and hearing loss, or the state school for the
4 blind if it has suspended or expelled a student from the student's
5 regular school setting from providing educational services to the
6 student in an alternative setting or modifying the suspension or
7 expulsion on a case-by-case basis. An alternative setting should be
8 comparable, equitable, and appropriate to the regular education
9 services a student would have received without the exclusionary
10 discipline. Example alternative settings include alternative high
11 schools, one-on-one tutoring, and online learning.

12 **Sec. 107.** RCW 28A.600.022 and 2013 2nd sp.s. c 18 s 308 are each
13 amended to read as follows:

14 (1) School districts should make efforts to have suspended or
15 expelled students return to an educational setting as soon as
16 possible. School districts (~~(should)~~) must convene a meeting with the
17 student and the student's parents or guardians within twenty days of
18 the student's long-term suspension or expulsion, but no later than
19 five days before the student's enrollment, to discuss a plan to
20 reengage the student in a school program. Families must have access
21 to, provide meaningful input on, and the opportunity to participate
22 in a culturally sensitive and culturally responsive reengagement
23 plan.

24 (2) In developing a reengagement plan, school districts should
25 consider shortening the length of time that the student is suspended
26 or expelled, other forms of corrective action, and supportive
27 interventions that aid in the student's academic success and keep the
28 student engaged and on track to graduate. School districts must
29 create a reengagement plan tailored to the student's individual
30 circumstances, including consideration of the incident that led to
31 the student's long-term suspension or expulsion. The plan should aid
32 the student in taking the necessary steps to remedy the situation
33 that led to the student's suspension or expulsion.

34 (3) Any reengagement meetings conducted by the school district
35 involving the suspended or expelled student and his or her parents or
36 guardians are not intended to replace a petition for readmission.

37 **Sec. 108.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to
38 read as follows:

1 (1) An education data center shall be established in the office
2 of financial management. The education data center shall jointly,
3 with the legislative evaluation and accountability program committee,
4 conduct collaborative analyses of early learning, K-12, and higher
5 education programs and education issues across the P-20 system, which
6 includes the department of early learning, the superintendent of
7 public instruction, the professional educator standards board, the
8 state board of education, the state board for community and technical
9 colleges, the workforce training and education coordinating board,
10 the student achievement council, public and private nonprofit four-
11 year institutions of higher education, and the employment security
12 department. The education data center shall conduct collaborative
13 analyses under this section with the legislative evaluation and
14 accountability program committee and provide data electronically to
15 the legislative evaluation and accountability program committee, to
16 the extent permitted by state and federal confidentiality
17 requirements. The education data center shall be considered an
18 authorized representative of the state educational agencies in this
19 section under applicable federal and state statutes for purposes of
20 accessing and compiling student record data for research purposes.

21 (2) The education data center shall:

22 (a) In consultation with the legislative evaluation and
23 accountability program committee and the agencies and organizations
24 participating in the education data center, identify the critical
25 research and policy questions that are intended to be addressed by
26 the education data center and the data needed to address the
27 questions;

28 (b) Coordinate with other state education agencies to compile and
29 analyze education data, including data on student demographics that
30 is disaggregated by distinct ethnic categories within racial
31 subgroups, and complete P-20 research projects;

32 (c) Collaborate with the legislative evaluation and
33 accountability program committee and the education and fiscal
34 committees of the legislature in identifying the data to be compiled
35 and analyzed to ensure that legislative interests are served;

36 (d) Annually provide to the K-12 data governance group a list of
37 data elements and data quality improvements that are necessary to
38 answer the research and policy questions identified by the education
39 data center and have been identified by the legislative committees in
40 (c) of this subsection. Within three months of receiving the list,

1 the K-12 data governance group shall develop and transmit to the
2 education data center a feasibility analysis of obtaining or
3 improving the data, including the steps required, estimated time
4 frame, and the financial and other resources that would be required.
5 Based on the analysis, the education data center shall submit, if
6 necessary, a recommendation to the legislature regarding any
7 statutory changes or resources that would be needed to collect or
8 improve the data;

9 (e) Monitor and evaluate the education data collection systems of
10 the organizations and agencies represented in the education data
11 center ensuring that data systems are flexible, able to adapt to
12 evolving needs for information, and to the extent feasible and
13 necessary, include data that are needed to conduct the analyses and
14 provide answers to the research and policy questions identified in
15 (a) of this subsection;

16 (f) Track enrollment and outcomes through the public centralized
17 higher education enrollment system;

18 (g) Assist other state educational agencies' collaborative
19 efforts to develop a long-range enrollment plan for higher education
20 including estimates to meet demographic and workforce needs;

21 (h) Provide research that focuses on student transitions within
22 and among the early learning, K-12, and higher education sectors in
23 the P-20 system; ((and))

24 (i) Prepare a regular report on the educational and workforce
25 outcomes of youth in the juvenile justice system, using data
26 disaggregated by age, and by ethnic categories and racial subgroups
27 in accordance with RCW 28A.300.042; and

28 (j) Make recommendations to the legislature as necessary to help
29 ensure the goals and objectives of this section and RCW 28A.655.210
30 and 28A.300.507 are met.

31 (3) The department of early learning, superintendent of public
32 instruction, professional educator standards board, state board of
33 education, state board for community and technical colleges,
34 workforce training and education coordinating board, student
35 achievement council, public four-year institutions of higher
36 education, department of social and health services and employment
37 security department shall work with the education data center to
38 develop data-sharing and research agreements, consistent with
39 applicable security and confidentiality requirements, to facilitate
40 the work of the center. The education data center shall also develop

1 data-sharing and research agreements with the administrative office
2 of the courts to conduct research on educational and workforce
3 outcomes using data maintained under RCW 13.50.010(12) related to
4 juveniles. Private, nonprofit institutions of higher education that
5 provide programs of education beyond the high school level leading at
6 least to the baccalaureate degree and are accredited by the Northwest
7 association of schools and colleges or their peer accreditation
8 bodies may also develop data-sharing and research agreements with the
9 education data center, consistent with applicable security and
10 confidentiality requirements. The education data center shall make
11 data from collaborative analyses available to the education agencies
12 and institutions that contribute data to the education data center to
13 the extent allowed by federal and state security and confidentiality
14 requirements applicable to the data of each contributing agency or
15 institution.

16 **Sec. 109.** RCW 13.50.010 and 2014 c 175 s 2 and 2014 c 117 s 5
17 are each reenacted and amended to read as follows:

18 (1) For purposes of this chapter:

19 (a) "Juvenile justice or care agency" means any of the following:
20 Police, diversion units, court, prosecuting attorney, defense
21 attorney, detention center, attorney general, the legislative
22 children's oversight committee, the office of the family and
23 children's ombuds, the department of social and health services and
24 its contracting agencies, schools; persons or public or private
25 agencies having children committed to their custody; and any
26 placement oversight committee created under RCW 72.05.415;

27 (b) "Official juvenile court file" means the legal file of the
28 juvenile court containing the petition or information, motions,
29 memorandums, briefs, findings of the court, and court orders;

30 (c) "Records" means the official juvenile court file, the social
31 file, and records of any other juvenile justice or care agency in the
32 case;

33 (d) "Social file" means the juvenile court file containing the
34 records and reports of the probation counselor.

35 (2) Each petition or information filed with the court may include
36 only one juvenile and each petition or information shall be filed
37 under a separate docket number. The social file shall be filed
38 separately from the official juvenile court file.

1 (3) It is the duty of any juvenile justice or care agency to
2 maintain accurate records. To this end:

3 (a) The agency may never knowingly record inaccurate information.
4 Any information in records maintained by the department of social and
5 health services relating to a petition filed pursuant to chapter
6 13.34 RCW that is found by the court to be false or inaccurate shall
7 be corrected or expunged from such records by the agency;

8 (b) An agency shall take reasonable steps to assure the security
9 of its records and prevent tampering with them; and

10 (c) An agency shall make reasonable efforts to insure the
11 completeness of its records, including action taken by other agencies
12 with respect to matters in its files.

13 (4) Each juvenile justice or care agency shall implement
14 procedures consistent with the provisions of this chapter to
15 facilitate inquiries concerning records.

16 (5) Any person who has reasonable cause to believe information
17 concerning that person is included in the records of a juvenile
18 justice or care agency and who has been denied access to those
19 records by the agency may make a motion to the court for an order
20 authorizing that person to inspect the juvenile justice or care
21 agency record concerning that person. The court shall grant the
22 motion to examine records unless it finds that in the interests of
23 justice or in the best interests of the juvenile the records or parts
24 of them should remain confidential.

25 (6) A juvenile, or his or her parents, or any person who has
26 reasonable cause to believe information concerning that person is
27 included in the records of a juvenile justice or care agency may make
28 a motion to the court challenging the accuracy of any information
29 concerning the moving party in the record or challenging the
30 continued possession of the record by the agency. If the court grants
31 the motion, it shall order the record or information to be corrected
32 or destroyed.

33 (7) The person making a motion under subsection (5) or (6) of
34 this section shall give reasonable notice of the motion to all
35 parties to the original action and to any agency whose records will
36 be affected by the motion.

37 (8) The court may permit inspection of records by, or release of
38 information to, any clinic, hospital, or agency which has the subject
39 person under care or treatment. The court may also permit inspection
40 by or release to individuals or agencies, including juvenile justice

1 advisory committees of county law and justice councils, engaged in
2 legitimate research for educational, scientific, or public purposes.
3 Each person granted permission to inspect juvenile justice or care
4 agency records for research purposes shall present a notarized
5 statement to the court stating that the names of juveniles and
6 parents will remain confidential.

7 (9) The court shall release to the caseload forecast council the
8 records needed for its research and data-gathering functions. Access
9 to caseload forecast data may be permitted by the council for
10 research purposes only if the anonymity of all persons mentioned in
11 the records or information will be preserved.

12 (10) Juvenile detention facilities shall release records to the
13 caseload forecast council upon request. The commission shall not
14 disclose the names of any juveniles or parents mentioned in the
15 records without the named individual's written permission.

16 (11) Requirements in this chapter relating to the court's
17 authority to compel disclosure shall not apply to the legislative
18 children's oversight committee or the office of the family and
19 children's ombuds.

20 (12) For the purpose of research only, the administrative office
21 of the courts shall maintain an electronic research copy of all
22 records in the judicial information system related to juveniles.
23 Access to the research copy is restricted to the (~~Washington state~~
24 ~~center for court research~~) administrative office of the courts for
25 research purposes as authorized by the supreme court or by state
26 statute. The (~~Washington state center for court research~~)
27 administrative office of the courts shall maintain the
28 confidentiality of all confidential records and shall preserve the
29 anonymity of all persons identified in the research copy. Data
30 contained in the research copy may be shared with other governmental
31 agencies as authorized by state statute, pursuant to data-sharing and
32 research agreements, and consistent with applicable security and
33 confidentiality requirements. The research copy may not be subject to
34 any records retention schedule and must include records destroyed or
35 removed from the judicial information system pursuant to RCW
36 13.50.270 and 13.50.100(3).

37 (13) The court shall release to the Washington state office of
38 public defense records needed to implement the agency's oversight,
39 technical assistance, and other functions as required by RCW
40 2.70.020. Access to the records used as a basis for oversight,

1 technical assistance, or other agency functions is restricted to the
2 Washington state office of public defense. The Washington state
3 office of public defense shall maintain the confidentiality of all
4 confidential information included in the records.

5 **PART II**

6 **EDUCATOR CULTURAL COMPETENCE**

7 NEW SECTION. **Sec. 201.** A new section is added to chapter
8 28A.345 RCW to read as follows:

9 The Washington state school directors' association, in
10 consultation with the office of the superintendent of public
11 instruction, the professional educator standards board, the steering
12 committee established in RCW 28A.405.100, and the educational
13 opportunity gap oversight and accountability committee, must develop
14 a plan for the creation and delivery of cultural competency training
15 for school board directors and superintendents. The training program
16 must also include the foundational elements of cultural competence,
17 focusing on multicultural education and principles of English
18 language acquisition, including information regarding best practices
19 to implement the tribal history and culture curriculum. The content
20 of the training must be aligned with the standards for cultural
21 competence developed by the professional educator standards board
22 under RCW 28A.410.270.

23 **Sec. 202.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to
24 read as follows:

25 (1) Subject to funds appropriated for this purpose, the office of
26 the superintendent of public instruction must develop and make
27 available a professional development program to support the
28 implementation of the evaluation systems required by RCW 28A.405.100.
29 The program components may be organized into professional development
30 modules for principals, administrators, and teachers. The
31 professional development program shall include a comprehensive online
32 training package.

33 (2) The training program must include, but not be limited to, the
34 following topics:

35 (a) Introduction of the evaluation criteria for teachers and
36 principals and the four-level rating system;

37 (b) Orientation to and use of instructional frameworks;

- 1 (c) Orientation to and use of the leadership frameworks;
- 2 (d) Best practices in developing and using data in the evaluation
- 3 systems, including multiple measures, student growth data, classroom
- 4 observations, and other measures and evidence;
- 5 (e) Strategies for achieving maximum rater agreement;
- 6 (f) Evaluator feedback protocols in the evaluation systems;
- 7 (g) Examples of high quality teaching and leadership; and
- 8 (h) Methods to link the evaluation process to ongoing educator
- 9 professional development.

10 (3) The training program must also include the foundational
11 elements of cultural competence, focusing on multicultural education
12 and principles of English language acquisition, including information
13 regarding best practices to implement the tribal history and culture
14 curriculum. The content of the training must be aligned with the
15 standards for cultural competence developed by the professional
16 educator standards board under RCW 28A.410.270. The office of the
17 superintendent of public instruction, in consultation with the
18 professional educator standards board, the steering committee
19 established in RCW 28A.405.100, and the educational opportunity gap
20 oversight and accountability committee, must integrate the content
21 for cultural competence into the overall training for principals,
22 administrators, and teachers to support the revised evaluation
23 systems.

24 (4) To the maximum extent feasible, the professional development
25 program must incorporate or adapt existing online training or
26 curriculum, including securing materials or curriculum under contract
27 or purchase agreements within available funds. Multiple modes of
28 instruction should be incorporated including videos of classroom
29 teaching, participatory exercises, and other engaging combinations of
30 online audio, video, and print presentation.

31 ((+4)) (5) The professional development program must be
32 developed in modules that allow:

- 33 (a) Access to material over a reasonable number of training
- 34 sessions;
- 35 (b) Delivery in person or online; and
- 36 (c) Use in a self-directed manner.

37 ((+5)) (6) The office of the superintendent of public
38 instruction must maintain a web site that includes the online
39 professional development materials along with sample evaluation forms
40 and templates, links to relevant research on evaluation and on high

1 quality teaching and leadership, samples of contract and collective
2 bargaining language on key topics, examples of multiple measures of
3 teacher and principal performance, suggestions for data to measure
4 student growth, and other tools that will assist school districts in
5 implementing the revised evaluation systems.

6 ~~((+6))~~ (7) The office of the superintendent of public
7 instruction must identify the number of in-service training hours
8 associated with each professional development module and develop a
9 way for users to document their completion of the training.
10 Documented completion of the training under this section is
11 considered approved in-service training for the purposes of RCW
12 28A.415.020.

13 ~~((+7))~~ (8) The office of the superintendent of public
14 instruction shall periodically update the modules to reflect new
15 topics and research on performance evaluation so that the training
16 serves as an ongoing source of continuing education and professional
17 development.

18 ~~((+8))~~ (9) The office of the superintendent of public
19 instruction shall work with the educational service districts to
20 provide clearinghouse services for the identification and publication
21 of professional development opportunities for teachers and principals
22 that align with performance evaluation criteria.

23 **Sec. 203.** RCW 28A.405.120 and 2012 c 35 s 2 are each amended to
24 read as follows:

25 (1) School districts shall require each administrator, each
26 principal, or other supervisory personnel who has responsibility for
27 evaluating classroom teachers or principals to have training in
28 evaluation procedures.

29 (2) Before school district implementation of the revised
30 evaluation systems required under RCW 28A.405.100, principals and
31 administrators who have evaluation responsibilities must engage in
32 professional development designed to implement the revised systems
33 and maximize rater agreement. The professional development to support
34 the revised evaluation systems must also include foundational
35 elements of cultural competence, focusing on multicultural education
36 and principles of English language acquisition.

37 NEW SECTION. **Sec. 204.** A new section is added to chapter
38 28A.415 RCW to read as follows:

1 (1) The office of the superintendent of public instruction, in
2 collaboration with the educational opportunity gap oversight and
3 accountability committee, the professional educator standards board,
4 colleges of education, and representatives from diverse communities
5 and community-based organizations, must develop a content outline for
6 professional development and training in cultural competence for
7 school staff.

8 (2) The content of the cultural competence professional
9 development and training must be aligned with the standards developed
10 by the professional educator standards board under RCW 28A.410.270.
11 The training program must also include the foundational elements of
12 cultural competence, focusing on multicultural education and
13 principles of English language acquisition, including information
14 regarding best practices to implement the tribal history and culture
15 curriculum.

16 (3) The cultural competence professional development and training
17 must contain components that are appropriate for classified school
18 staff and district administrators as well as certificated
19 instructional staff and principals at the building level. The
20 professional development and training must also contain components
21 suitable for delivery by individuals from the local community or
22 community-based organizations with appropriate expertise.

23 (4) The legislature encourages educational service districts and
24 school districts to use the cultural competence professional
25 development and training developed under this section and provide
26 opportunities for all school and school district staff to gain
27 knowledge and skills in cultural competence, including in partnership
28 with their local communities.

29 NEW SECTION. **Sec. 205.** A new section is added to chapter
30 28A.657 RCW to read as follows:

31 Required action districts as provided in RCW 28A.657.030, and
32 districts with schools that receive the federal school improvement
33 grant under the American recovery and reinvestment act of 2009, and
34 districts with schools identified by the superintendent of public
35 instruction as priority or focus are strongly encouraged to provide
36 the cultural competence professional development and training
37 developed under RCW 28A.405.106, 28A.405.120, and section 204 of this
38 act for classified, certificated instructional, and administrative
39 staff of the school. The professional development and training may be

1 delivered by an educational service district, through district in-
2 service, or by another qualified provider, including in partnership
3 with the local community.

4 **PART III**

5 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

6 **Sec. 301.** RCW 28A.660.045 and 2007 c 396 s 7 are each amended to
7 read as follows:

8 (1) The educator retooling (~~to teach mathematics and science~~)
9 conditional scholarship program is created. Participation is limited
10 to current K-12 teachers and individuals having an elementary
11 education certificate but who are not employed in positions requiring
12 an elementary education certificate. It is anticipated that
13 candidates enrolled in this program will complete the requirements
14 for a mathematics ((~~or~~)), science, special education, bilingual
15 education, or English language learner endorsement(~~(, or both,)~~) in
16 two years or less.

17 (2) Entry requirements for candidates include:

18 (a) Current K-12 teachers shall pursue a middle level mathematics
19 or science, ((~~or~~)) secondary mathematics or science, special
20 education, bilingual education, or English language learner
21 endorsement.

22 (b) Individuals having an elementary education certificate but
23 who are not employed in positions requiring an elementary education
24 certificate shall pursue an endorsement only in middle level
25 mathematics or science ((~~only~~)), special education, bilingual
26 education, or English language learner.

27 **Sec. 302.** RCW 28A.660.050 and 2012 c 229 s 507 are each amended
28 to read as follows:

29 Subject to the availability of amounts appropriated for these
30 purposes, the conditional scholarship programs in this chapter are
31 created under the following guidelines:

32 (1) The programs shall be administered by the student achievement
33 council. In administering the programs, the council has the following
34 powers and duties:

35 (a) To adopt necessary rules and develop guidelines to administer
36 the programs;

1 (b) To collect and manage repayments from participants who do not
2 meet their service obligations; and

3 (c) To accept grants and donations from public and private
4 sources for the programs.

5 (2) Requirements for participation in the conditional scholarship
6 programs are as provided in this subsection (2).

7 (a) The alternative route conditional scholarship program is
8 limited to interns of professional educator standards board-approved
9 alternative routes to teaching programs under RCW 28A.660.040. For
10 fiscal year 2011, priority must be given to fiscal year 2010
11 participants in the alternative route partnership program. In order
12 to receive conditional scholarship awards, recipients shall:

13 (i) Be accepted and maintain enrollment in alternative
14 certification routes through a professional educator standards board-
15 approved program;

16 (ii) Continue to make satisfactory progress toward completion of
17 the alternative route certification program and receipt of a
18 residency teaching certificate; and

19 (iii) Receive no more than the annual amount of the scholarship,
20 not to exceed eight thousand dollars, for the cost of tuition, fees,
21 and educational expenses, including books, supplies, and
22 transportation for the alternative route certification program in
23 which the recipient is enrolled. The council may adjust the annual
24 award by the average rate of resident undergraduate tuition and fee
25 increases at the state universities as defined in RCW 28B.10.016.

26 (b) The pipeline for paraeducators conditional scholarship
27 program is limited to qualified paraeducators as provided by RCW
28 28A.660.042. In order to receive conditional scholarship awards,
29 recipients shall:

30 (i) Be accepted and maintain enrollment at a community and
31 technical college for no more than two years and attain an associate
32 of arts degree;

33 (ii) Continue to make satisfactory progress toward completion of
34 an associate of arts degree. This progress requirement is a condition
35 for eligibility into a route one program of the alternative routes to
36 teacher certification program for a mathematics, special education,
37 or English as a second language endorsement; and

38 (iii) Receive no more than the annual amount of the scholarship,
39 not to exceed four thousand dollars, for the cost of tuition, fees,
40 and educational expenses, including books, supplies, and

1 transportation for the alternative route certification program in
2 which the recipient is enrolled. The student achievement council may
3 adjust the annual award by the average rate of tuition and fee
4 increases at the state community and technical colleges.

5 (c) The educator retooling (~~((to teach mathematics and science))~~)
6 conditional scholarship program is limited to current K-12 teachers.
7 In order to receive conditional scholarship awards:

8 (i) Individuals currently employed as teachers shall pursue a
9 middle level mathematics or science, (~~((or))~~) secondary mathematics or
10 science, special education, bilingual education, or English language
11 learner endorsement; or

12 (ii) Individuals who are certificated with an elementary
13 education endorsement shall pursue an endorsement in middle level
14 mathematics or science, (~~((or both))~~) special education, bilingual
15 education, or English language learner; and

16 (iii) Individuals shall use one of the pathways to endorsement
17 processes to receive (~~((a mathematics or science))~~) the endorsement,
18 (~~((or both,))~~) which shall include passing (~~((a mathematics or science))~~)
19 the associated endorsement test(~~((,))~~) or (~~((both))~~) tests, plus
20 observation and completing applicable coursework to attain the proper
21 endorsement; and

22 (iv) Individuals shall receive no more than the annual amount of
23 the scholarship, not to exceed three thousand dollars, for the cost
24 of tuition, test fees, and educational expenses, including books,
25 supplies, and transportation for the endorsement pathway being
26 pursued.

27 (3) The Washington professional educator standards board shall
28 select individuals to receive conditional scholarships. In selecting
29 recipients, preference shall be given to eligible veterans or
30 national guard members. In awarding conditional scholarships to
31 support additional bilingual education or English language learner
32 endorsements, the board shall also give preference to teachers
33 assigned to schools required under state or federal accountability
34 measures to implement a plan for improvement, and to teachers
35 assigned to schools whose enrollment of English language learner
36 students has increased an average of more than five percent per year
37 over the previous three years.

38 (4) For the purpose of this chapter, a conditional scholarship is
39 a loan that is forgiven in whole or in part in exchange for service
40 as a certificated teacher employed in a Washington state K-12 public

1 school. The state shall forgive one year of loan obligation for every
2 two years a recipient teaches in a public school. Recipients who fail
3 to continue a course of study leading to residency teacher
4 certification or cease to teach in a public school in the state of
5 Washington in their endorsement area are required to repay the
6 remaining loan principal with interest.

7 (5) Recipients who fail to fulfill the required teaching
8 obligation are required to repay the remaining loan principal with
9 interest and any other applicable fees. The student achievement
10 council shall adopt rules to define the terms for repayment,
11 including applicable interest rates, fees, and deferments.

12 (6) The student achievement council may deposit all
13 appropriations, collections, and any other funds received for the
14 program in this chapter in the future teachers conditional
15 scholarship account authorized in RCW 28B.102.080.

16 **Sec. 303.** RCW 28A.180.040 and 2013 2nd sp.s. c 9 s 4 are each
17 amended to read as follows:

18 (1) Every school district board of directors shall:

19 (a) Make available to each eligible pupil transitional bilingual
20 instruction to achieve competency in English, in accord with rules of
21 the superintendent of public instruction;

22 (b) Wherever feasible, ensure that communications to parents
23 emanating from the schools shall be appropriately bilingual for those
24 parents of pupils in the bilingual instruction program;

25 (c) Determine, by administration of an English test approved by
26 the superintendent of public instruction the number of eligible
27 pupils enrolled in the school district at the beginning of a school
28 year and thereafter during the year as necessary in individual cases;

29 (d) Ensure that a student who is a child of a military family in
30 transition and who has been assessed as in need of, or enrolled in, a
31 bilingual instruction program, the receiving school shall initially
32 honor placement of the student into a like program.

33 (i) The receiving school shall determine whether the district's
34 program is a like program when compared to the sending school's
35 program; and

36 (ii) The receiving school may conduct subsequent assessments
37 pursuant to RCW 28A.180.090 to determine appropriate placement and
38 continued enrollment in the program;

1 (e) Before the conclusion of each school year, measure each
2 eligible pupil's improvement in learning the English language by
3 means of a test approved by the superintendent of public instruction;

4 (f) Provide in-service training for teachers, counselors, and
5 other staff, who are involved in the district's transitional
6 bilingual program. Such training shall include appropriate
7 instructional strategies for children of culturally different
8 backgrounds, use of curriculum materials, and program models; and

9 (g) Make available a program of instructional support for up to
10 two years immediately after pupils exit from the program, for exited
11 pupils who need assistance in reaching grade-level performance in
12 academic subjects even though they have achieved English proficiency
13 for purposes of the transitional bilingual instructional program.

14 (2) Beginning in the 2019-20 school year, all classroom teachers
15 assigned using funds for the transitional bilingual instruction
16 program to provide supplemental instruction for eligible pupils must
17 hold an endorsement in bilingual education or English language
18 learner, or both.

19 (3) The definitions in Article II of RCW 28A.705.010 apply to
20 subsection (1)(d) of this section.

21 PART IV

22 ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

23 **Sec. 401.** RCW 28A.180.090 and 2001 1st sp.s. c 6 s 2 are each
24 amended to read as follows:

25 The superintendent of public instruction shall develop an
26 evaluation system designed to measure increases in the English and
27 academic proficiency of eligible pupils. When developing the system,
28 the superintendent shall:

29 (1) Require school districts to assess potentially eligible
30 pupils within ten days of registration using an English proficiency
31 assessment or assessments as specified by the superintendent of
32 public instruction. Results of these assessments shall be made
33 available to both the superintendent of public instruction and the
34 school district;

35 (2) Require school districts to annually assess all eligible
36 pupils at the end of the school year using an English proficiency
37 assessment or assessments as specified by the superintendent of
38 public instruction. Results of these assessments shall be made

1 available to both the superintendent of public instruction and the
2 school district;

3 (3) Develop a system to evaluate increases in the English and
4 academic proficiency of students who are, or were, eligible pupils.
5 This evaluation shall include students when they are in the program
6 and after they exit the program until they finish their K-12 career
7 or transfer from the school district. The purpose of the evaluation
8 system is to inform schools, school districts, parents, and the state
9 of the effectiveness of the transitional bilingual programs in school
10 and school districts in teaching these students English and other
11 content areas, such as mathematics and writing; and

12 ~~(4) ((Report to the education and fiscal committees of the~~
13 ~~legislature by November 1, 2002, regarding the development of the~~
14 ~~systems described in this section and a timeline for the full~~
15 ~~implementation of those systems. The legislature shall approve and~~
16 ~~provide funding for the evaluation system in subsection (3) of this~~
17 ~~section before any implementation of the system developed under~~
18 ~~subsection (3) of this section may occur.))~~ Provide school districts
19 with technical assistance and support in selecting research-based
20 program models, instructional materials, and professional development
21 for program staff, including disseminating information about best
22 practices and innovative programs. The information must include
23 research about the differences between conversational language
24 proficiency, academic language proficiency, and subject-specific
25 language proficiency and the implications this research has on
26 instructional practices and evaluation of program effectiveness.

27 NEW SECTION. **Sec. 402.** A new section is added to chapter
28 28A.657 RCW to read as follows:

29 At the beginning of each school year, the office of the
30 superintendent of public instruction shall identify schools in the
31 top five percent of schools with the highest percent growth during
32 the previous two school years in enrollment of English language
33 learner students as compared to previous enrollment trends. The
34 office shall notify the identified schools, and the school districts
35 in which the schools are located are strongly encouraged to provide
36 the cultural competence professional development and training
37 developed under RCW 28A.405.106, 28A.405.120, and section 204 of this
38 act for classified, certificated instructional, and administrative
39 staff of the schools. The professional development and training may

1 be delivered by an educational service district, through district in-
2 service, or by another qualified provider, including in partnership
3 with the local community.

4 **PART V**

5 **DISAGGREGATED STUDENT DATA**

6 **Sec. 501.** RCW 28A.300.042 and 2013 2nd sp.s. c 18 s 307 are each
7 amended to read as follows:

8 (1) Beginning with the 2017-18 school year, and using the phase-
9 in provided in subsection (2) of this section, the superintendent of
10 public instruction must collect and school districts must submit all
11 student-level data using the United States department of education
12 2007 race and ethnicity reporting guidelines, including the subracial
13 and subethnic categories within those guidelines, with the following
14 modifications:

15 (a) Further disaggregation of the Black category to differentiate
16 students of African origin and students native to the United States
17 with African ancestors;

18 (b) Further disaggregation of countries of origin for Asian
19 students;

20 (c) Further disaggregation of the White category to include
21 subethnic categories for Eastern European nationalities that have
22 significant populations in Washington; and

23 (d) For students who report as multiracial, collection of their
24 racial and ethnic combination of categories.

25 (2) Beginning with the 2017-18 school year, school districts
26 shall collect student-level data as provided in subsection (1) of
27 this section for all newly enrolled students, including transfer
28 students. When the students enroll in a different school within the
29 district, school districts shall resurvey the newly enrolled students
30 for whom subracial and subethnic categories were not previously
31 collected. School districts may resurvey other students.

32 (3) All student data-related reports required of the
33 superintendent of public instruction in this title must be
34 disaggregated by at least the following subgroups of students: White,
35 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
36 Islander/Hawaiian Native, low income, transitional bilingual,
37 migrant, special education, and students covered by section 504 of

1 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
2 794).

3 ~~((2))~~ (4) All student data-related reports ~~((required of))~~
4 prepared by the superintendent of public instruction regarding
5 student suspensions and expulsions as required ~~((in RCW 28A.300.046))~~
6 under this title are subject to disaggregation by subgroups
7 including:

8 (a) Gender;

9 (b) Foster care;

10 (c) Homeless, if known;

11 (d) School district;

12 (e) School;

13 (f) Grade level;

14 (g) Behavior infraction code, including:

15 (i) Bullying;

16 (ii) Tobacco;

17 (iii) Alcohol;

18 (iv) Illicit drug;

19 (v) Fighting without major injury;

20 (vi) Violence without major injury;

21 (vii) Violence with major injury;

22 (viii) Possession of a weapon; and

23 (ix) Other behavior resulting from a short-term or long-term
24 suspension, expulsion, or interim alternative education setting
25 intervention;

26 (h) Intervention applied, including:

27 (i) Short-term suspension;

28 (ii) Long-term suspension;

29 (iii) Emergency expulsion;

30 (iv) Expulsion;

31 (v) Interim alternative education settings;

32 (vi) No intervention applied; and

33 (vii) Other intervention applied that is not described in this
34 subsection ~~((2))~~ (4)(h);

35 (i) Number of days a student is suspended or expelled, to be
36 counted in half or full days; and

37 (j) Any other categories added at a future date by the data
38 governance group.

39 ~~((3))~~ (5) All student data-related reports required of the
40 superintendent of public instruction regarding student suspensions

1 and expulsions as required in RCW 28A.300.046 are subject to cross-
2 tabulation at a minimum by the following:

3 (a) School and district;

4 (b) Race, low income, special education, transitional bilingual,
5 migrant, foster care, homeless, students covered by section 504 of
6 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
7 794), and categories to be added in the future;

8 (c) Behavior infraction code; and

9 (d) Intervention applied.

10 (6) The K-12 data governance group shall develop the data
11 protocols and guidance for school districts in the collection of data
12 as required under this section, and the office of the superintendent
13 of public instruction shall modify the statewide student data system
14 as needed. The office of the superintendent of public instruction
15 shall also incorporate training for school staff on best practices
16 for collection of data on student race and ethnicity in other
17 training or professional development related to data provided by the
18 office.

19 NEW SECTION. **Sec. 502.** The office of the superintendent of
20 public instruction shall convene a task force to review the United
21 States department of education 2007 race and ethnicity reporting
22 guidelines and develop race and ethnicity guidance for the state. The
23 task force must include representatives from the educational
24 opportunity gap oversight and accountability committee, the ethnic
25 commissions, the governor's office of Indian affairs, and a diverse
26 group of parents. The guidance must clarify for students and families
27 why information about race and ethnicity is collected and how
28 students and families can help school administrators properly
29 identify them. The guidance must also describe the best practices for
30 school administrators to use when identifying the race and ethnicity
31 of students and families. The task force must use the United States
32 census and the American community survey in the development of the
33 guidance.

34 **Sec. 503.** RCW 28A.300.505 and 2007 c 401 s 5 are each amended to
35 read as follows:

36 (1) The office of the superintendent of public instruction shall
37 develop standards for school data systems that focus on validation
38 and verification of data entered into the systems to ensure accuracy

1 and compatibility of data. The standards shall address but are not
2 limited to the following topics:

- 3 (a) Date validation;
- 4 (b) Code validation, which includes gender, race or ethnicity,
5 and other code elements;
- 6 (c) Decimal and integer validation; and
- 7 (d) Required field validation as defined by state and federal
8 requirements.

9 (2) The superintendent of public instruction shall develop a
10 reporting format and instructions for school districts to collect and
11 submit data on student demographics that is disaggregated (~~by~~
12 ~~distinct ethnic categories within racial subgroups so that analyses~~
13 ~~may be conducted on student achievement using the disaggregated~~
14 ~~data~~) as required under RCW 28A.300.042.

15 NEW SECTION. **Sec. 504.** (1) To increase the visibility of the
16 opportunity gap in schools with small subgroups of students and to
17 hold schools accountable to individual student-level support, by July
18 1, 2016, the office of the superintendent of public instruction, in
19 cooperation with the K-12 data governance group established within
20 the office of the superintendent of public instruction, the education
21 data center established within the office of financial management,
22 and the state board of education, shall adopt a rule that the only
23 student data that should not be reported for public reporting and
24 accountability is data where the school or district has fewer than
25 ten students in a grade level or student subgroup.

26 (2) This section expires August 1, 2017.

27 **PART VI**
28 **RECRUITMENT AND RETENTION OF EDUCATORS**

29 NEW SECTION. **Sec. 601.** (1) The professional educator standards
30 board and the office of the superintendent of public instruction
31 shall convene a work group to revise and update the model framework
32 and curriculum, as well as the program of study, for high school
33 career and technical education courses related to careers in
34 education.

35 (2) The revised careers in education courses must incorporate:
36 (a) Standards for cultural competence developed by the
37 professional educator standards board under RCW 28A.410.270;

1 (b) The most recent competency standards established by the
2 professional educator standards board and new research on best
3 practices for educator preparation and development; and

4 (c) Curriculum and activities used by the recruiting Washington
5 teachers program under RCW 28A.415.370.

6 (3) The revisions must be completed before the 2016-17 school
7 year.

8 (4) This section expires September 1, 2017.

9 **Sec. 602.** RCW 28A.300.507 and 2009 c 548 s 203 are each amended
10 to read as follows:

11 (1) A K-12 data governance group shall be established within the
12 office of the superintendent of public instruction to assist in the
13 design and implementation of a K-12 education data improvement system
14 for financial, student, and educator data. It is the intent that the
15 data system reporting specifically serve requirements for teachers,
16 parents, superintendents, school boards, the office of the
17 superintendent of public instruction, the legislature, and the
18 public.

19 (2) The K-12 data governance group shall include representatives
20 of the education data center, the office of the superintendent of
21 public instruction, the legislative evaluation and accountability
22 program committee, the professional educator standards board, the
23 state board of education, and school district staff, including
24 information technology staff. Additional entities with expertise in
25 education data may be included in the K-12 data governance group.

26 (3) The K-12 data governance group shall:

27 (a) Identify the critical research and policy questions that need
28 to be addressed by the K-12 education data improvement system;

29 (b) Identify reports and other information that should be made
30 available on the internet in addition to the reports identified in
31 subsection (5) of this section;

32 (c) Create a comprehensive needs requirement document detailing
33 the specific information and technical capacity needed by school
34 districts and the state to meet the legislature's expectations for a
35 comprehensive K-12 education data improvement system as described
36 under RCW 28A.655.210;

37 (d) Conduct a gap analysis of current and planned information
38 compared to the needs requirement document, including an analysis of
39 the strengths and limitations of an education data system and

1 programs currently used by school districts and the state, and
2 specifically the gap analysis must look at the extent to which the
3 existing data can be transformed into canonical form and where
4 existing software can be used to meet the needs requirement document;

5 (e) Focus on financial and cost data necessary to support the new
6 K-12 financial models and funding formulas, including any necessary
7 changes to school district budgeting and accounting, and on assuring
8 the capacity to link data across financial, student, and educator
9 systems; and

10 (f) Define the operating rules and governance structure for K-12
11 data collections, ensuring that data systems are flexible and able to
12 adapt to evolving needs for information, within an objective and
13 orderly data governance process for determining when changes are
14 needed and how to implement them. Strong consideration must be made
15 to the current practice and cost of migration to new requirements.
16 The operating rules should delineate the coordination, delegation,
17 and escalation authority for data collection issues, business rules,
18 and performance goals for each K-12 data collection system,
19 including:

20 (i) Defining and maintaining standards for privacy and
21 confidentiality;

22 (ii) Setting data collection priorities;

23 (iii) Defining and updating a standard data dictionary;

24 (iv) Ensuring data compliance with the data dictionary;

25 (v) Ensuring data accuracy; and

26 (vi) Establishing minimum standards for school, student,
27 financial, and teacher data systems. Data elements may be specified
28 "to the extent feasible" or "to the extent available" to collect more
29 and better data sets from districts with more flexible software.
30 Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be
31 construed to require that a data dictionary or reporting should be
32 hobbled to the lowest common set. The work of the K-12 data
33 governance group must specify which data are desirable. Districts
34 that can meet these requirements shall report the desirable data.
35 Funding from the legislature must establish which subset data are
36 absolutely required.

37 (4)(a) The K-12 data governance group shall provide updates on
38 its work as requested by the education data center and the
39 legislative evaluation and accountability program committee.

1 (b) The work of the K-12 data governance group shall be
2 periodically reviewed and monitored by the educational data center
3 and the legislative evaluation and accountability program committee.

4 (5) To the extent data is available, the office of the
5 superintendent of public instruction shall make the following minimum
6 reports available on the internet. The reports must either be run on
7 demand against current data, or, if a static report, must have been
8 run against the most recent data:

9 (a) The percentage of data compliance and data accuracy by school
10 district;

11 (b) The magnitude of spending per student, by student estimated
12 by the following algorithm and reported as the detailed summation of
13 the following components:

14 (i) An approximate, prorated fraction of each teacher or human
15 resource element that directly serves the student. Each human
16 resource element must be listed or accessible through online
17 tunneling in the report;

18 (ii) An approximate, prorated fraction of classroom or building
19 costs used by the student;

20 (iii) An approximate, prorated fraction of transportation costs
21 used by the student; and

22 (iv) An approximate, prorated fraction of all other resources
23 within the district. District-wide components should be disaggregated
24 to the extent that it is sensible and economical;

25 (c) The cost of K-12 basic education, per student, by student, by
26 school district, estimated by the algorithm in (b) of this
27 subsection, and reported in the same manner as required in (b) of
28 this subsection;

29 (d) The cost of K-12 special education services per student, by
30 student receiving those services, by school district, estimated by
31 the algorithm in (b) of this subsection, and reported in the same
32 manner as required in (b) of this subsection;

33 (e) Improvement on the statewide assessments computed as both a
34 percentage change and absolute change on a scale score metric by
35 district, by school, and by teacher that can also be filtered by a
36 student's length of full-time enrollment within the school district;

37 (f) Number of K-12 students per classroom teacher on a per
38 teacher basis;

39 (g) Number of K-12 classroom teachers per student on a per
40 student basis;

1 (h) Percentage of a classroom teacher per student on a per
2 student basis; ((and))

3 (i) Percentage of classroom teachers per school district and per
4 school disaggregated as described in RCW 28A.300.042(1) for student-
5 level data;

6 (j) Average length of service of classroom teachers per school
7 district and per school disaggregated as described in RCW
8 28A.300.042(1) for student-level data; and

9 (k) The cost of K-12 education per student by school district
10 sorted by federal, state, and local dollars.

11 (6) The superintendent of public instruction shall submit a
12 preliminary report to the legislature by November 15, 2009, including
13 the analyses by the K-12 data governance group under subsection (3)
14 of this section and preliminary options for addressing identified
15 gaps. A final report, including a proposed phase-in plan and
16 preliminary cost estimates for implementation of a comprehensive data
17 improvement system for financial, student, and educator data shall be
18 submitted to the legislature by September 1, 2010.

19 (7) All reports and data referenced in this section and RCW
20 43.41.400 and 28A.655.210 shall be made available in a manner
21 consistent with the technical requirements of the legislative
22 evaluation and accountability program committee and the education
23 data center so that selected data can be provided to the legislature,
24 governor, school districts, and the public.

25 (8) Reports shall contain data to the extent it is available. All
26 reports must include documentation of which data are not available or
27 are estimated. Reports must not be suppressed because of poor data
28 accuracy or completeness. Reports may be accompanied with
29 documentation to inform the reader of why some data are missing or
30 inaccurate or estimated.

31 **PART VII**
32 **TRANSITIONS**

33 NEW SECTION. Sec. 701. A new section is added to chapter 43.215
34 RCW to read as follows:

35 The department, in collaboration with the office of the
36 superintendent of public instruction, shall create a community
37 information and involvement plan to inform home-based, tribal, and

1 family early learning providers of the early achievers program under
2 RCW 43.215.100.

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