
SUBSTITUTE HOUSE BILL 1541

State of Washington

64th Legislature

2015 Regular Session

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

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 28A.600.460, 43.41.400, 28A.405.106, 28A.405.120, 28A.660.045,
6 28A.660.050, 28A.180.040, 28A.180.090, 28A.300.042, 28A.300.505,
7 28A.300.507, 28A.165.035, and 28A.165.055; reenacting and amending
8 RCW 13.50.010; adding a new section to chapter 28A.600 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 28A.300 RCW; adding a new section to chapter
12 43.215 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.600 RCW to read as follows:

35 School districts shall annually disseminate any changes in school
36 discipline policies and procedures to students, families, and the
37 community.

1 NEW SECTION. **Sec. 103.** A new section is added to chapter
2 28A.345 RCW to read as follows:

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

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

13 NEW SECTION. **Sec. 104.** A new section is added to chapter
14 28A.415 RCW to read as follows:

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

18 (2) The trainings must be provided annually to all school and
19 district staff interacting with students, including instructional
20 staff and noninstructional staff, as well as within a reasonable time
21 following any substantive change to school discipline policies or
22 procedures.

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

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

28 (a) Access to material over a reasonable number of training
29 sessions;

30 (b) Delivery in person or online; and

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

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

34 (1) The superintendent of public instruction shall adopt and
35 distribute to all school districts lawful and reasonable rules
36 prescribing the substantive and procedural due process guarantees of
37 pupils in the common schools. Such rules shall authorize a school
38 district to use informal due process procedures in connection with

1 the short-term suspension of students to the extent constitutionally
2 permissible: PROVIDED, That the superintendent of public instruction
3 deems the interest of students to be adequately protected. When a
4 student suspension or expulsion is appealed, the rules shall
5 authorize a school district to impose the suspension or expulsion
6 temporarily after an initial hearing for no more than ten consecutive
7 school days or until the appeal is decided, whichever is earlier. Any
8 days that the student is temporarily suspended or expelled before the
9 appeal is decided shall be applied to the term of the student
10 suspension or expulsion and shall not limit or extend the term of the
11 student suspension or expulsion. An expulsion or suspension of a
12 student may not be for an indefinite period of time.

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

15 (3) Emergency expulsions must end or be converted to another form
16 of corrective action within ten school days from the date of the
17 emergency removal from school. Notice and due process rights must be
18 provided when an emergency expulsion is converted to another form of
19 corrective action.

20 (4) For any circumstance where disciplinary action is
21 discretionary on the part of the school district, a school district
22 may not impose a suspension that results in the exclusion of a
23 student from school. A student may be excluded from a particular
24 classroom or instructional or activity area for the period of
25 suspension, but the school district must provide an opportunity for
26 the student to receive educational services in an alternative manner,
27 which may include services provided through an alternative program,
28 at an alternative school, or at an alternative location within the
29 student's regular school.

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

32 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
33 interpreted to ensure that the optimum learning atmosphere of the
34 classroom is maintained, and that the highest consideration is given
35 to the judgment of qualified certificated educators regarding
36 conditions necessary to maintain the optimum learning atmosphere.

37 (2) Any student who creates a disruption of the educational
38 process in violation of the building disciplinary standards while
39 under a teacher's immediate supervision may be excluded by the

1 teacher from his or her individual classroom and instructional or
2 activity area for all or any portion of the balance of the school
3 day, or up to the following two days, or until the principal or
4 designee and teacher have conferred, whichever occurs first. Except
5 in emergency circumstances, the teacher first must attempt one or
6 more alternative forms of corrective action. In no event without the
7 consent of the teacher may an excluded student return to the class
8 during the balance of that class or activity period or up to the
9 following two days, or until the principal or his or her designee and
10 the teacher have conferred.

11 (3) In order to preserve a beneficial learning environment for
12 all students and to maintain good order and discipline in each
13 classroom, every school district board of directors shall provide
14 that written procedures are developed for administering discipline at
15 each school within the district. Such procedures shall be developed
16 with the participation of parents and the community, and shall
17 provide that the teacher, principal or designee, and other
18 authorities designated by the board of directors, make every
19 reasonable attempt to involve the parent or guardian and the student
20 in the resolution of student discipline problems. Such procedures
21 shall provide that students may be excluded from their individual
22 classes or activities for periods of time in excess of that provided
23 in subsection (2) of this section if such students have repeatedly
24 disrupted the learning of other students. The procedures must be
25 consistent with the rules of the superintendent of public instruction
26 and must provide for early involvement of parents in attempts to
27 improve the student's behavior.

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

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

35 (i) Engages in two or more violations within a three-year period
36 of RCW 9A.46.120, ((28A.320.135,)) 28A.600.455, 28A.600.460,
37 28A.635.020, 28A.600.020, 28A.635.060, or 9.41.280((,---~~or~~
38 ~~28A.320.140~~)); or

39 (ii) Engages in one or more of the offenses listed in RCW
40 13.04.155.

1 (b) The principal shall communicate the disciplinary action taken
2 by the principal to the school personnel who referred the student to
3 the principal for disciplinary action.

4 (6) Any corrective action involving a suspension or expulsion
5 from school for more than ten days must have an end date of not more
6 than one (~~calendar year~~) semester or quarter from the time of
7 corrective action. Districts shall make reasonable efforts to assist
8 students and parents in returning to an educational setting prior to
9 and no later than the end date of the corrective action. Where
10 warranted based on public health or safety, a school may petition the
11 superintendent of the school district, pursuant to policies and
12 procedures adopted by the office of the superintendent of public
13 instruction, for authorization to exceed the one (~~calendar year~~)
14 semester or quarter limitation provided in this subsection. The
15 superintendent of public instruction shall adopt rules outlining the
16 limited circumstances in which a school may petition to exceed the
17 one (~~calendar year~~) semester or quarter limitation, including
18 safeguards to ensure that the school district has made every effort
19 to plan for the student's return to school. School districts shall
20 report to the office of the superintendent of public instruction the
21 number of petitions made to the school board and the number of
22 petitions granted on an annual basis.

23 (7) As provided in RCW 28A.600.015, for any circumstance where
24 disciplinary action is discretionary on the part of the school
25 district, a school district may not impose a suspension that results
26 in the exclusion of a student from school.

27 (8) Nothing in this section prevents a public school district,
28 educational service district, the Washington state center for
29 childhood deafness and hearing loss, or the state school for the
30 blind if it has suspended or expelled a student from the student's
31 regular school setting from providing educational services to the
32 student in an alternative setting or modifying the suspension or
33 expulsion on a case-by-case basis. An alternative setting should be
34 comparable, equitable, and appropriate to the regular education
35 services a student would have received without the exclusionary
36 discipline. Example alternative settings include alternative high
37 schools, one-on-one tutoring, and online learning.

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

1 (1) School districts should make efforts to have suspended or
2 expelled students return to an educational setting as soon as
3 possible. School districts (~~should~~) must convene a meeting with the
4 student and the student's parents or guardians within twenty days of
5 the student's long-term suspension or expulsion, but no later than
6 five days before the student's enrollment, to discuss a plan to
7 reengage the student in a school program. Families must have access
8 to, provide meaningful input on, and participate in a culturally
9 sensitive and culturally responsive reengagement plan.

10 (2) In developing a reengagement plan, school districts should
11 consider shortening the length of time that the student is suspended
12 or expelled, other forms of corrective action, and supportive
13 interventions that aid in the student's academic success and keep the
14 student engaged and on track to graduate. School districts must
15 create a reengagement plan tailored to the student's individual
16 circumstances, including consideration of the incident that led to
17 the student's long-term suspension or expulsion. The plan should aid
18 the student in taking the necessary steps to remedy the situation
19 that led to the student's suspension or expulsion.

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

23 **Sec. 108.** RCW 28A.600.460 and 2013 2nd sp.s. c 18 s 305 are each
24 amended to read as follows:

25 (1) School district boards of directors shall adopt policies that
26 restore discipline to the classroom. Such policies must provide for
27 at least the following: Allowing each teacher to take disciplinary
28 action to correct a student who disrupts normal classroom activities,
29 abuses or insults a teacher as prohibited by RCW 28A.635.010,
30 willfully disobeys a teacher, uses abusive or foul language directed
31 at a school district employee, school volunteer, or another student,
32 violates school rules, or who interferes with an orderly education
33 process. Disciplinary action may include but is not limited to: Oral
34 or written reprimands; written notification to parents of disruptive
35 behavior, a copy of which must be provided to the principal.

36 (2) A student committing an offense under chapter 9A.36, 9A.40,
37 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
38 shall not be assigned to that teacher's classroom for the duration of

1 the student's attendance at that school or any other school where the
2 teacher is assigned.

3 (3) A student who commits an offense under chapter 9A.36, 9A.40,
4 9A.46, or 9A.48 RCW, when directed toward another student, may be
5 removed from the classroom of the victim for the duration of the
6 student's attendance at that school or any other school where the
7 victim is enrolled. A student who commits an offense under one of the
8 chapters enumerated in this section against a student or another
9 school employee, may be expelled or suspended.

10 (4) Nothing in this section is intended to limit the authority of
11 a school under existing law and rules to expel or suspend a student
12 for misconduct or criminal behavior. However, as provided in RCW
13 28A.600.015, for any circumstance where disciplinary action is
14 discretionary on the part of the school district, a school district
15 may not impose a suspension that results in the exclusion of a
16 student from school.

17 (5) All school districts must collect data on disciplinary
18 actions taken in each school and must record these actions using the
19 statewide student data system, based on the data collection standards
20 established by the office of the superintendent of public instruction
21 and the K-12 data governance group. The information shall be made
22 available to the public, but public release of the data shall not
23 include personally identifiable information including, but not
24 limited to, a student's social security number, name, or address.

25 **Sec. 109.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to
26 read as follows:

27 (1) An education data center shall be established in the office
28 of financial management. The education data center shall jointly,
29 with the legislative evaluation and accountability program committee,
30 conduct collaborative analyses of early learning, K-12, and higher
31 education programs and education issues across the P-20 system, which
32 includes the department of early learning, the superintendent of
33 public instruction, the professional educator standards board, the
34 state board of education, the state board for community and technical
35 colleges, the workforce training and education coordinating board,
36 the student achievement council, public and private nonprofit four-
37 year institutions of higher education, and the employment security
38 department. The education data center shall conduct collaborative
39 analyses under this section with the legislative evaluation and

1 accountability program committee and provide data electronically to
2 the legislative evaluation and accountability program committee, to
3 the extent permitted by state and federal confidentiality
4 requirements. The education data center shall be considered an
5 authorized representative of the state educational agencies in this
6 section under applicable federal and state statutes for purposes of
7 accessing and compiling student record data for research purposes.

8 (2) The education data center shall:

9 (a) In consultation with the legislative evaluation and
10 accountability program committee and the agencies and organizations
11 participating in the education data center, identify the critical
12 research and policy questions that are intended to be addressed by
13 the education data center and the data needed to address the
14 questions;

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

19 (c) Collaborate with the legislative evaluation and
20 accountability program committee and the education and fiscal
21 committees of the legislature in identifying the data to be compiled
22 and analyzed to ensure that legislative interests are served;

23 (d) Annually provide to the K-12 data governance group a list of
24 data elements and data quality improvements that are necessary to
25 answer the research and policy questions identified by the education
26 data center and have been identified by the legislative committees in
27 (c) of this subsection. Within three months of receiving the list,
28 the K-12 data governance group shall develop and transmit to the
29 education data center a feasibility analysis of obtaining or
30 improving the data, including the steps required, estimated time
31 frame, and the financial and other resources that would be required.
32 Based on the analysis, the education data center shall submit, if
33 necessary, a recommendation to the legislature regarding any
34 statutory changes or resources that would be needed to collect or
35 improve the data;

36 (e) Monitor and evaluate the education data collection systems of
37 the organizations and agencies represented in the education data
38 center ensuring that data systems are flexible, able to adapt to
39 evolving needs for information, and to the extent feasible and
40 necessary, include data that are needed to conduct the analyses and

1 provide answers to the research and policy questions identified in
2 (a) of this subsection;

3 (f) Track enrollment and outcomes through the public centralized
4 higher education enrollment system;

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

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

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

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

18 (3) The department of early learning, superintendent of public
19 instruction, professional educator standards board, state board of
20 education, state board for community and technical colleges,
21 workforce training and education coordinating board, student
22 achievement council, public four-year institutions of higher
23 education, and employment security department shall work with the
24 education data center to develop data-sharing and research
25 agreements, consistent with applicable security and confidentiality
26 requirements, to facilitate the work of the center. The education
27 data center shall also develop data-sharing and research agreements
28 with the administrative office of the courts to conduct research on
29 educational and workforce outcomes using data maintained under RCW
30 13.50.010(12) related to juveniles. Private, nonprofit institutions
31 of higher education that provide programs of education beyond the
32 high school level leading at least to the baccalaureate degree and
33 are accredited by the Northwest association of schools and colleges
34 or their peer accreditation bodies may also develop data-sharing and
35 research agreements with the education data center, consistent with
36 applicable security and confidentiality requirements. The education
37 data center shall make data from collaborative analyses available to
38 the education agencies and institutions that contribute data to the
39 education data center to the extent allowed by federal and state

1 security and confidentiality requirements applicable to the data of
2 each contributing agency or institution.

3 **Sec. 110.** RCW 13.50.010 and 2014 c 175 s 2 and 2014 c 117 s 5
4 are each reenacted and amended to read as follows:

5 (1) For purposes of this chapter:

6 (a) "Juvenile justice or care agency" means any of the following:
7 Police, diversion units, court, prosecuting attorney, defense
8 attorney, detention center, attorney general, the legislative
9 children's oversight committee, the office of the family and
10 children's ombuds, the department of social and health services and
11 its contracting agencies, schools; persons or public or private
12 agencies having children committed to their custody; and any
13 placement oversight committee created under RCW 72.05.415;

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

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

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

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

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

28 (a) The agency may never knowingly record inaccurate information.
29 Any information in records maintained by the department of social and
30 health services relating to a petition filed pursuant to chapter
31 13.34 RCW that is found by the court to be false or inaccurate shall
32 be corrected or expunged from such records by the agency;

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

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

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

4 (5) Any person who has reasonable cause to believe information
5 concerning that person is included in the records of a juvenile
6 justice or care agency and who has been denied access to those
7 records by the agency may make a motion to the court for an order
8 authorizing that person to inspect the juvenile justice or care
9 agency record concerning that person. The court shall grant the
10 motion to examine records unless it finds that in the interests of
11 justice or in the best interests of the juvenile the records or parts
12 of them should remain confidential.

13 (6) A juvenile, or his or her parents, or any person who has
14 reasonable cause to believe information concerning that person is
15 included in the records of a juvenile justice or care agency may make
16 a motion to the court challenging the accuracy of any information
17 concerning the moving party in the record or challenging the
18 continued possession of the record by the agency. If the court grants
19 the motion, it shall order the record or information to be corrected
20 or destroyed.

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

25 (8) The court may permit inspection of records by, or release of
26 information to, any clinic, hospital, or agency which has the subject
27 person under care or treatment. The court may also permit inspection
28 by or release to individuals or agencies, including juvenile justice
29 advisory committees of county law and justice councils, engaged in
30 legitimate research for educational, scientific, or public purposes.
31 Each person granted permission to inspect juvenile justice or care
32 agency records for research purposes shall present a notarized
33 statement to the court stating that the names of juveniles and
34 parents will remain confidential.

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

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

5 (11) Requirements in this chapter relating to the court's
6 authority to compel disclosure shall not apply to the legislative
7 children's oversight committee or the office of the family and
8 children's ombuds.

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

26 (13) The court shall release to the Washington state office of
27 public defense records needed to implement the agency's oversight,
28 technical assistance, and other functions as required by RCW
29 2.70.020. Access to the records used as a basis for oversight,
30 technical assistance, or other agency functions is restricted to the
31 Washington state office of public defense. The Washington state
32 office of public defense shall maintain the confidentiality of all
33 confidential information included in the records.

34 PART II

35 EDUCATOR CULTURAL COMPETENCE

36 NEW SECTION. Sec. 201. A new section is added to chapter
37 28A.345 RCW to read as follows:

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

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

17 (1) Subject to funds appropriated for this purpose, the office of
18 the superintendent of public instruction must develop and make
19 available a professional development program to support the
20 implementation of the evaluation systems required by RCW 28A.405.100.
21 The program components may be organized into professional development
22 modules for principals, administrators, and teachers. The
23 professional development program shall include a comprehensive online
24 training package.

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

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

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

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

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

34 (e) Strategies for achieving maximum rater agreement;

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

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

37 (h) Methods to link the evaluation process to ongoing educator
38 professional development.

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

15 (4) To the maximum extent feasible, the professional development
16 program must incorporate or adapt existing online training or
17 curriculum, including securing materials or curriculum under contract
18 or purchase agreements within available funds. Multiple modes of
19 instruction should be incorporated including videos of classroom
20 teaching, participatory exercises, and other engaging combinations of
21 online audio, video, and print presentation.

22 ~~((+4))~~ (5) The professional development program must be
23 developed in modules that allow:

24 (a) Access to material over a reasonable number of training
25 sessions;

26 (b) Delivery in person or online; and

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

28 ~~((+5))~~ (6) The office of the superintendent of public
29 instruction must maintain a web site that includes the online
30 professional development materials along with sample evaluation forms
31 and templates, links to relevant research on evaluation and on high
32 quality teaching and leadership, samples of contract and collective
33 bargaining language on key topics, examples of multiple measures of
34 teacher and principal performance, suggestions for data to measure
35 student growth, and other tools that will assist school districts in
36 implementing the revised evaluation systems.

37 ~~((+6))~~ (7) The office of the superintendent of public
38 instruction must identify the number of in-service training hours
39 associated with each professional development module and develop a
40 way for users to document their completion of the training.

1 Documented completion of the training under this section is
2 considered approved in-service training for the purposes of RCW
3 28A.415.020.

4 ~~((7))~~ (8) The office of the superintendent of public
5 instruction shall periodically update the modules to reflect new
6 topics and research on performance evaluation so that the training
7 serves as an ongoing source of continuing education and professional
8 development.

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

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

16 (1) School districts shall require each administrator, each
17 principal, or other supervisory personnel who has responsibility for
18 evaluating classroom teachers or principals to have training in
19 evaluation procedures.

20 (2) Before school district implementation of the revised
21 evaluation systems required under RCW 28A.405.100, principals and
22 administrators who have evaluation responsibilities must engage in
23 professional development designed to implement the revised systems
24 and maximize rater agreement. The professional development to support
25 the revised evaluation systems must also include foundational
26 elements of cultural competence, focusing on multicultural education
27 and principles of English language acquisition.

28 NEW SECTION. **Sec. 204.** A new section is added to chapter
29 28A.415 RCW to read as follows:

30 (1) The office of the superintendent of public instruction, in
31 collaboration with the educational opportunity gap oversight and
32 accountability committee, the professional educator standards board,
33 colleges of education, and representatives from diverse communities
34 and community-based organizations, must develop a content outline for
35 professional development and training in cultural competence for
36 school staff.

37 (2) The content of the cultural competence professional
38 development and training must be aligned with the standards developed

1 by the professional educator standards board under RCW 28A.410.270.
2 The training program must also include the foundational elements of
3 cultural competence, focusing on multicultural education and
4 principles of English language acquisition, including information
5 regarding best practices to implement the tribal history and culture
6 curriculum.

7 (3) The cultural competence professional development and training
8 must contain components that are appropriate for classified school
9 staff and district administrators as well as certificated
10 instructional staff and principals at the building level. The
11 professional development and training must also contain components
12 suitable for delivery by individuals from the local community or
13 community-based organizations with appropriate expertise.

14 (4) The legislature encourages educational service districts and
15 school districts to use the cultural competence professional
16 development and training developed under this section and provide
17 opportunities for all school and school district staff to gain
18 knowledge and skills in cultural competence, including in partnership
19 with their local communities.

20 NEW SECTION. **Sec. 205.** A new section is added to chapter
21 28A.657 RCW to read as follows:

22 Schools that are required under state or federal accountability
23 measures to implement a plan for improvement must provide the
24 cultural competence professional development and training developed
25 under RCW 28A.405.106, 28A.405.120, and section 204 of this act for
26 classified, certificated instructional, and administrative staff of
27 the school. The professional development and training may be
28 delivered by an educational service district, through district in-
29 service, or by another qualified provider, including in partnership
30 with the local community.

31 **PART III**
32 **INSTRUCTING ENGLISH LANGUAGE LEARNERS**

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

35 (1) The educator retooling (~~to teach mathematics and science~~)
36 conditional scholarship program is created. Participation is limited
37 to current K-12 teachers and individuals having an elementary

1 education certificate but who are not employed in positions requiring
2 an elementary education certificate. It is anticipated that
3 candidates enrolled in this program will complete the requirements
4 for a mathematics ~~((or))~~, science, special education, bilingual
5 education, or English language learner endorsement(~~(, or both,)~~) in
6 two years or less.

7 (2) Entry requirements for candidates include:

8 (a) Current K-12 teachers shall pursue a middle level mathematics
9 or science, ~~((or))~~ secondary mathematics or science, special
10 education, bilingual education, or English language learner
11 endorsement.

12 (b) Individuals having an elementary education certificate but
13 who are not employed in positions requiring an elementary education
14 certificate shall pursue an endorsement only in middle level
15 mathematics or science ~~((only))~~, special education, bilingual
16 education, or English language learner.

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

19 Subject to the availability of amounts appropriated for these
20 purposes, the conditional scholarship programs in this chapter are
21 created under the following guidelines:

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

25 (a) To adopt necessary rules and develop guidelines to administer
26 the programs;

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

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

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

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

1 (i) Be accepted and maintain enrollment in alternative
2 certification routes through a professional educator standards board-
3 approved program;

4 (ii) Continue to make satisfactory progress toward completion of
5 the alternative route certification program and receipt of a
6 residency teaching certificate; and

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

14 (b) The pipeline for paraeducators conditional scholarship
15 program is limited to qualified paraeducators as provided by RCW
16 28A.660.042. In order to receive conditional scholarship awards,
17 recipients shall:

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

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

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

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

36 (i) Individuals currently employed as teachers shall pursue a
37 middle level mathematics or science, ~~((or))~~ secondary mathematics or
38 science, special education, bilingual education, or English language
39 learner endorsement; or

1 (ii) Individuals who are certificated with an elementary
2 education endorsement shall pursue an endorsement in middle level
3 mathematics or science, (~~or both~~) special education, bilingual
4 education, or English language learner; and

5 (iii) Individuals shall use one of the pathways to endorsement
6 processes to receive (~~a mathematics or science~~) the endorsement,
7 (~~or both~~) which shall include passing (~~a mathematics or science~~)
8 the associated endorsement test(~~s~~) or (~~both~~) tests, plus
9 observation and completing applicable coursework to attain the proper
10 endorsement; and

11 (iv) Individuals shall receive no more than the annual amount of
12 the scholarship, not to exceed three thousand dollars, for the cost
13 of tuition, test fees, and educational expenses, including books,
14 supplies, and transportation for the endorsement pathway being
15 pursued.

16 (3) The Washington professional educator standards board shall
17 select individuals to receive conditional scholarships. In selecting
18 recipients, preference shall be given to eligible veterans or
19 national guard members. In awarding conditional scholarships to
20 support additional bilingual education or English language learner
21 endorsements, the board shall also give preference to teachers
22 assigned to schools required under state or federal accountability
23 measures to implement a plan for improvement, and to teachers
24 assigned to schools whose enrollment of English language learner
25 students has increased an average of more than five percent per year
26 over the previous three years.

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

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

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

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

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

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

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

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

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

22 (i) The receiving school shall determine whether the district's
23 program is a like program when compared to the sending school's
24 program; and

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

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

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

36 (g) Make available a program of instructional support for up to
37 two years immediately after pupils exit from the program, for exited
38 pupils who need assistance in reaching grade-level performance in

1 academic subjects even though they have achieved English proficiency
2 for purposes of the transitional bilingual instructional program.

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

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

10 **PART IV**

11 **ENGLISH LANGUAGE LEARNER ACCOUNTABILITY**

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

14 The superintendent of public instruction shall develop an
15 evaluation system designed to measure increases in the English and
16 academic proficiency of eligible pupils. When developing the system,
17 the superintendent shall:

18 (1) Require school districts to assess potentially eligible
19 pupils within ten days of registration using an English proficiency
20 assessment or assessments as specified by the superintendent of
21 public instruction. Results of these assessments shall be made
22 available to both the superintendent of public instruction and the
23 school district;

24 (2) Require school districts to annually assess all eligible
25 pupils at the end of the school year using an English proficiency
26 assessment or assessments as specified by the superintendent of
27 public instruction. Results of these assessments shall be made
28 available to both the superintendent of public instruction and the
29 school district;

30 (3) Develop a system to evaluate increases in the English and
31 academic proficiency of students who are, or were, eligible pupils.
32 This evaluation shall include students when they are in the program
33 and after they exit the program until they finish their K-12 career
34 or transfer from the school district. The purpose of the evaluation
35 system is to inform schools, school districts, parents, and the state
36 of the effectiveness of the transitional bilingual programs in school
37 and school districts in teaching these students English and other
38 content areas, such as mathematics and writing; and

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

16 NEW SECTION. Sec. 402. A new section is added to chapter
17 28A.657 RCW to read as follows:

18 At the beginning of each school year, the office of the
19 superintendent of public instruction shall identify schools that
20 experienced a significant increase during the previous two school
21 years in enrollment of English language learner students as compared
22 to previous enrollment trends. The office shall notify the identified
23 schools, and the school districts in which the schools are located
24 must provide the cultural competence professional development and
25 training developed under RCW 28A.405.106, 28A.405.120, and section
26 204 of this act for classified, certificated instructional, and
27 administrative staff of the schools, unless it has been provided
28 within the last two years. The professional development and training
29 may be delivered by an educational service district, through district
30 in-service, or by another qualified provider, including in
31 partnership with the local community.

32 **PART V**
33 **DISAGGREGATED STUDENT DATA**

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

36 (1) Beginning with the 2017-18 school year, the superintendent of
37 public instruction must collect and school districts must submit all

1 student-level data using the United States department of education
2 2007 race and ethnicity reporting guidelines, including the subracial
3 and subethnic categories within those guidelines, with the following
4 modifications:

5 (a) Further disaggregation of the Black category to differentiate
6 students of African origin and students native to the United States
7 with African ancestors;

8 (b) Further disaggregation of countries of origin for Asian
9 students;

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

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

15 (2) All student data-related reports required of the
16 superintendent of public instruction in this title must be
17 disaggregated by at least the following subgroups of students: White,
18 Black, Hispanic, American Indian/Alaskan Native, Asian, Pacific
19 Islander/Hawaiian Native, low income, transitional bilingual,
20 migrant, special education, and students covered by section 504 of
21 the federal rehabilitation act of 1973, as amended (29 U.S.C. Sec.
22 794).

23 ((+2)) (3) All student data-related reports ((required of))
24 prepared by the superintendent of public instruction regarding
25 student suspensions and expulsions as required ((in RCW 28A.300.046))
26 under this title are subject to disaggregation by subgroups
27 including:

28 (a) Gender;

29 (b) Foster care;

30 (c) Homeless, if known;

31 (d) School district;

32 (e) School;

33 (f) Grade level;

34 (g) Behavior infraction code, including:

35 (i) Bullying;

36 (ii) Tobacco;

37 (iii) Alcohol;

38 (iv) Illicit drug;

39 (v) Fighting without major injury;

40 (vi) Violence without major injury;

1 (vii) Violence with major injury;
2 (viii) Possession of a weapon; and
3 (ix) Other behavior resulting from a short-term or long-term
4 suspension, expulsion, or interim alternative education setting
5 intervention;

6 (h) Intervention applied, including:

7 (i) Short-term suspension;

8 (ii) Long-term suspension;

9 (iii) Emergency expulsion;

10 (iv) Expulsion;

11 (v) Interim alternative education settings;

12 (vi) No intervention applied; and

13 (vii) Other intervention applied that is not described in this
14 subsection (2)(h);

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

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

19 ~~((3))~~ (4) All student data-related reports required of the
20 superintendent of public instruction regarding student suspensions
21 and expulsions as required in RCW 28A.300.046 are subject to cross-
22 tabulation at a minimum by the following:

23 (a) School and district;

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

28 (c) Behavior infraction code; and

29 (d) Intervention applied.

30 (5) The K-12 data governance group shall develop the data
31 protocols and guidance for school districts in the collection of data
32 as required under this section, and the office of the superintendent
33 of public instruction shall modify the statewide student data system
34 as needed. The office of the superintendent of public instruction
35 shall also incorporate training for school staff on best practices
36 for collection of data on student race and ethnicity in other
37 training or professional development related to data provided by the
38 office.

1 NEW SECTION. **Sec. 502.** The office of the superintendent of
2 public instruction shall convene a task force to review the United
3 States department of education 2007 race and ethnicity reporting
4 guidelines and develop race and ethnicity guidance for the state. The
5 task force must include representatives from the educational
6 opportunity gap oversight and accountability committee, the ethnic
7 commissions, the governor's office of Indian affairs, and a diverse
8 group of parents. The guidance must clarify for students and families
9 why information about race and ethnicity is collected and how
10 students and families can help school administrators properly
11 identify them. The guidance must also describe the best practices for
12 school administrators to use when identifying the race and ethnicity
13 of students and families. The task force must use the United States
14 census and the American community survey in the development of the
15 guidance.

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

18 (1) The office of the superintendent of public instruction shall
19 develop standards for school data systems that focus on validation
20 and verification of data entered into the systems to ensure accuracy
21 and compatibility of data. The standards shall address but are not
22 limited to the following topics:

23 (a) Date validation;

24 (b) Code validation, which includes gender, race or ethnicity,
25 and other code elements;

26 (c) Decimal and integer validation; and

27 (d) Required field validation as defined by state and federal
28 requirements.

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

35 NEW SECTION. **Sec. 504.** (1) To increase the visibility of the
36 opportunity gap in schools with small subgroups of students and to
37 hold schools accountable to individual student-level support, by July
38 1, 2016, the office of the superintendent of public instruction, in

1 cooperation with the K-12 data governance group established within
2 the office of the superintendent of public instruction, the education
3 data center established within the office of financial management,
4 and the state board of education, shall adopt a rule that the only
5 student data that should not be reported for public reporting and
6 accountability is data where the school or district has fewer than
7 ten students in a grade level or student subgroup.

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

9 **PART VI**

10 **RECRUITMENT AND RETENTION OF EDUCATORS**

11 NEW SECTION. **Sec. 601.** (1) The professional educator standards
12 board and the office of the superintendent of public instruction
13 shall convene a work group to revise and update the model framework
14 and curriculum, as well as the program of study, for high school
15 career and technical education courses related to careers in
16 education.

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

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

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

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

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

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

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

30 (1) A K-12 data governance group shall be established within the
31 office of the superintendent of public instruction to assist in the
32 design and implementation of a K-12 education data improvement system
33 for financial, student, and educator data. It is the intent that the
34 data system reporting specifically serve requirements for teachers,
35 parents, superintendents, school boards, the office of the
36 superintendent of public instruction, the legislature, and the
37 public.

1 (2) The K-12 data governance group shall include representatives
2 of the education data center, the office of the superintendent of
3 public instruction, the legislative evaluation and accountability
4 program committee, the professional educator standards board, the
5 state board of education, and school district staff, including
6 information technology staff. Additional entities with expertise in
7 education data may be included in the K-12 data governance group.

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

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

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

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

19 (d) Conduct a gap analysis of current and planned information
20 compared to the needs requirement document, including an analysis of
21 the strengths and limitations of an education data system and
22 programs currently used by school districts and the state, and
23 specifically the gap analysis must look at the extent to which the
24 existing data can be transformed into canonical form and where
25 existing software can be used to meet the needs requirement document;

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

31 (f) Define the operating rules and governance structure for K-12
32 data collections, ensuring that data systems are flexible and able to
33 adapt to evolving needs for information, within an objective and
34 orderly data governance process for determining when changes are
35 needed and how to implement them. Strong consideration must be made
36 to the current practice and cost of migration to new requirements.
37 The operating rules should delineate the coordination, delegation,
38 and escalation authority for data collection issues, business rules,
39 and performance goals for each K-12 data collection system,
40 including:

1 (i) Defining and maintaining standards for privacy and
2 confidentiality;
3 (ii) Setting data collection priorities;
4 (iii) Defining and updating a standard data dictionary;
5 (iv) Ensuring data compliance with the data dictionary;
6 (v) Ensuring data accuracy; and
7 (vi) Establishing minimum standards for school, student,
8 financial, and teacher data systems. Data elements may be specified
9 "to the extent feasible" or "to the extent available" to collect more
10 and better data sets from districts with more flexible software.
11 Nothing in RCW 43.41.400, this section, or RCW 28A.655.210 should be
12 construed to require that a data dictionary or reporting should be
13 hobbled to the lowest common set. The work of the K-12 data
14 governance group must specify which data are desirable. Districts
15 that can meet these requirements shall report the desirable data.
16 Funding from the legislature must establish which subset data are
17 absolutely required.

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

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

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

29 (a) The percentage of data compliance and data accuracy by school
30 district;

31 (b) The magnitude of spending per student, by student estimated
32 by the following algorithm and reported as the detailed summation of
33 the following components:

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

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

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

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

6 (c) The cost of K-12 basic education, per student, by student, by
7 school district, estimated by the algorithm in (b) of this
8 subsection, and reported in the same manner as required in (b) of
9 this subsection;

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

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

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

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

22 (h) Percentage of a classroom teacher per student on a per
23 student basis; ((and))

24 (i) Percentage of classroom teachers of color per school district
25 and per school;

26 (j) Average length of service of classroom teachers of color per
27 school district and per school; and

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

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

38 (7) All reports and data referenced in this section and RCW
39 43.41.400 and 28A.655.210 shall be made available in a manner
40 consistent with the technical requirements of the legislative

1 evaluation and accountability program committee and the education
2 data center so that selected data can be provided to the legislature,
3 governor, school districts, and the public.

4 (8) Reports shall contain data to the extent it is available. All
5 reports must include documentation of which data are not available or
6 are estimated. Reports must not be suppressed because of poor data
7 accuracy or completeness. Reports may be accompanied with
8 documentation to inform the reader of why some data are missing or
9 inaccurate or estimated.

10 **PART VII**

11 **INTEGRATED STUDENT SERVICES AND FAMILY ENGAGEMENT**

12 NEW SECTION. **Sec. 701.** A new section is added to chapter
13 28A.300 RCW to read as follows:

14 (1) The Washington integrated student supports program is
15 established. The program shall be developed by the office of the
16 superintendent of public instruction based on the framework described
17 in this section. The purposes of the program include:

18 (a) Supporting a school-based approach to promoting the success
19 of all students by coordinating academic and nonacademic supports to
20 reduce barriers to academic achievement and educational attainment;

21 (b) Fulfilling a vision of public education where educators focus
22 on education, students focus on learning, and auxiliary supports
23 enable teaching and learning to occur unimpeded;

24 (c) Encouraging the creation, expansion, and quality improvement
25 of community-based supports that can be integrated into the academic
26 environment of schools and school districts;

27 (d) Increasing public awareness of the evidence showing that
28 academic outcomes are a result of both academic and nonacademic
29 factors; and

30 (e) Supporting statewide and local organizations in their efforts
31 to provide leadership, coordination, technical assistance,
32 professional development, and advocacy to implement high-quality,
33 evidence-based, student-centered, coordinated approaches throughout
34 the state.

35 (2)(a) The Washington integrated student supports program must be
36 sufficiently flexible to adapt to the unique needs of schools and
37 districts across the state, yet sufficiently structured to provide

1 all students with the individual support they need for academic
2 success.

3 (b) The essential framework of the Washington integrated student
4 supports program includes:

5 (i) Needs assessments: The integrated student support staff must
6 conduct a needs assessment for all at-risk students, develop or
7 identify needed academic and nonacademic supports in the school and
8 in the community, and work with providers to coordinate these
9 supports to provide students with a package of mutually reinforcing
10 supports designed to meet the individual needs of each student.

11 (ii) Integration and coordination: The integrated student support
12 staff must develop close relationships with school and district
13 leadership and staff to enhance the effectiveness of the program;
14 basing the integrated student support staff within a school or
15 district allows the integration and coordination of academic and
16 nonacademic supports.

17 (iii) Community partnerships: The integrated student support
18 staff must work with community partners to offer nonacademic supports
19 to reduce barriers to students' academic success, including supports
20 to students' families.

21 (iv) Data driven: The integrated student support staff must track
22 students' needs and outcomes over time to determine whether the
23 program is working, and how it could be more successful.

24 (c) The framework must facilitate the ability of any academic or
25 nonacademic provider to support the needs of at-risk students,
26 including: Mental health counselors, social emotional learning
27 experts, physicians, dentists, speech therapists, and audiologists.

28 NEW SECTION. **Sec. 702.** (1) The office of the superintendent of
29 public instruction shall create a work group to determine how to best
30 implement the framework described in section 701 of this act
31 throughout the state.

32 (2) The work group must be composed of the following members, who
33 must reflect the geographic diversity across the state:

34 (a) The superintendent of public instruction or the
35 superintendent's designee;

36 (b) Three principals and three superintendents representing
37 districts with diverse characteristics, selected by state
38 associations of principals and superintendents, respectively;

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

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

5 (e) A school counselor from an elementary school, a middle
6 school, and a high school, selected by a state association of school
7 counselors;

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

10 (g) A representative from a career and technical student
11 organization.

12 (3) The superintendent of public instruction shall consult and
13 may contract for services with a national nonpartisan, nonprofit
14 research center that provides data and analyses to improve policies
15 and programs serving children and youth for over thirty-five years.

16 (4) The work group must submit to the appropriate committee of
17 the legislature a report recommending policies that need to be
18 adopted or revised to implement the framework described in section
19 701 of this act throughout the state by October 1, 2016. The work
20 group must submit a preliminary report by October 1, 2015, and a
21 final report by October 1, 2016.

22 (5) This section expires August 1, 2017.

23 **Sec. 703.** RCW 28A.165.035 and 2013 2nd sp.s. c 18 s 203 are each
24 amended to read as follows:

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

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

35 (a) Extended learning time opportunities occurring:

36 (i) Before or after the regular school day;

37 (ii) On Saturday; and

38 (iii) Beyond the regular school year;

39 (b) Services under RCW 28A.320.190;

1 (c) Integrated student support programs and services under
2 section 701 of this act;

3 (d) Professional development for certificated and classified
4 staff that focuses on:

5 (i) The needs of a diverse student population;

6 (ii) Specific literacy and mathematics content and instructional
7 strategies; and

8 (iii) The use of student work to guide effective instruction and
9 appropriate assistance;

10 ~~((d))~~ (e) Consultant teachers to assist in implementing
11 effective instructional practices by teachers serving participating
12 students;

13 ~~((e))~~ (f) Tutoring support for participating students;

14 ~~((f))~~ (g) Outreach activities and support for parents of
15 participating students, including employing parent and family
16 engagement coordinators; and

17 ~~((g))~~ (h) Up to five percent of a district's learning
18 assistance program allocation may be used for development of
19 partnerships with community-based organizations, educational service
20 districts, and other local agencies to deliver academic and
21 nonacademic supports to participating students who are significantly
22 at risk of not being successful in school to reduce barriers to
23 learning, increase student engagement, and enhance students'
24 readiness to learn. The ~~((office of the superintendent of public
25 instruction))~~ school board must approve in an open meeting any
26 community-based organization or local agency before learning
27 assistance funds may be expended.

28 ~~((3))~~ (2) In addition to the state menu developed under RCW
29 28A.655.235, the office of the superintendent of public instruction
30 shall convene a panel of experts, including the Washington state
31 institute for public policy, to develop additional state menus of
32 best practices and strategies for use in the learning assistance
33 program to assist struggling students at all grade levels in English
34 language arts and mathematics ~~((and reduce disruptive behaviors in
35 the classroom))~~. The office of the superintendent of public
36 instruction shall publish the state menus by July 1, 2015, and update
37 the state menus by each July 1st thereafter.

38 ~~((4))~~ (3)(a) Beginning in the 2016-17 school year, except as
39 provided in (b) of this subsection, school districts must use a

1 practice or strategy that is on a state menu developed under
2 subsection (3) of this section or RCW 28A.655.235.

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

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

20 ~~((+5))~~ (4) School districts are encouraged to implement best
21 practices and strategies from the state menus developed under this
22 section and RCW 28A.655.235 before the use is required.

23 **Sec. 704.** RCW 28A.165.055 and 2013 2nd sp.s. c 18 s 205 are each
24 amended to read as follows:

25 The funds for the learning assistance program shall be
26 appropriated in accordance with RCW 28A.150.260 and the omnibus
27 appropriations act. The distribution formula is for school district
28 allocation purposes only, but funds appropriated for the learning
29 assistance program must be expended for the purposes of RCW
30 28A.165.005 through 28A.165.065 and 28A.655.235. The funds may also
31 be appropriated for integrated student support programs and services
32 under section 701 of this act.

33 **PART VIII**
34 **TRANSITIONS**

35 NEW SECTION. **Sec. 801.** A new section is added to chapter 43.215
36 RCW to read as follows:

1 The department, in collaboration with the office of the
2 superintendent of public instruction, shall create a community
3 information and involvement plan to inform home-based, tribal, and
4 family early learning providers of the early achievers program under
5 RCW 43.215.100.

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