
SECOND SUBSTITUTE HOUSE BILL 1680

State of Washington

63rd Legislature

2013 Regular Session

By House Appropriations (originally sponsored by Representatives Santos, Upthegrove, Maxwell, Ryu, and Bergquist)

READ FIRST TIME 03/01/13.

1 AN ACT Relating to implementing strategies to close the educational
2 opportunity gap, based on the recommendations of the educational
3 opportunity gap oversight and accountability committee; amending RCW
4 28A.600.015, 28A.600.020, 28A.600.460, 43.41.400, 28A.405.106,
5 28A.405.120, 28A.660.045, 28A.660.050, and 28A.180.040; adding a new
6 section to chapter 28A.600 RCW; adding a new section to chapter 28A.415
7 RCW; adding a new section to chapter 28A.657 RCW; adding a new section
8 to chapter 28A.410 RCW; adding a new section to chapter 28B.50 RCW;
9 creating new sections; and providing expiration dates.

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

11 NEW SECTION. **Sec. 1.** (1) The legislature has already established
12 that it is a goal of the state to provide for a public school system
13 that gives all students the opportunity to achieve personal and
14 academic success. This goal contains within it a promise of excellence
15 and opportunity for all students, not just some students. In
16 establishing the educational opportunity gap oversight and
17 accountability committee in 2009, the legislature recognized that
18 additional work was needed to fulfill the promise of excellence and

1 opportunity for students of certain demographic groups, including
2 English language learners and also including students with
3 disabilities.

4 (2) In its 2013 report to the legislature, the educational
5 opportunity gap oversight and accountability committee made the
6 following recommendations in keeping with its statutory purpose, which
7 is to recommend specific policies and strategies to close the
8 educational opportunity gap:

9 (a) Decrease the disproportionate representation of students of
10 color in disciplinary actions in schools;

11 (b) Enhance the cultural competence of current and future
12 educators;

13 (c) Provide English language learner and second language
14 acquisition endorsements for all educators;

15 (d) Create new English language learner accountability benchmarks;

16 (e) Provide tools for deeper data analysis and disaggregation of
17 student demographic data to inform instructional strategies to close
18 the opportunity gap; and

19 (f) Invest in the recruitment and retention of educators of color.

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

31 (4) Therefore the legislature intends to adopt policies and
32 programs to implement the six recommendations of the educational
33 opportunity gap oversight and accountability committee.

34 **PART I**

35 **DISPROPORTIONALITY IN STUDENT DISCIPLINE**

1 NEW SECTION. **Sec. 101.** A new section is added to chapter 28A.600
2 RCW to read as follows:

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

15 (2) The discipline task force shall include representatives from
16 the K-12 data governance group, the educational opportunity gap
17 oversight and accountability committee, the state ethnic commissions,
18 the governor's office of Indian affairs, the office of the education
19 ombudsman, school districts, and other education and advocacy
20 organizations.

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

26 **Sec. 102.** RCW 28A.600.015 and 2006 c 263 s 701 are each amended to
27 read as follows:

28 (1) The superintendent of public instruction shall adopt and
29 distribute to all school districts lawful and reasonable rules
30 prescribing the substantive and procedural due process guarantees of
31 pupils in the common schools. Such rules shall authorize a school
32 district to use informal due process procedures in connection with the
33 short-term suspension of students to the extent constitutionally
34 permissible: PROVIDED, That the superintendent of public instruction
35 deems the interest of students to be adequately protected. When a
36 student suspension or expulsion is appealed, the rules shall authorize
37 a school district to impose the suspension or expulsion temporarily

1 after an initial hearing for no more than ten consecutive school days
2 or until the appeal is decided, whichever is earlier. Any days that
3 the student is temporarily suspended or expelled before the appeal is
4 decided shall be applied to the term of the student suspension or
5 expulsion and shall not limit or extend the term of the student
6 suspension or expulsion. A suspension or expulsion of a student may
7 not be for an indefinite period of time, and a school district may not
8 suspend the provision of educational services to a student as a
9 disciplinary measure.

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

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

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

27 **Sec. 103.** RCW 28A.600.020 and 2006 c 263 s 706 are each amended to
28 read as follows:

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

34 (2) Any student who creates a disruption of the educational process
35 in violation of the building disciplinary standards while under a
36 teacher's immediate supervision may be excluded by the teacher from his
37 or her individual classroom and instructional or activity area for all

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

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

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

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

32 ((+a)) (i) Engages in two or more violations within a three-year
33 period of RCW 9A.46.120, 28A.320.135, 28A.600.455, 28A.600.460,
34 28A.635.020, 28A.600.020, 28A.635.060, 9.41.280, or 28A.320.140; or

35 ((+b)) (ii) Engages in one or more of the offenses listed in RCW
36 13.04.155.

37 (b) The principal shall communicate the disciplinary action taken

1 by the principal to the school personnel who referred the student to
2 the principal for disciplinary action.

3 (6) As provided in RCW 28A.600.015, for any circumstance where
4 disciplinary action is discretionary on the part of the school
5 district, a school district may not impose disciplinary action that
6 results in the suspension of educational services to a student.

7 **Sec. 104.** RCW 28A.600.460 and 1997 c 266 s 9 are each amended to
8 read as follows:

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

20 (2) A student committing an offense under chapter 9A.36, 9A.40,
21 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
22 shall not be assigned to that teacher's classroom for the duration of
23 the student's attendance at that school or any other school where the
24 teacher is assigned.

25 (3) A student who commits an offense under chapter 9A.36, 9A.40,
26 9A.46, or 9A.48 RCW, when directed toward another student, may be
27 removed from the classroom of the victim for the duration of the
28 student's attendance at that school or any other school where the
29 victim is enrolled. A student who commits an offense under one of the
30 chapters enumerated in this section against a student or another school
31 employee, may be expelled or suspended.

32 (4) Nothing in this section is intended to limit the authority of
33 a school under existing law and rules to expel or suspend a student for
34 misconduct or criminal behavior. However, as provided in RCW
35 28A.600.015, for any circumstance where disciplinary action is
36 discretionary on the part of the school district, a school district may

1 not impose disciplinary action that results in the suspension of
2 educational services to a student.

3 (5) All school districts must collect data on disciplinary actions
4 taken in each school and must record such actions using the statewide
5 student data system, based on the data collection standards established
6 by the office of the superintendent of public instruction and the K-12
7 data governance group. The information shall be made available to the
8 public upon request(~~(. This collection of)~~), but any public release of
9 such data shall not include personally identifiable information
10 including, but not limited to, a student's social security number,
11 name, or address.

12 **Sec. 105.** RCW 43.41.400 and 2012 c 229 s 585 are each amended to
13 read as follows:

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

34 (2) The education data center shall:
35 (a) In consultation with the legislative evaluation and
36 accountability program committee and the agencies and organizations

1 participating in the education data center, identify the critical
2 research and policy questions that are intended to be addressed by the
3 education data center and the data needed to address the questions;

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

8 (c) Collaborate with the legislative evaluation and accountability
9 program committee and the education and fiscal committees of the
10 legislature in identifying the data to be compiled and analyzed to
11 ensure that legislative interests are served;

12 (d) Annually provide to the K-12 data governance group a list of
13 data elements and data quality improvements that are necessary to
14 answer the research and policy questions identified by the education
15 data center and have been identified by the legislative committees in
16 (c) of this subsection. Within three months of receiving the list, the
17 K-12 data governance group shall develop and transmit to the education
18 data center a feasibility analysis of obtaining or improving the data,
19 including the steps required, estimated time frame, and the financial
20 and other resources that would be required. Based on the analysis, the
21 education data center shall submit, if necessary, a recommendation to
22 the legislature regarding any statutory changes or resources that would
23 be needed to collect or improve the data;

24 (e) Monitor and evaluate the education data collection systems of
25 the organizations and agencies represented in the education data center
26 ensuring that data systems are flexible, able to adapt to evolving
27 needs for information, and to the extent feasible and necessary,
28 include data that are needed to conduct the analyses and provide
29 answers to the research and policy questions identified in (a) of this
30 subsection;

31 (f) Track enrollment and outcomes through the public centralized
32 higher education enrollment system;

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

36 (h) Provide research that focuses on student transitions within and
37 among the early learning, K-12, and higher education sectors in the P-
38 20 system; ((and))

1 (i) Prepare a regular report on the educational and workforce
2 outcomes of youth in the juvenile justice system, using data
3 disaggregated by ethnic categories, racial subgroups, and age; and

4 (j) Make recommendations to the legislature as necessary to help
5 ensure the goals and objectives of this section and RCW 28A.655.210 and
6 28A.300.507 are met.

7 (3) The department of early learning, superintendent of public
8 instruction, professional educator standards board, state board of
9 education, state board for community and technical colleges, workforce
10 training and education coordinating board, student achievement council,
11 public four-year institutions of higher education, department of social
12 and health services, and employment security department shall work with
13 the education data center to develop data-sharing and research
14 agreements, consistent with applicable security and confidentiality
15 requirements, to facilitate the work of the center. The education data
16 center shall also develop data-sharing and research agreements with the
17 administrative office of the courts to conduct research on educational
18 and workforce outcomes using data maintained under RCW 13.50.010(11)
19 related to juveniles. Private, nonprofit institutions of higher
20 education that provide programs of education beyond the high school
21 level leading at least to the baccalaureate degree and are accredited
22 by the Northwest association of schools and colleges or their peer
23 accreditation bodies may also develop data-sharing and research
24 agreements with the education data center, consistent with applicable
25 security and confidentiality requirements. The education data center
26 shall make data from collaborative analyses available to the education
27 agencies and institutions that contribute data to the education data
28 center to the extent allowed by federal and state security and
29 confidentiality requirements applicable to the data of each
30 contributing agency or institution.

31 **PART II**

32 **EDUCATOR CULTURAL COMPETENCE**

33 **Sec. 201.** RCW 28A.405.106 and 2012 c 35 s 5 are each amended to
34 read as follows:

35 (1) Subject to funds appropriated for this purpose, the office of
36 the superintendent of public instruction must develop and make

1 available a professional development program to support the
2 implementation of the evaluation systems required by RCW 28A.405.100.
3 The program components may be organized into professional development
4 modules for principals, administrators, and teachers. The professional
5 development program shall include a comprehensive online training
6 package.

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

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

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

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

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

16 (e) Strategies for achieving maximum rater agreement;

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

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

19 (h) Methods to link the evaluation process to ongoing educator
20 professional development.

21 (3) The training program must also include the foundational
22 elements of cultural competence, focusing on multicultural education
23 and principles of English language acquisition. The content of the
24 training must be aligned with the standards for cultural competence
25 developed by the professional educator standards board under RCW
26 28A.410.270. The office of the superintendent of public instruction,
27 in consultation with the professional educator standards board, the
28 steering committee established in RCW 28A.405.100, and the educational
29 opportunity gap oversight and accountability committee, must integrate
30 the content for cultural competence into the overall training for
31 principals, administrators, and teachers to support the revised
32 evaluation systems.

33 (4) To the maximum extent feasible, the professional development
34 program must incorporate or adapt existing online training or
35 curriculum, including securing materials or curriculum under contract
36 or purchase agreements within available funds. Multiple modes of
37 instruction should be incorporated including videos of classroom

1 teaching, participatory exercises, and other engaging combinations of
2 online audio, video, and print presentation.

3 ~~((+4))~~ (5) The professional development program must be developed
4 in modules that allow:

5 (a) Access to material over a reasonable number of training
6 sessions;

7 (b) Delivery in person or online; and

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

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

18 ~~((+6))~~ (7) The office of the superintendent of public instruction
19 must identify the number of in-service training hours associated with
20 each professional development module and develop a way for users to
21 document their completion of the training. Documented completion of
22 the training under this section is considered approved in-service
23 training for the purposes of RCW 28A.415.020.

24 ~~((+7))~~ (8) The office of the superintendent of public instruction
25 shall periodically update the modules to reflect new topics and
26 research on performance evaluation so that the training serves as an
27 ongoing source of continuing education and professional development.

28 ~~((+8))~~ (9) The office of the superintendent of public instruction
29 shall work with the educational service districts to provide
30 clearinghouse services for the identification and publication of
31 professional development opportunities for teachers and principals that
32 align with performance evaluation criteria.

33 **Sec. 202.** RCW 28A.405.120 and 2012 c 35 s 2 are each amended to
34 read as follows:

35 (1) School districts shall require each administrator, each
36 principal, or other supervisory personnel who has responsibility for

1 evaluating classroom teachers or principals to have training in
2 evaluation procedures.

3 (2) Before school district implementation of the revised evaluation
4 systems required under RCW 28A.405.100, principals and administrators
5 who have evaluation responsibilities must engage in professional
6 development designed to implement the revised systems and maximize
7 rater agreement. The professional development to support the revised
8 evaluation systems must also include foundational elements of cultural
9 competence, focusing on multicultural education and principles of
10 English language acquisition.

11 NEW SECTION. Sec. 203. A new section is added to chapter 28A.415
12 RCW to read as follows:

13 (1) The office of the superintendent of public instruction, in
14 collaboration with the educational opportunity gap oversight and
15 accountability committee, the professional educator standards board,
16 colleges of education, and representatives from diverse communities and
17 community-based organizations, must develop a content outline for
18 professional development and training in cultural competence for school
19 staff.

20 (2) The content of the cultural competence professional development
21 and training must be aligned with the standards developed by the
22 professional educator standards board under RCW 28A.410.270.

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

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

1 PART III

2 INSTRUCTING ENGLISH LANGUAGE LEARNERS

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

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

14 (2) Entry requirements for candidates include:

15 (a) Current K-12 teachers shall pursue a middle level mathematics
16 or science, (~~(~~or~~)~~) secondary mathematics or science, special education,
17 bilingual education, or English language learner endorsement.

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

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

25 Subject to the availability of amounts appropriated for these
26 purposes, the conditional scholarship programs in this chapter are
27 created under the following guidelines:

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

31 (a) To adopt necessary rules and develop guidelines to administer
32 the programs;

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

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

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

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

9 (i) Be accepted and maintain enrollment in alternative
10 certification routes through a professional educator standards board-
11 approved program;

12 (ii) Continue to make satisfactory progress toward completion of
13 the alternative route certification program and receipt of a residency
14 teaching certificate; and

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

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

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

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

33 (iii) Receive no more than the annual amount of the scholarship,
34 not to exceed four thousand dollars, for the cost of tuition, fees, and
35 educational expenses, including books, supplies, and transportation for
36 the alternative route certification program in which the recipient is
37 enrolled. The student achievement council may adjust the annual award

1 by the average rate of tuition and fee increases at the state community
2 and technical colleges.

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

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

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

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

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

24 (3) The Washington professional educator standards board shall
25 select individuals to receive conditional scholarships. In selecting
26 recipients, preference shall be given to eligible veterans or national
27 guard members. In awarding educator retooling scholarships to support
28 additional bilingual education and English language learner
29 endorsements, the board shall give preference to: Teachers seeking
30 endorsements in order to be assigned to the transitional bilingual
31 instructional program under the provisions of RCW 28A.180.040(2),
32 teachers assigned to schools required under state or federal
33 accountability measures to implement a plan for improvement, and
34 teachers assigned to schools whose enrollment of English language
35 learner students has increased an average of more than five percent per
36 year over the previous three years.

37 (4) For the purpose of this chapter, a conditional scholarship is
38 a loan that is forgiven in whole or in part in exchange for service as

1 a certificated teacher employed in a Washington state K-12 public
2 school. The state shall forgive one year of loan obligation for every
3 two years a recipient teaches in a public school. Recipients who fail
4 to continue a course of study leading to residency teacher
5 certification or cease to teach in a public school in the state of
6 Washington in their endorsement area are required to repay the
7 remaining loan principal with interest.

8 (5) Recipients who fail to fulfill the required teaching obligation
9 are required to repay the remaining loan principal with interest and
10 any other applicable fees. The student achievement council shall adopt
11 rules to define the terms for repayment, including applicable interest
12 rates, fees, and deferments. The student achievement council must
13 provide regular reports to the professional educator standards board
14 that include the enrollment, employment, and repayment status of
15 recipients of all scholarships under this section and the certificate
16 number of recipients who have successfully completed a certification
17 program.

18 (6) The student achievement council may deposit all appropriations,
19 collections, and any other funds received for the program in this
20 chapter in the future teachers conditional scholarship account
21 authorized in RCW 28B.102.080. Funds received by the professional
22 educator standards board for the program in this chapter may be
23 transferred to the student achievement council for deposit in the
24 future teachers conditional scholarship account.

25 **Sec. 303.** RCW 28A.180.040 and 2009 c 380 s 5 are each amended to
26 read as follows:

- 27 (1) Every school district board of directors shall:
- 28 (a) Make available to each eligible pupil transitional bilingual
29 instruction to achieve competency in English, in accord with rules of
30 the superintendent of public instruction;
 - 31 (b) Wherever feasible, ensure that communications to parents
32 emanating from the schools shall be appropriately bilingual for those
33 parents of pupils in the bilingual instruction program;
 - 34 (c) Determine, by administration of an English test approved by the
35 superintendent of public instruction the number of eligible pupils
36 enrolled in the school district at the beginning of a school year and
37 thereafter during the year as necessary in individual cases;

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

5 (i) The receiving school shall determine whether the district's
6 program is a like program when compared to the sending school's
7 program; and

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

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

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

19 (2) Beginning in the 2017-18 school year, all classroom teachers
20 assigned using funds for the transitional bilingual instructional
21 program to provide supplemental instruction for eligible pupils must
22 hold an endorsement in bilingual education or English language learner,
23 or both.

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

26 PART IV

27 ENGLISH LANGUAGE LEARNER ACCOUNTABILITY

28 NEW SECTION. **Sec. 401.** (1) The office of the superintendent of
29 public instruction shall convene an English language learner
30 accountability task force to design a performance-based accountability
31 system for the transitional bilingual instructional program. The task
32 force must include representatives from the educational opportunity gap
33 oversight and accountability committee, the state ethnic commissions,
34 the governor's office of tribal affairs, the office of the education
35 ombudsman, the civil rights office within the office of the
36 superintendent of public instruction, parents, community

1 representatives, and program directors and teachers from school
2 districts of different sizes and with different English language
3 learner student populations.

4 (2) The task force must review the research literature to identify
5 evidence-based program designs and instructional strategies for English
6 language learners to achieve English proficiency.

7 (3) The task force must identify performance benchmarks for
8 transitional bilingual instructional programs, including:

9 (a) Benchmarks based on performance of eligible and exited
10 students, including performance in English language and performance in
11 other academic areas, based on state learning standards; and

12 (b) Benchmarks based on program characteristics that research
13 suggests are associated with students achieving English proficiency,
14 such as staff qualifications and training and the level of supplemental
15 instruction for students.

16 (4) The task force must design an accountability system for the
17 program that includes reporting and monitoring of benchmark performance
18 and tiered levels of support and technical assistance for schools and
19 districts based on benchmark performance. The design of the system
20 must also include a reduction in requirements for schools and districts
21 to submit program applications and program plans for state approval, to
22 be replaced with a focus on program outcomes.

23 (5) The task force must submit a report first to the educational
24 opportunity gap oversight and accountability committee and the quality
25 education council, and then to the education committees of the
26 legislature, with recommendations for the design of the accountability
27 system and any policy changes, statutory changes, or resources
28 necessary for its implementation. An interim report is due to the
29 legislative education committees by January 15, 2014, and a final
30 report is due by September 30, 2014.

31 (6) This section expires July 1, 2015.

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

34 At the beginning of each school year, the office of the
35 superintendent of public instruction shall identify schools that
36 experienced a significant increase during the previous two school years
37 in enrollment of English language learner students as compared to

1 previous enrollment trends. The office shall notify the schools, and
2 school districts in which the schools are located must provide the
3 cultural competence professional development and training developed
4 under section 203 of this act for classified, certificated
5 instructional, and administrative staff of the schools. The
6 professional development and training may be delivered by an
7 educational service district, through district in-service, or by
8 another qualified provider, including in partnership with the local
9 community.

10 **PART V**

11 **RECRUITMENT AND RETENTION OF EDUCATORS**

12 NEW SECTION. **Sec. 501.** (1) The professional educator standards
13 board and the office of the superintendent of public instruction shall
14 convene a work group to revise and update the model framework and
15 curriculum, as well as the program of study, for high school career and
16 technical education courses related to careers in education.

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

18 (a) Standards for cultural competence developed by the professional
19 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 2014-15 school year.

26 (4) This section expires September 1, 2015.

27 NEW SECTION. **Sec. 502.** A new section is added to chapter 28A.410
28 RCW to read as follows:

29 (1) Subject to funds appropriated specifically for this purpose,
30 the professional educator standards board shall convene a work group to
31 design an articulated pathway for teacher preparation and certification
32 that has the characteristics described in this section. The work group
33 must include representatives of community and technical college
34 paraeducator apprenticeship and certificate programs, colleges of

1 education, teacher and paraeducator associations, and the office of the
2 superintendent of public instruction.

3 (2) An articulated pathway for teacher preparation and
4 certification includes:

5 (a) Paraeducator certificate and apprenticeship programs that offer
6 course credits that apply to transferrable associate degrees and are
7 aligned with the standards and competencies for teachers adopted by the
8 professional educator standards board;

9 (b) Associate degree programs that build on and do not duplicate
10 the courses and competencies of paraeducator certificate programs,
11 incorporate field experiences, are aligned with the standards and
12 competencies for teachers adopted by the professional educator
13 standards board, and are transferrable to bachelor's degree in
14 education programs and teacher certification programs;

15 (c) Bachelor's degree programs that lead to teacher certification
16 that build on and do not duplicate the courses and competencies of
17 transferrable associate degrees; and

18 (d) Incorporation of the standards for cultural competence
19 developed by the professional educator standards board under RCW
20 28A.410.270 throughout the courses and curriculum of the pathway,
21 particularly focusing on multicultural education and principles of
22 language acquisition.

23 (3) The professional educator standards board must submit a report
24 to the education committees of the legislature by January 10, 2014,
25 comparing the current status of pathways for teacher certification to
26 the elements of the articulated pathway. The report must highlight
27 gaps and recommend strategies to address them.

28 (4) The professional educator standards board and the state board
29 for community and technical colleges may exercise their respective
30 authorities regarding program approval to implement the articulated
31 pathway for teacher preparation and certification under this section in
32 approved teacher certification programs and certificate and degree
33 programs offered by community and technical colleges.

34 NEW SECTION. **Sec. 503.** A new section is added to chapter 28B.50
35 RCW to read as follows:

36 Beginning with the 2014-15 academic year, any community or
37 technical college that offers an apprenticeship program or certificate

1 program for paraeducators must provide candidates the opportunity to
2 earn transferrable course credits within the program. The programs
3 must also incorporate the standards for cultural competence, including
4 multicultural education and principles of language acquisition,
5 developed by the professional educator standards board under RCW
6 28A.410.270.

7 NEW SECTION. **Sec. 504.** If specific funding for the purposes of
8 section 202 of this act, referencing section 202 of this act by bill or
9 chapter number and section number, is not provided by June 30, 2013, in
10 the omnibus appropriations act, section 202 of this act is null and
11 void.

12 NEW SECTION. **Sec. 505.** If specific funding for the purposes of
13 section 402 of this act, referencing section 402 of this act by bill or
14 chapter number and section number, is not provided by June 30, 2013, in
15 the omnibus appropriations act, section 402 of this act is null and
16 void.

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