

CERTIFICATION OF ENROLLMENT

HOUSE BILL 3097

Chapter 27, Laws of 2008

60th Legislature
2008 Regular Session

BOARD OF EDUCATION--EXECUTIVE DIRECTOR--AUTHORITY

EFFECTIVE DATE: 06/12/08

Passed by the House February 12, 2008
Yeas 97 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate March 4, 2008
Yeas 46 Nays 0

BRAD OWEN

President of the Senate

Approved March 14, 2008, 4:01 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

CERTIFICATE

I, Barbara Baker, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **HOUSE BILL 3097** as passed by the House of Representatives and the Senate on the dates hereon set forth.

BARBARA BAKER

Chief Clerk

FILED

March 17, 2008

**Secretary of State
State of Washington**

HOUSE BILL 3097

Passed Legislature - 2008 Regular Session

State of Washington 60th Legislature 2008 Regular Session

By Representatives Quall, Barlow, Priest, and Anderson

Read first time 01/22/08. Referred to Committee on Education.

1 AN ACT Relating to the authority of the executive director of the
2 state board of education; and amending RCW 28A.305.130.

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

4 **Sec. 1.** RCW 28A.305.130 and 2006 c 263 s 102 are each amended to
5 read as follows:

6 The purpose of the state board of education is to provide advocacy
7 and strategic oversight of public education; implement a standards-
8 based accountability system to improve student academic achievement;
9 provide leadership in the creation of a system that personalizes
10 education for each student and respects diverse cultures, abilities,
11 and learning styles; and promote achievement of the goals of RCW
12 28A.150.210. In addition to any other powers and duties as provided by
13 law, the state board of education shall:

14 (1) Hold regularly scheduled meetings at such time and place within
15 the state as the board shall determine and may hold such special
16 meetings as may be deemed necessary for the transaction of public
17 business;

18 (2) Form committees as necessary to effectively and efficiently
19 conduct the work of the board;

1 (3) Seek advice from the public and interested parties regarding
2 the work of the board;

3 (4) For purposes of statewide accountability:

4 (a) Adopt and revise performance improvement goals in reading,
5 writing, science, and mathematics, by subject and grade level, once
6 assessments in these subjects are required statewide; academic and
7 technical skills, as appropriate, in secondary career and technical
8 education programs; and student attendance, as the board deems
9 appropriate to improve student learning. The goals shall be consistent
10 with student privacy protection provisions of RCW 28A.655.090(7) and
11 shall not conflict with requirements contained in Title I of the
12 federal elementary and secondary education act of 1965, or the
13 requirements of the Carl D. Perkins vocational education act of 1998,
14 each as amended. The goals may be established for all students,
15 economically disadvantaged students, limited English proficient
16 students, students with disabilities, and students from
17 disproportionately academically underachieving racial and ethnic
18 backgrounds. The board may establish school and school district goals
19 addressing high school graduation rates and dropout reduction goals for
20 students in grades seven through twelve. The board shall adopt the
21 goals by rule. However, before each goal is implemented, the board
22 shall present the goal to the education committees of the house of
23 representatives and the senate for the committees' review and comment
24 in a time frame that will permit the legislature to take statutory
25 action on the goal if such action is deemed warranted by the
26 legislature;

27 (b) Identify the scores students must achieve in order to meet the
28 standard on the Washington assessment of student learning and, for high
29 school students, to obtain a certificate of academic achievement. The
30 board shall also determine student scores that identify levels of
31 student performance below and beyond the standard. The board shall
32 consider the incorporation of the standard error of measurement into
33 the decision regarding the award of the certificates. The board shall
34 set such performance standards and levels in consultation with the
35 superintendent of public instruction and after consideration of any
36 recommendations that may be developed by any advisory committees that
37 may be established for this purpose. The initial performance standards
38 and any changes recommended by the board in the performance standards

1 for the tenth grade assessment shall be presented to the education
2 committees of the house of representatives and the senate by November
3 30th of the school year in which the changes will take place to permit
4 the legislature to take statutory action before the changes are
5 implemented if such action is deemed warranted by the legislature. The
6 legislature shall be advised of the initial performance standards and
7 any changes made to the elementary level performance standards and the
8 middle school level performance standards;

9 (c) Adopt objective, systematic criteria to identify successful
10 schools and school districts and recommend to the superintendent of
11 public instruction schools and districts to be recognized for two types
12 of accomplishments, student achievement and improvements in student
13 achievement. Recognition for improvements in student achievement shall
14 include consideration of one or more of the following accomplishments:

15 (i) An increase in the percent of students meeting standards. The
16 level of achievement required for recognition may be based on the
17 achievement goals established by the legislature and by the board under
18 (a) of this subsection;

19 (ii) Positive progress on an improvement index that measures
20 improvement in all levels of the assessment; and

21 (iii) Improvements despite challenges such as high levels of
22 mobility, poverty, English as a second language learners, and large
23 numbers of students in special populations as measured by either the
24 percent of students meeting the standard, or the improvement index.
25 When determining the baseline year or years for recognizing individual
26 schools, the board may use the assessment results from the initial
27 years the assessments were administered, if doing so with individual
28 schools would be appropriate;

29 (d) Adopt objective, systematic criteria to identify schools and
30 school districts in need of assistance and those in which significant
31 numbers of students persistently fail to meet state standards. In its
32 deliberations, the board shall consider the use of all statewide
33 mandated criterion-referenced and norm-referenced standardized tests;

34 (e) Identify schools and school districts in which state
35 intervention measures will be needed and a range of appropriate
36 intervention strategies after the legislature has authorized a set of
37 intervention strategies. After the legislature has authorized a set of
38 intervention strategies, at the request of the board, the

1 superintendent shall intervene in the school or school district and
2 take corrective actions. This chapter does not provide additional
3 authority for the board or the superintendent of public instruction to
4 intervene in a school or school district;

5 (f) Identify performance incentive systems that have improved or
6 have the potential to improve student achievement;

7 (g) Annually review the assessment reporting system to ensure
8 fairness, accuracy, timeliness, and equity of opportunity, especially
9 with regard to schools with special circumstances and unique
10 populations of students, and a recommendation to the superintendent of
11 public instruction of any improvements needed to the system; and

12 (h) Include in the biennial report required under RCW 28A.305.035,
13 information on the progress that has been made in achieving goals
14 adopted by the board;

15 (5) Accredite, subject to such accreditation standards and
16 procedures as may be established by the state board of education, all
17 private schools that apply for accreditation, and approve, subject to
18 the provisions of RCW 28A.195.010, private schools carrying out a
19 program for any or all of the grades kindergarten through twelve:
20 PROVIDED, That no private school may be approved that operates a
21 kindergarten program only: PROVIDED FURTHER, That no private schools
22 shall be placed upon the list of accredited schools so long as secret
23 societies are knowingly allowed to exist among its students by school
24 officials;

25 (6) Articulate with the institutions of higher education, workforce
26 representatives, and early learning policymakers and providers to
27 coordinate and unify the work of the public school system;

28 (7) Hire an executive director and an administrative assistant to
29 reside in the office of the superintendent of public instruction for
30 administrative purposes. Any other personnel of the board shall be
31 appointed as provided by RCW 28A.300.020. The board may delegate to
32 the executive director by resolution such duties as deemed necessary to
33 efficiently carry on the business of the board including, but not
34 limited to, the authority to employ necessary personnel and the
35 authority to enter into, amend, and terminate contracts on behalf of
36 the board. The executive director, administrative assistant, and all
37 but one of the other personnel of the board are exempt from civil

1 service, together with other staff as now or hereafter designated as
2 exempt in accordance with chapter 41.06 RCW; and

3 (8) Adopt a seal that shall be kept in the office of the
4 superintendent of public instruction.

Passed by the House February 12, 2008.

Passed by the Senate March 4, 2008.

Approved by the Governor March 14, 2008.

Filed in Office of Secretary of State March 17, 2008.