
ENGROSSED 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, 28A.300.507,
7 28A.165.035, 28A.165.055, and 28A.300.130; reenacting and amending
8 RCW 13.50.010; adding a new section to chapter 28A.320 RCW; adding
9 new sections to chapter 28A.345 RCW; adding new sections to chapter
10 28A.415 RCW; adding new sections to chapter 28A.657 RCW; adding a new
11 section to chapter 43.215 RCW; adding a new section to chapter
12 28A.300 RCW; creating new sections; and providing expiration dates.

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

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

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

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

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

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

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

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

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

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

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

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

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

1 (4) Therefore, the legislature intends to adopt policies and
2 programs to implement the six recommendations of the educational
3 opportunity gap oversight and accountability committee and fulfill
4 its promise of excellence and opportunity for all students.

5 **PART I**

6 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

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

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

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

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

33 NEW SECTION. **Sec. 102.** A new section is added to chapter
34 28A.320 RCW to read as follows:

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

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

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

7 NEW SECTION. **Sec. 103.** A new section is added to chapter
8 28A.345 RCW to read as follows:

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

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

19 NEW SECTION. **Sec. 104.** A new section is added to chapter
20 28A.415 RCW to read as follows:

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

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

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

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

34 (a) Access to material over a reasonable number of training
35 sessions;

36 (b) Delivery in person or online; and

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

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

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

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

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

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

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

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

35 (b) An offense in RCW 13.04.155; or

36 (c) Two or more violations of RCW 9A.46.120, 9.41.280,
37 28A.600.455, 28A.635.020, or 28A.635.060 within a three-year period.

38 (6) Except as provided in RCW 28A.600.420, school districts are
39 not required to impose long-term suspension or expulsion for behavior
40 that constitutes a violation or offense listed under subsection

1 (5)(a) through (c) of this section and should first consider
2 alternative actions.

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

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

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

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

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

1 classes or activities for periods of time in excess of that provided
2 in subsection (2) of this section if such students have repeatedly
3 disrupted the learning of other students. The procedures must be
4 consistent with the rules of the superintendent of public instruction
5 and must provide for early involvement of parents in attempts to
6 improve the student's behavior.

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

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

14 (i) Engages in two or more violations within a three-year period
15 of RCW 9A.46.120, (~~(28A.320.135,)~~) 28A.600.455, 28A.600.460,
16 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280(~~(, — or~~
17 ~~28A.320.140))~~); or

18 (ii) Engages in one or more of the offenses listed in RCW
19 13.04.155.

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

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

1 public instruction the number of petitions made to the school board
2 and the number of petitions granted on an annual basis.

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

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

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

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

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

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

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

23 (2) The education data center shall:

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

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

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

38 (d) Annually provide to the K-12 data governance group a list of
39 data elements and data quality improvements that are necessary to
40 answer the research and policy questions identified by the education

1 data center and have been identified by the legislative committees in
2 (c) of this subsection. Within three months of receiving the list,
3 the K-12 data governance group shall develop and transmit to the
4 education data center a feasibility analysis of obtaining or
5 improving the data, including the steps required, estimated time
6 frame, and the financial and other resources that would be required.
7 Based on the analysis, the education data center shall submit, if
8 necessary, a recommendation to the legislature regarding any
9 statutory changes or resources that would be needed to collect or
10 improve the data;

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

18 (f) Track enrollment and outcomes through the public centralized
19 higher education enrollment system;

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

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

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

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

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

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

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

20 (1) For purposes of this chapter:

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

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

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

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

37 (2) Each petition or information filed with the court may include
38 only one juvenile and each petition or information shall be filed

1 under a separate docket number. The social file shall be filed
2 separately from the official juvenile court file.

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

5 (a) The agency may never knowingly record inaccurate information.
6 Any information in records maintained by the department of social and
7 health services relating to a petition filed pursuant to chapter
8 13.34 RCW that is found by the court to be false or inaccurate shall
9 be corrected or expunged from such records by the agency;

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

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

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

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

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

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

39 (8) The court may permit inspection of records by, or release of
40 information to, any clinic, hospital, or agency which has the subject

1 person under care or treatment. The court may also permit inspection
2 by or release to individuals or agencies, including juvenile justice
3 advisory committees of county law and justice councils, engaged in
4 legitimate research for educational, scientific, or public purposes.
5 Each person granted permission to inspect juvenile justice or care
6 agency records for research purposes shall present a notarized
7 statement to the court stating that the names of juveniles and
8 parents will remain confidential.

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

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

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

22 (12) For the purpose of research only, the administrative office
23 of the courts shall maintain an electronic research copy of all
24 records in the judicial information system related to juveniles.
25 Access to the research copy is restricted to the (~~Washington state~~
26 ~~center for court research~~) administrative office of the courts for
27 research purposes as authorized by the supreme court or by state
28 statute. The (~~Washington state center for court research~~)
29 administrative office of the courts shall maintain the
30 confidentiality of all confidential records and shall preserve the
31 anonymity of all persons identified in the research copy. Data
32 contained in the research copy may be shared with other governmental
33 agencies as authorized by state statute, pursuant to data-sharing and
34 research agreements, and consistent with applicable security and
35 confidentiality requirements. The research copy may not be subject to
36 any records retention schedule and must include records destroyed or
37 removed from the judicial information system pursuant to RCW
38 13.50.270 and 13.50.100(3).

39 (13) The court shall release to the Washington state office of
40 public defense records needed to implement the agency's oversight,

1 technical assistance, and other functions as required by RCW
2 2.70.020. Access to the records used as a basis for oversight,
3 technical assistance, or other agency functions is restricted to the
4 Washington state office of public defense. The Washington state
5 office of public defense shall maintain the confidentiality of all
6 confidential information included in the records.

7 **PART II**

8 **EDUCATOR CULTURAL COMPETENCE**

9 NEW SECTION. **Sec. 201.** A new section is added to chapter
10 28A.345 RCW to read as follows:

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

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

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

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

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

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

4 (c) Orientation to and use of the leadership frameworks;

5 (d) Best practices in developing and using data in the evaluation
6 systems, including multiple measures, student growth data, classroom
7 observations, and other measures and evidence;

8 (e) Strategies for achieving maximum rater agreement;

9 (f) Evaluator feedback protocols in the evaluation systems;

10 (g) Examples of high quality teaching and leadership; and

11 (h) Methods to link the evaluation process to ongoing educator
12 professional development.

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

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

34 ((+4)) (5) The professional development program must be
35 developed in modules that allow:

36 (a) Access to material over a reasonable number of training
37 sessions;

38 (b) Delivery in person or online; and

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

1 (~~(5)~~) (6) The office of the superintendent of public
2 instruction must maintain a web site that includes the online
3 professional development materials along with sample evaluation forms
4 and templates, links to relevant research on evaluation and on high
5 quality teaching and leadership, samples of contract and collective
6 bargaining language on key topics, examples of multiple measures of
7 teacher and principal performance, suggestions for data to measure
8 student growth, and other tools that will assist school districts in
9 implementing the revised evaluation systems.

10 (~~(6)~~) (7) The office of the superintendent of public
11 instruction must identify the number of in-service training hours
12 associated with each professional development module and develop a
13 way for users to document their completion of the training.
14 Documented completion of the training under this section is
15 considered approved in-service training for the purposes of RCW
16 28A.415.020.

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

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

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

29 (1) School districts shall require each administrator, each
30 principal, or other supervisory personnel who has responsibility for
31 evaluating classroom teachers or principals to have training in
32 evaluation procedures.

33 (2) Before school district implementation of the revised
34 evaluation systems required under RCW 28A.405.100, principals and
35 administrators who have evaluation responsibilities must engage in
36 professional development designed to implement the revised systems
37 and maximize rater agreement. The professional development to support
38 the revised evaluation systems must also include foundational

1 elements of cultural competence, focusing on multicultural education
2 and principles of English language acquisition.

3 NEW SECTION. **Sec. 204.** A new section is added to chapter
4 28A.415 RCW to read as follows:

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

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

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

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

33 NEW SECTION. **Sec. 205.** A new section is added to chapter
34 28A.657 RCW to read as follows:

35 Required action districts as provided in RCW 28A.657.030, and
36 districts with schools that receive the federal school improvement
37 grant under the American recovery and reinvestment act of 2009, and
38 districts with schools identified by the superintendent of public

1 instruction as priority or focus are strongly encouraged to provide
2 the cultural competence professional development and training
3 developed under RCW 28A.405.106, 28A.405.120, and section 204 of this
4 act for classified, certificated instructional, and administrative
5 staff of the school. The professional development and training may be
6 delivered by an educational service district, through district in-
7 service, or by another qualified provider, including in partnership
8 with the local community.

9 **PART III**

10 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

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

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

22 (2) Entry requirements for candidates include:

23 (a) Current K-12 teachers shall pursue a middle level mathematics
24 or science, (~~or~~) secondary mathematics or science, special
25 education, bilingual education, or English language learner
26 endorsement.

27 (b) Individuals having an elementary education certificate but
28 who are not employed in positions requiring an elementary education
29 certificate shall pursue an endorsement only in middle level
30 mathematics or science (~~only~~), special education, bilingual
31 education, or English language learner.

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

34 Subject to the availability of amounts appropriated for these
35 purposes, the conditional scholarship programs in this chapter are
36 created under the following guidelines:

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

4 (a) To adopt necessary rules and develop guidelines to administer
5 the programs;

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

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

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

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

18 (i) Be accepted and maintain enrollment in alternative
19 certification routes through a professional educator standards board-
20 approved program;

21 (ii) Continue to make satisfactory progress toward completion of
22 the alternative route certification program and receipt of a
23 residency teaching certificate; and

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

31 (b) The pipeline for paraeducators conditional scholarship
32 program is limited to qualified paraeducators as provided by RCW
33 28A.660.042. In order to receive conditional scholarship awards,
34 recipients shall:

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

38 (ii) Continue to make satisfactory progress toward completion of
39 an associate of arts degree. This progress requirement is a condition
40 for eligibility into a route one program of the alternative routes to

1 teacher certification program for a mathematics, special education,
2 or English as a second language endorsement; and

3 (iii) Receive no more than the annual amount of the scholarship,
4 not to exceed four thousand dollars, for the cost of tuition, fees,
5 and educational expenses, including books, supplies, and
6 transportation for the alternative route certification program in
7 which the recipient is enrolled. The student achievement council may
8 adjust the annual award by the average rate of tuition and fee
9 increases at the state community and technical colleges.

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

13 (i) Individuals currently employed as teachers shall pursue a
14 middle level mathematics or science, (~~((or))~~) secondary mathematics or
15 science, special education, bilingual education, or English language
16 learner endorsement; or

17 (ii) Individuals who are certificated with an elementary
18 education endorsement shall pursue an endorsement in middle level
19 mathematics or science, (~~((or both))~~) special education, bilingual
20 education, or English language learner; and

21 (iii) Individuals shall use one of the pathways to endorsement
22 processes to receive (~~((a mathematics or science))~~) the endorsement,
23 (~~((or both,))~~) which shall include passing (~~((a mathematics or science))~~)
24 the associated endorsement test(~~((,))~~) or (~~((both))~~) tests, plus
25 observation and completing applicable coursework to attain the proper
26 endorsement; and

27 (iv) Individuals shall receive no more than the annual amount of
28 the scholarship, not to exceed three thousand dollars, for the cost
29 of tuition, test fees, and educational expenses, including books,
30 supplies, and transportation for the endorsement pathway being
31 pursued.

32 (3) The Washington professional educator standards board shall
33 select individuals to receive conditional scholarships. In selecting
34 recipients, preference shall be given to eligible veterans or
35 national guard members. In awarding conditional scholarships to
36 support additional bilingual education or English language learner
37 endorsements, the board shall also give preference to teachers
38 assigned to schools required under state or federal accountability
39 measures to implement a plan for improvement, and to teachers
40 assigned to schools whose enrollment of English language learner

1 students has increased an average of more than five percent per year
2 over the previous three years.

3 (4) For the purpose of this chapter, a conditional scholarship is
4 a loan that is forgiven in whole or in part in exchange for service
5 as a certificated teacher employed in a Washington state K-12 public
6 school. The state shall forgive one year of loan obligation for every
7 two years a recipient teaches in a public school. Recipients who fail
8 to continue a course of study leading to residency teacher
9 certification or cease to teach in a public school in the state of
10 Washington in their endorsement area are required to repay the
11 remaining loan principal with interest.

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

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

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

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

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

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

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

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

1 (i) The receiving school shall determine whether the district's
2 program is a like program when compared to the sending school's
3 program; and

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

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

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

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

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

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

27 **PART IV**

28 **ENGLISH LANGUAGE LEARNER ACCOUNTABILITY**

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

31 The superintendent of public instruction shall develop an
32 evaluation system designed to measure increases in the English and
33 academic proficiency of eligible pupils. When developing the system,
34 the superintendent shall:

35 (1) Require school districts to assess potentially eligible
36 pupils within ten days of registration 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 (2) Require school districts to annually assess all eligible
4 pupils at the end of the school year using an English proficiency
5 assessment or assessments as specified by the superintendent of
6 public instruction. Results of these assessments shall be made
7 available to both the superintendent of public instruction and the
8 school district;

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

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

33 NEW SECTION. **Sec. 402.** A new section is added to chapter
34 28A.657 RCW to read as follows:

35 At the beginning of each school year, the office of the
36 superintendent of public instruction shall identify schools in the
37 top five percent of schools with the highest percent growth during
38 the previous two school years in enrollment of English language
39 learner students as compared to previous enrollment trends. The

1 office shall notify the identified schools, and the school districts
2 in which the schools are located are strongly encouraged to provide
3 the cultural competence professional development and training
4 developed under RCW 28A.405.106, 28A.405.120, and section 204 of this
5 act for classified, certificated instructional, and administrative
6 staff of the schools. The professional development and training may
7 be delivered by an educational service district, through district in-
8 service, or by another qualified provider, including in partnership
9 with the local community.

10 **PART V**

11 **DISAGGREGATED STUDENT DATA**

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

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

21 (a) Further disaggregation of the Black category to differentiate
22 students of African origin and students native to the United States
23 with African ancestors;

24 (b) Further disaggregation of countries of origin for Asian
25 students;

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

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

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

1 (3) All student data-related reports required of the
2 superintendent of public instruction in this title must be
3 disaggregated by at least the following subgroups of students: White,
4 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
5 Islander/Hawaiian Native, low income, transitional bilingual,
6 migrant, special education, and students covered by section 504 of
7 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
8 794).

9 ~~((2))~~ (4) All student data-related reports ~~((required of))~~
10 prepared by the superintendent of public instruction regarding
11 student suspensions and expulsions as required ~~((in RCW 28A.300.046))~~
12 under this title are subject to disaggregation by subgroups
13 including:

- 14 (a) Gender;
- 15 (b) Foster care;
- 16 (c) Homeless, if known;
- 17 (d) School district;
- 18 (e) School;
- 19 (f) Grade level;
- 20 (g) Behavior infraction code, including:
 - 21 (i) Bullying;
 - 22 (ii) Tobacco;
 - 23 (iii) Alcohol;
 - 24 (iv) Illicit drug;
 - 25 (v) Fighting without major injury;
 - 26 (vi) Violence without major injury;
 - 27 (vii) Violence with major injury;
 - 28 (viii) Possession of a weapon; and
 - 29 (ix) Other behavior resulting from a short-term or long-term
30 suspension, expulsion, or interim alternative education setting
31 intervention;
- 32 (h) Intervention applied, including:
 - 33 (i) Short-term suspension;
 - 34 (ii) Long-term suspension;
 - 35 (iii) Emergency expulsion;
 - 36 (iv) Expulsion;
 - 37 (v) Interim alternative education settings;
 - 38 (vi) No intervention applied; and
 - 39 (vii) Other intervention applied that is not described in this
40 subsection ~~((2))~~ (4)(h);

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

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

5 ~~((+3))~~ (5) All student data-related reports required of the
6 superintendent of public instruction regarding student suspensions
7 and expulsions as required in RCW 28A.300.046 are subject to cross-
8 tabulation at a minimum by the following:

9 (a) School and district;

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

14 (c) Behavior infraction code; and

15 (d) Intervention applied.

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

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

1 career and technical education courses related to careers in
2 education.

3 (2) The revised careers in education courses must incorporate:

4 (a) Standards for cultural competence developed by the
5 professional educator standards board under RCW 28A.410.270;

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

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

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

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

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

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

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

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

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

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

37 (c) Create a comprehensive needs requirement document detailing
38 the specific information and technical capacity needed by school
39 districts and the state to meet the legislature's expectations for a

1 comprehensive K-12 education data improvement system as described
2 under RCW 28A.655.210;

3 (d) Conduct a gap analysis of current and planned information
4 compared to the needs requirement document, including an analysis of
5 the strengths and limitations of an education data system and
6 programs currently used by school districts and the state, and
7 specifically the gap analysis must look at the extent to which the
8 existing data can be transformed into canonical form and where
9 existing software can be used to meet the needs requirement document;

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

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

25 (i) Defining and maintaining standards for privacy and
26 confidentiality;

27 (ii) Setting data collection priorities;

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

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

30 (v) Ensuring data accuracy; and

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

1 Funding from the legislature must establish which subset data are
2 absolutely required.

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

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

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

14 (a) The percentage of data compliance and data accuracy by school
15 district;

16 (b) The magnitude of spending per student, by student estimated
17 by the following algorithm and reported as the detailed summation of
18 the following components:

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

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

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

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

30 (c) The cost of K-12 basic education, per student, by student, by
31 school district, estimated by the algorithm in (b) of this
32 subsection, and reported in the same manner as required in (b) of
33 this subsection;

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

38 (e) Improvement on the statewide assessments computed as both a
39 percentage change and absolute change on a scale score metric by

1 district, by school, and by teacher that can also be filtered by a
2 student's length of full-time enrollment within the school district;

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

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

7 (h) Percentage of a classroom teacher per student on a per
8 student basis; ((and))

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

12 (j) Average length of service of classroom teachers per school
13 district and per school disaggregated as described in RCW
14 28A.300.042(1) for student-level data; and

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

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

25 (7) All reports and data referenced in this section and RCW
26 43.41.400 and 28A.655.210 shall be made available in a manner
27 consistent with the technical requirements of the legislative
28 evaluation and accountability program committee and the education
29 data center so that selected data can be provided to the legislature,
30 governor, school districts, and the public.

31 (8) Reports shall contain data to the extent it is available. All
32 reports must include documentation of which data are not available or
33 are estimated. Reports must not be suppressed because of poor data
34 accuracy or completeness. Reports may be accompanied with
35 documentation to inform the reader of why some data are missing or
36 inaccurate or estimated.

37 **PART VII**
38 **TRANSITIONS**

1 (b) The essential framework of the Washington integrated student
2 supports protocol includes:

3 (i) Needs assessments: A needs assessment must be conducted for
4 all at-risk students in order to develop or identify the needed
5 academic and nonacademic supports within the students' school and
6 community. These supports must be coordinated to provide students
7 with a package of mutually reinforcing supports designed to meet the
8 individual needs of each student.

9 (ii) Integration and coordination: The school and district
10 leadership and staff must develop close relationships with providers
11 of academic and nonacademic supports to enhance the effectiveness of
12 the protocol.

13 (iii) Community partnerships: Community partners must be engaged
14 to provide nonacademic supports to reduce barriers to students'
15 academic success, including supports to students' families.

16 (iv) Data driven: Students' needs and outcomes must be tracked
17 over time to determine student progress and evolving needs.

18 (c) The framework must facilitate the ability of any academic or
19 nonacademic provider to support the needs of at-risk students,
20 including, but not limited to: Out-of-school providers, social
21 workers, mental health counselors, physicians, dentists, speech
22 therapists, and audiologists.

23 NEW SECTION. **Sec. 802.** (1) The legislature intends to integrate
24 the delivery of various academic and nonacademic programs and
25 services through a single protocol. This coordination and
26 consolidation of assorted services, such as expanded learning
27 opportunities, mental health, medical screening, and access to food
28 and housing, is intended to reduce barriers to academic achievement
29 and educational attainment by weaving together existing public and
30 private resources needed to support student success in school.

31 (2) The office of the superintendent of public instruction shall
32 create a work group to determine how to best implement the framework
33 described in section 801 of this act throughout the state.

34 (3) The work group must be composed of the following members, who
35 must reflect the geographic diversity across the state:

36 (a) The superintendent of public instruction or the
37 superintendent's designee;

1 (b) Three principals and three superintendents representing
2 districts with diverse characteristics, selected by state
3 associations of principals and superintendents, respectively;

4 (c) A representative from a statewide organization specializing
5 in out-of-school learning;

6 (d) A representative from an organization with expertise in the
7 needs of homeless students;

8 (e) A school counselor from an elementary school, a middle
9 school, and a high school, selected by a state association of school
10 counselors;

11 (f) A representative of an organization that is an expert on a
12 multitiered system of supports; and

13 (g) A representative from a career and technical student
14 organization.

15 (4) The superintendent of public instruction shall consult and
16 may contract for services with a national nonpartisan, nonprofit
17 research center that has provided data and analyses to improve
18 policies and programs serving children and youth for over thirty-five
19 years.

20 (5) The work group must submit to the appropriate committees of
21 the legislature a report recommending policies that need to be
22 adopted or revised to implement the framework described in section
23 801 of this act throughout the state by October 1, 2016. The work
24 group must submit a preliminary report by October 1, 2015, and a
25 final report by October 1, 2016.

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

27 **Sec. 803.** RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each
28 amended to read as follows:

29 ~~(1) ((Beginning in the 2015-16 school year, expenditure of funds~~
30 ~~from the learning assistance program must be consistent with the~~
31 ~~provisions of RCW 28A.655.235.~~

32 ~~(2))~~ Use of best practices that have been demonstrated through
33 research to be associated with increased student achievement
34 magnifies the opportunities for student success. To the extent they
35 are included as a best practice or strategy in one of the state menus
36 or an approved alternative under this section or RCW 28A.655.235, the
37 following are services and activities that may be supported by the
38 learning assistance program:

39 (a) Extended learning time opportunities occurring:

1 (i) Before or after the regular school day;
2 (ii) On Saturday; and
3 (iii) Beyond the regular school year;
4 (b) Services under RCW 28A.320.190;
5 (c) The integrated student supports protocol and services under
6 section 801 of this act;
7 (d) Professional development for certificated and classified
8 staff that focuses on:
9 (i) The needs of a diverse student population;
10 (ii) Specific literacy and mathematics content and instructional
11 strategies; and
12 (iii) The use of student work to guide effective instruction and
13 appropriate assistance;
14 ~~((d))~~ (e) Consultant teachers to assist in implementing
15 effective instructional practices by teachers serving participating
16 students;
17 ~~((e))~~ (f) Tutoring support for participating students;
18 ~~((f))~~ (g) Outreach activities and support for parents of
19 participating students, including employing parent and family
20 engagement coordinators; and
21 ~~((g))~~ (h) Up to five percent of a district's learning
22 assistance program allocation may be used for development of
23 partnerships with community-based organizations, educational service
24 districts, and other local agencies to deliver academic and
25 nonacademic supports to participating students who are significantly
26 at risk of not being successful in school to reduce barriers to
27 learning, increase student engagement, and enhance students'
28 readiness to learn. The ~~((office of the superintendent of public~~
29 ~~instruction))~~ school board must approve in an open meeting any
30 community-based organization or local agency before learning
31 assistance funds may be expended.
32 ~~((3))~~ (2) In addition to the state menu developed under RCW
33 28A.655.235, the office of the superintendent of public instruction
34 shall convene a panel of experts, including the Washington state
35 institute for public policy, to develop additional state menus of
36 best practices and strategies for use in the learning assistance
37 program to assist struggling students at all grade levels in English
38 language arts and mathematics ~~((and reduce disruptive behaviors in~~
39 ~~the classroom))~~. The office of the superintendent of public

1 instruction shall publish the state menus by July 1, 2015, and update
2 the state menus by each July 1st thereafter.

3 ~~((4))~~ (3)(a) Beginning in the 2016-17 school year, except as
4 provided in (b) of this subsection, school districts must use a
5 practice or strategy that is on a state menu developed under
6 subsection ~~((3))~~ (2) of this section or RCW 28A.655.235.

7 (b) Beginning in the 2016-17 school year, school districts may
8 use a practice or strategy that is not on a state menu developed
9 under subsection ~~((3))~~ (2) of this section for two school years
10 initially. If the district is able to demonstrate improved outcomes
11 for participating students over the previous two school years at a
12 level commensurate with the best practices and strategies on the
13 state menu, the office of the superintendent of public instruction
14 shall approve use of the alternative practice or strategy by the
15 district for one additional school year. Subsequent annual approval
16 by the superintendent of public instruction to use the alternative
17 practice or strategy is dependent on the district continuing to
18 demonstrate increased improved outcomes for participating students.

19 (c) Beginning in the 2016-17 school year, school districts may
20 enter cooperative agreements with state agencies, local governments,
21 or school districts for administrative or operational costs needed to
22 provide services in accordance with the state menus developed under
23 this section and RCW 28A.655.235.

24 ~~((5))~~ (4) School districts are encouraged to implement best
25 practices and strategies from the state menus developed under this
26 section and RCW 28A.655.235 before the use is required.

27 **Sec. 804.** RCW 28A.165.055 and 2013 2nd sp.s. c 18 s 205 are each
28 amended to read as follows:

29 The funds for the learning assistance program shall be
30 appropriated in accordance with RCW 28A.150.260 and the omnibus
31 appropriations act. The distribution formula is for school district
32 allocation purposes only, but funds appropriated for the learning
33 assistance program must be expended for the purposes of RCW
34 28A.165.005 through 28A.165.065 and 28A.655.235. The funds may also
35 be appropriated for the integrated student supports protocol and
36 services under section 801 of this act.

37 **Sec. 805.** RCW 28A.300.130 and 2009 c 578 s 6 are each amended to
38 read as follows:

1 (1) To facilitate access to information and materials on
2 educational improvement and research, the superintendent of public
3 instruction(~~(, to the extent funds are appropriated,)~~) shall
4 establish the center for the improvement of student learning. The
5 center shall work in conjunction with parents, educational service
6 districts, institutions of higher education, and education, parent,
7 community, and business organizations.

8 (2) The center(~~(, to the extent funds are appropriated for this~~
9 ~~purpose, and)~~) in conjunction with other staff in the office of the
10 superintendent of public instruction, shall:

11 (a) Serve as a clearinghouse for information regarding successful
12 educational improvement and parental involvement programs in schools
13 and districts, and information about efforts within institutions of
14 higher education in the state to support educational improvement
15 initiatives in Washington schools and districts;

16 (b) Provide best practices research that can be used to help
17 schools develop and implement: Programs and practices to improve
18 instruction; systems to analyze student assessment data, with an
19 emphasis on systems that will combine the use of state and local data
20 to monitor the academic progress of each and every student in the
21 school district; comprehensive, school-wide improvement plans;
22 school-based shared decision-making models; programs to promote
23 lifelong learning and community involvement in education; school-to-
24 work transition programs; programs to meet the needs of highly
25 capable students; programs and practices to meet the needs of
26 students with disabilities; programs and practices to meet the
27 diverse needs of students based on gender, racial, ethnic, economic,
28 and special needs status; research, information, and technology
29 systems; and other programs and practices that will assist educators
30 in helping students learn the essential academic learning
31 requirements;

32 (c) Develop and maintain an internet web site to increase the
33 availability of information, research, and other materials;

34 (d) Work with appropriate organizations to inform teachers,
35 district and school administrators, and school directors about the
36 waivers available and the broadened school board powers under RCW
37 28A.320.015;

38 (e) Provide training and consultation services, including
39 conducting regional summer institutes;

1 (f) Identify strategies for improving the success rates of ethnic
2 and racial student groups and students with disabilities, with
3 disproportionate academic achievement;

4 (g) Work with parents, teachers, and school districts in
5 establishing a model absentee notification procedure that will
6 properly notify parents when their student has not attended a class
7 or has missed a school day. The office of the superintendent of
8 public instruction shall consider various types of communication with
9 parents including, but not limited to, electronic mail, phone, and
10 postal mail; and

11 (h) Perform other functions consistent with the purpose of the
12 center as prescribed in subsection (1) of this section.

13 (3) The superintendent of public instruction shall select and
14 employ a director for the center.

15 (4) The superintendent may enter into contracts with individuals
16 or organizations including but not limited to: School districts;
17 educational service districts; educational organizations; teachers;
18 higher education faculty; institutions of higher education; state
19 agencies; business or community-based organizations; and other
20 individuals and organizations to accomplish the duties and
21 responsibilities of the center. In carrying out the duties and
22 responsibilities of the center, the superintendent, whenever
23 possible, shall use practitioners to assist agency staff as well as
24 assist educators and others in schools and districts.

25 (5) The office of the superintendent of public instruction shall
26 report to the legislature by September 1, 2007, and thereafter
27 biennially, regarding the effectiveness of the center for the
28 improvement of student learning, how the services provided by the
29 center for the improvement of student learning have been used and by
30 whom, and recommendations to improve the accessibility and
31 application of knowledge and information that leads to improved
32 student learning and greater family and community involvement in the
33 public education system.

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